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AND NORTHERN IRELAND
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REFRESHMENT DEPARTMENT

GENERAL MANAGER—W. J. J. Smillie, FHCIMA, FCFA, ACF

DEPUTY GENERAL MANAGER—E. J. Nash, MCFA

ASSISTANT MANAGER—P. Gale, MHCIMA

PERSONNEL ADMINISTRATOR—Mrs. S. M. Nicholls, FHCIMA, MIPM

PERSONAL ASSISTANT TO GENERAL MANAGER—Mrs. A. G. Lunn

BANQUETING MANAGER—C. J. Griffiths

CATERING ACCOUNTANT—D. R. W. Wood, FCA

ASSISTANT CATERING ACCOUNTANT—Mrs. B. A. Langley

EXECUTIVE CHEF—I. Gabay

HEAD CELLARMAN—D. Balcombe

HEAD STOREMAN—A. E. Edmond

SHORTHAND WRITER TO THE HOUSE—Mrs. E. M. C. Holland

PARLIAMENTARY WORKS OFFICER—B. C. Sewell

HEAD OF SECURITY—Chief Superintendent A. J. Coxon

COMMUNICATIONS MANAGER—A. Blake

POSTMASTER—J. Arnold

TRANSPORT MANAGER—R. H. Hyde

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 177**

SIXTEENTH VOLUME OF SESSION 1989-90

House of Commons

Monday 23 July 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

DEATH OF A MEMBER

Mr. Speaker: I regret to have to inform the House of the death of Michael Carr esquire, Member for Bootle, and I desire, on behalf of the House, to express our sense of the loss we have sustained and our sympathy with the relatives of the hon. Member.

Hon. Members: Hear, hear.

PRIVATE BUSINESS

BRITISH RAILWAYS BILL
Order for Consideration of Lords amendments read.
To be considered tomorrow.

CITY OF LONDON (VARIOUS POWERS) BILL
Lords amendments agreed to.

LONDON UNDERGROUND (VICTORIA) BILL
Read the Third time, and passed.

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) BILL *[Lords]*
Considered.
Ordered,
That Standing Order 205 (Notice of Third Reading) be suspended and that the Bill be now read the third time.—*[The First Deputy Chairman of Ways and Means.]*
Read the Third time and passed.

LONDON DOCKLANDS RAILWAY BILL
Order for consideration read.
To be considered tomorrow.

Oral Answers to Questions

Mr. Speaker: We now come to questions to the Department of Energy.

Mr. Salmond: On a point of order, Mr. Speaker. Is it in order to ask whether the gross discourtesy shown to members of the Select Committee on Energy and to Scottish Members by making the important announcement about the Britoil golden share on Friday was connected with weekend press reports that the Minister with responsibility for oil is about to be sacked? If that is so——

Mr. Speaker: No, that has nothing to do with energy questions.

Mr. Salmond: I am coming to the point of order——

Mr. Speaker: Order. It takes up time from other hon. Members' questions and it has nothing to do with energy questions today. This matter was raised on Friday, which is a full working day here.

Mr. Salmond: If that is the case, Mr. Speaker, what powers do you have to ensure that the rights of Back-Bench Members are protected from musical chairs on the Government Front Bench?

Mr. Speaker: This matter arose on Friday. I said then that it would have been convenient if we had known of it beforehand, but Friday is a working day in the House of Commons.

ENERGY

Friends of the Earth

1. **Sir George Young:** To ask the Secretary of State for Energy when he next expects to meet Friends of the Earth to discuss energy-related issues.

The Parliamentary Under-Secretary of State for Energy (Mr. Tony Baldry): I have no present plans to meet Friends of the Earth.

Sir George Young: If my hon. Friend receives a request to meet these friendly and earthy people, will he say yes to it and then do all that he can to reassure them that the Government attach a high priority to the promotion of alternative and renewable forms of energy?

Mr. Baldry: My right hon. Friend has already had a meeting with Friends of the Earth. We shall always be happy to have further meetings because they would enable us to tell them that the Government are stimulating the development and application of all promising renewable energy sources by means of a major research, development and demonstration programme. To date the Department has spent more than £160 million on research, and the budget for this year is about £20 million. A special place has also been set aside for about 600 MW of capacity from renewable sources under the non-fossil fuel obligation—in addition to whatever is contracted for under the initial tranche. I would welcome the opportunity of giving Friends of the Earth this good news.

Mr. Simon Hughes: Is not the reality that there needs to be a substantial change in investment in favour of renewables and away from sources such as nuclear power? Will not the Minister find a positive response from organisations such as Friends of the Earth only when he shows that the Government understand the economics of energy and spend money in the right place?

Mr. Baldry: We pay significant regard to energy efficiency. The hon. Gentleman might like to recall that United Kingdom energy consumption in 1989 is less than it was in 1979, despite a 25 per cent. increase in gross domestic product.

Energy Efficiency

2. **Mr. Forman:** To ask the Secretary of State for Energy what programmes his Energy Efficiency Office operates to disseminate advice on energy efficiency to consumers of electricity.

The Minister of State, Department of Energy (Mr. Peter Morrison): We promote efficiency in the use of all sources of energy, including electricity.

Mr. Forman: I am grateful for that reply. What statutory role will there be after privatisation for the electricity companies to give advice on energy efficiency?

Mr. Morrison: The 12 distribution companies have a statutory role now under the Electricity Act 1989. That role will be overlooked by the Office of Electricity Regulation, which already has good contacts with my Energy Efficiency Office.

Mr. Foulkes: Is the Minister aware that he is one of the few Ministers who deals with Opposition questions on energy efficiency and other matters with a great deal of courtesy? It makes a change. Is he as fed up as I am at reading in every paper over the weekend of his imminent demise and possible replacement by the Under-Secretary of State for Scotland, the hon. Member for Stirling (Mr. Forsyth)? If that happened would not it speak volumes about the appalling state of the Tory party?

Mr. Morrison: I am most grateful to the hon. Gentleman for his complimentary remarks. Unless I am gravely mistaken I am still standing here.

Gas Prices

3. **Mr. David Davis:** To ask the Secretary of State for Energy when he last met the chairman of British Gas to discuss the level of gas prices for industrial consumers.

Mr. Peter Morrison: My right hon. Friend and I meet the chairman of British Gas from time to time to discuss a range of issues of mutual interest, including the fact that industrial gas prices have fallen by 41 per cent. in real terms over the past five years.

Mr. Davis: I thank my right hon. Friend for that excellent news. Does he agree that that implies that a large part of British industry will now have a major competitive advantage? That, in conjunction with the fact that we have the lowest domestic gas prices in Europe, is a major vindication of our privatisation programme.

Mr. Morrison: I agree with my hon. Friend. He spoke about domestic gas prices. Since privatisation the price of domestic gas has fallen by 14 per cent., so all round British Gas has a very good record.

Dr. Kim Howells: Can the Minister give any assurances and with any confidence that gas prices will not rise when gas is used as a bulk burn fuel in power stations?

Mr. Morrison: As the hon. Gentleman knows, the price of gas depends on the efficiency of British Gas and the other North sea gas producers. It also depends on supply and demand.

British Coal

4. **Mr. Hind:** To ask the Secretary of State for Energy how much the Government have invested in British Coal since 1979.

The Secretary of State for Energy (Mr. John Wakeham): We have assisted the corporation in financing over £7 billion of new investment since 1979.

Mr. Hind: Will my right hon. Friend confirm that the Government have invested far more in the coal industry than did their predecessors? As a consequence, the arrangements between British Coal, National Power and PowerGen for the supply of coal mean a secure future for coal mining in Britain which will play a major part in future developments.

Mr. Wakeham: My hon. Friend is absolutely right. The new contracts with the electricity generators provide British Coal with a large market opportunity, a guaranteed income stream over the next three years, and time to adjust to the needs of a competitive electricity market. My hon. Friend is also correct about the support that the Government have given to the coal industry.

Grants made available to British Coal under this Administration exceed in real terms the total assistance given by all previous Governments since nationalisation of the industry was completed.

Mr. Hardy: Will the Secretary of State comment on the paradox that the Government and almost all their supporters have boasted for the past decade or more about record investments in British Coal, but that the market opportunity, although the Secretary of State may describe it as large, is small? Every member of the Government and most of their supporters joyfully trooped through the Lobby to secure the replacement of the investment about which the Government boast.

Mr. Wakeham: The Government's support for the coal industry has enabled it to make massive improvements in productivity, which is now about 75 per cent. over the pre-strike level. That is a fine achievement and will enable British Coal to compete in the market at the end of the three-year contracts with the generators. I hope and expect that British Coal will achieve a substantial share of that market.

Mr. Brandon-Bravo: Given the massive size of investment in the industry, and that much of it is long term, should not we also take steps to ensure that British industry is not held hostage to fluctuations in world prices in coal? I refer in particular to the importation of sulphur-free coal.

Mr. Wakeham: It is impossible for any industry to be entirely insulated from world prices or environmental considerations, but the step that we have taken in improving the productivity of British Coal and playing our part in the European directive on emissions will enable British Coal to take advantage of the position in future.

Mr. Barron: Does the Secretary of State accept that many of the grants that have gone into the coal industry since 1979 were effectively investments in its closure and rundown? Does he agree that where there has been capital investment, to which he correctly referred, we must make sure that it has the long-term effect of producing coal? We must get way from three-year contracts, which are no good whatever to the coal industry. With the chairman of British Coal, will he get together people from National Power and PowerGen and begin discussions about long-term contracts so that investment is not wasted?

Mr. Wakeham: I agree with the hon. Gentleman this far: the three-year contracts are only a start and longer contracts are needed for the coal industry. I am sure that he will welcome the fact that a substantial part of the support that British Coal has received from the Government has enabled the necessary changes in manpower levels to be achieved in as humane and reasonable a way as possible.

The bulk of the assets being written down stem from the "Plan for Coal" initiated by the Labour party when it was in office. That was based on a forecast of coal demand that failed to materialise. I do not say that no recent investments will need to be written down as a result of the collapse of energy prices, but the Monopolies and Mergers Commission report on British Coal's capital investment last year noted an improvement in the corporation's investment appraisal procedures. That augurs well for the future.

Mr. John Marshall: Does my right hon. Friend agree that the figures demonstrate that the nationalisation of British Coal was an unmitigated disaster? When can the taxpayer look forward to that burden being removed?

Mr. Wakeham: If I had been around in 1946 I should not necessarily have agreed with the solution of the then Government. However, that might be controversial. The Government's policy is to privatise the coal industry. Proposals will be put before Parliament, but after the next election.

Energy Efficiency

5. **Mr. Ray Powell:** To ask the Secretary of State for Energy when he next expects to meet Neighbourhood Energy Action to discuss the home energy efficiency scheme.

Mr. Peter Morrison: I meet the director of Neighbourhood Energy Action and representatives of other organisations as necessary to discuss the development of the home energy efficiency scheme.

Mr. Powell: I thank the Minister for that reply. Is he aware of the promise that the home energy efficiency scheme would be introduced by 1 November? All the people involved in introducing such a scheme, including a rock wool factory in my constituency, continue to state openly that the Government will not introduce the scheme by 1 November. The Government have backtracked on the promises that they made. The House and the nation want some assurance that the Government will get off their backside and do something about introducing the scheme by 1 November as they promised.

Mr. Morrison: I am sure that the hon. Gentleman wanted the consultation that has taken place during the past few months. I hope that he would not have wanted us to go ahead without seeking the views of all groups involved, including Neighbourhood Energy Action. He will be pleased to hear that I hope shortly to come forward with the final details of the scheme. As he will realise, the scheme is a successor to the community insulation projects and, therefore, will flow naturally through.

Mr. Hannam: Will my right hon. Friend confirm that the rate of energy efficiency improvement in this country has been running at more than double that of the European Community average? Is not that largely due to the success of our community insulation programme? What plans does my right hon. Friend have for continuing that success?

Mr. Morrison: I can certainly confirm that we have had a pretty good record during the past 10 years. However, it would be a mistake to be in any sense complacent, which is why I and my officials at the Energy Efficiency Office are visiting every part of the country to promote our message as best we can.

Mr. Robert Hughes: Does not the Minister astonish even himself with his complacency? How can he claim to be so proud of energy efficiency improvements over the years when he is severely cutting funds to voluntary agencies helping to minimise energy loss? Is not that at best inconsistent with the right hon. Gentleman's remarks, and, at worst, hypocritical?

Mr. Morrison: If I give the impression that I am complacent, I assure the hon. Gentleman that I am not. As I said before, the nation's energy spend amounts to about £40,000 million a year, and our target is to reduce that figure by £8,000 million. Substantial new moneys are coming to the Department for the home energy efficiency scheme, which will also help. I suspect that many of the deliverers—the people who do the job—will be voluntary agencies as well as companies in the private sector.

Mr. Dickens: When my right hon. Friend next talks about energy efficiency to neighbourhood groups, will he impress upon them the importance of the fluorescent gas-filled bulb, which lasts about five years and costs next to nothing to run, but which the bulb manufacturers of the world are slow to produce because they have a vested interest in the consumer replacing bulbs every five minutes? Will he try to persuade British manufacturers to produce those bulbs, because they can be obtained only from abroad at a cost of about £15 to £20 each? Nevertheless, hotels have caught on to their advantages.

Mr. Morrison: If anything, I am becoming a bit of a bulb bore. I assure my hon. Friend that I promote that message as hard as I can. He may not realise that such bulbs are now being produced in this country, and I hope that we shall find them on supermarket shelves from the autumn this year. Those bulbs are certainly very efficient, and every right hon. and hon. Member could benefit by using them in their homes.

Gas Act 1986

6. **Mr. Nellist:** To ask the Secretary of State for Energy what proposals he has to amend the Gas Act 1986.

Mr. Peter Morrison: None, Sir.

Mr. Nellist: I have raised before in the House the dilemma confronting Coventry city council, as a consequence of the Gas Act 1986, in relation to the cheaper price of contract rather than tariff supplies. The council has decided to heat 17 schools and old people's homes from now until 30 November with all their windows open, so that 56,000 extra therms will be consumed and the council will qualify for the cheaper contract gas, thus saving the city £30,000. The problem is not unique to Coventry among local authorities. The Minister and his Department responded to paragraph 4 of the Energy Select Committee's report, saying that they are confident that British Gas and the Office of Gas Supply will continue to discuss that aspect until a satisfactory solution is found. To whom is such a solution to be acceptable, and how long will those discussions continue?

Mr. Morrison: The hon. Gentleman perfectly reasonably cites a problem which I accept exists. However, it is fair to say that in Coventry, as in any other part of the country where there is aggregation, there is no need for the city council to burn gas in the way that the hon. Gentleman describes.

Mr. Nellist: It is cheaper.

Mr. Morrison: That may be so, but in practice, because of aggregation, the total sum that the council will have to pay is no more than it would have paid a year ago. Nevertheless, efforts are being made by Ofgas, British Gas and myself to work out a solution to this complicated problem. It is not a question of the legislation but of how one tapers through its provisions. Genuine efforts are being made to resolve the problem.

Mr. Rost: Does my right hon. Friend accept that that scandalous waste of gas has been going on too long? It is not only schools and the public sector that are deliberately wasting gas to pay less for it by qualifying for an industrial tariff, but commercial interests such as hotel groups and retail outlets. It pays users having a consumption of about 18,000 therms to burn up to 25,000 therms because they will then pay less for that gas. Is not it time either to allow aggregation below 25,000 therms or to amend the Gas Act 1986 so that that ridiculous anomaly can be removed?

Mr. Morrison: I do not quite agree with my hon. Friend's figures, but it is perfectly fair to say that my hon. Friend, like the hon. Member for Coventry, South-East (Mr. Nellist) points to a problem. Work is going on to see how that problem can be solved.

Mr. Dorrell: The privatisation of the utilities has certainly resulted in competition at the industrial and commercial ends of the market. But, as last week's increase in British Telecom's charges shows, there is severe discrimination against domestic consumers. What will the Government do to protect domestic gas consumers?

Mr. Morrison: The hon. Gentleman cannot have been listening to one of my earlier replies when I said that since privatisation the domestic gas consumer is paying 14 per cent. less in real terms for gas.

Alternative Energy Sources

7. **Mr. Knox:** To ask the Secretary of State for Energy when he proposes to have discussions with the European Commission about alternative sources of energy.

Mr. Peter Morrison: Neither my right hon. Friend nor I have any current plans to have discussions with the European Commission. However, alternative sources of energy are likely to be relevant in future Council discussions. The next Energy Council is planned for 29 October.

Mr. Knox: Is my right hon. Friend satisfied that the balance between United Kingdom national research and European Community research is about right? Does not he think that more of this research should be undertaken on a European basis?

Mr. Morrison: I think that I am satisfied that the balance is about right in terms of the JOULE 2 and THERMIE programmes. As a result of the European Community coming together, the total spend by those nations on research and development is about right.

Mrs. Margaret Ewing: Will the Minister ensure that at the Council of Ministers meeting on 29 October a clear proposition is laid before the Council that Dounreay, in the north of Scotland, should be developed as a centre of excellence for research into renewable energy sources, instead of the current proposition, which is to turn it into a nuclear dustbin?

Mr. Morrison: I do not agree with the final part of the hon. Lady's question, but I listened carefully to the former part.

Dr. Michael Clark: If and when my right hon. Friend has discussions with the European Commission on alternative energy sources, will he review with it the possibilities and opportunities for wave power? If he finds that there is potential for wave power, will he reassess the Salter duck, which was designed and developed in this country, but, unfortunately has not yet been exploited?

Mr. Morrison: As my hon. Friend will know, the Department spends a considerable amount of money on research and development into wave power, and currently we are reviewing that research. As for Mr. Salter and his ideas, my hon. Friend might be pleased to hear that he came to my office a few weeks ago where we had a long discussion, and that I intend to visit his laboratories in Edinburgh as soon as I can find the time.

Electricity Privatisation

8. **Ms. Mowlam:** To ask the Secretary of State for Energy when he next expects to meet the chairman of the area distribution companies to discuss privatisation.

Mr. Wakeham: I meet regional electricity company chairmen regularly to discuss a range of matters and have recently set the debt levels of the 12 regional electricity companies and the National Grid Company. The total debt will be £2,843·5 million. I have arranged for the company-by-company figures to be published in the *Official Report*.

Ms. Mowlam: As 10 of those 12 companies have already failed to meet Government profit targets—it has not stopped the chairmen from taking substantial pay increases—how does the Secretary of State expect shareholders to make informed decisions if the only information that they will have is the knowledge of that failure to meet profit targets?

Mr. Wakeham: That is not the only information that they will have. A proper prospectus, as required by law, will be published and the information will be available there. That is the right time to assess those companies. The results to which the hon. Lady referred reflect the unusually mild winter and the recent storms, but also—and much more important—they are, to an extent, irrelevant under the new competitive regime that we have created.

Mr. Ian Bruce: Has my right hon. Friend yet had a chance to assess how the bidding system for electricity is working? Does he believe, as I do , that it is already having the effect of bringing down the price of electricity to the distribution companies, which will be passed on to the consumer in the fullness of time?

Mr. Wakeham: Obviously, I am interested in looking at the information which comes in, but it is too early yet to form any firm conclusions about how the pool price will settle down. However, I agree with my hon. Friend that the arrangements that came into effect on 1 April mean that a great many of our larger electricity consumers have had the price of their electricity significantly reduced.

Mr. Benn: Is the Secretary of State aware that if members of any Labour local authority had handled the public assets entrusted to it in the way in which the Government have handled the assets built up by public money and the labour of those in the industry, they would have been charged with wilful misconduct, brought before the courts and barred from public office and that they would have been lucky to escape the charge of absolute political corruption?

Mr. Wakeham: Only the right hon. Gentleman could have put his question in that way. The Government dealt with the problem of the publicly owned electricity supply industry by vesting it on 31 March in the plcs, all of which are still owned by the Government. The Government will proceed to the privatisation of the majority of them, though not of Nuclear Electric. We shall see to it that we get a proper price for the sale of shares in those companies.

Mr. Dobson: When the Secretary of State last met the bosses of the distribution companies, did he tell them what steps he was taking to protect the independence of the privatised electricity companies? Does he recall that the House was promised on 13 December 1988 that no individual or company would be allowed to take more than a 15 per cent. stake in any of the electricity companies? Is that promise another victim of his desperation over privatisation? Is the Hanson solution intended only for PowerGen?

Mr. Wakeham: I shall be making a statement about the wider issues at a later date, but the competitive nature of the electricity supply industry that we have created also bears importantly on the position of the regulator. He received complaints some time after 1 April, as a result of which he made some very marginal changes in the way the arrangements work.

Following is the information:

Regional electricity companies: debt

	£ million
Eastern Electricity plc	263·0
East Midlands Electricity plc	127·0
London Electricity plc	338·5
MANWEB plc	63·0
Midlands Electricity plc	120·0
Northern Electricity plc	164·0
NORWEB plc	153·0
Southern Electricity plc	295·0
SEEBOARD plc	125·0
South Wales Electricity plc	25·0
South Western Electricity plc	80·0
Yorkshire Electricity Group plc	189·0
	1,942·5
The National Grid Company plc	901·0
	2,843·5

Flue Gas Desulphurisation

9. **Mr. Haynes:** To ask the Secretary of State for Energy what is his most up-to-date estimate of the United Kingdom requirement for flue gas desulphurisation in *(a)* National Power and *(b)* PowerGen coal-fired power stations in 1998 and 2003.

Mr. Baldry: I expect flue gas desulphurisation to be retrofitted to 8 GW of power stations as part of measures to meet the sulphur dioxide reductions required by 1998.

Mr. Haynes: Mr. Speaker, Sir, I want to know what the Department is playing at. Is the Minister aware that only last year the Prime Minister promised that there would be

no increase in imports of low-sulphur coal? Yet the Department is jigging around with FGD reductions in our power stations. It is obviously selling out the environment and the mining industry. The Government have clearly sacrificed the environment and the mining industry on the altar of privatisation, so the Minister should get up there and come off it.

Mr. Baldry: I intend to say this quietly because I want to be sure that the hon. Gentleman hears it. This year, under the contract between British Coal and the generators, the generators will be taking 70 million tonnes of British coal. In evidence to the Select Committee, British Coal estimated that, with 8 GW of flue gas desulphurisation installed, the generators could burn 70 million tonnes of British coal in 1998. In other words, on British Coal's own evidence it will be perfectly feasible in 1998 for the generators, with 8 GW of FGD fitted, to burn exactly the same volume of British coal as they are burning today, if they so choose. More FGD could be retrofitted to meet the target for the year 2003, 13 years away, if the generators felt it appropriate nearer the time.

Mr. Michael Morris: Is not the key dimension the total amount of sulphur dioxide emissions across the whole of the generating industry and not just a particular sector of it?

Mr. Baldry: Everyone is determined that we should play our full part in reducing sulphur dioxide emissions. We are determined to meet the European Community's large combustion plant directive and to ensure that power stations play their part in meeting the requirement of the reduction of sulphur dioxide emissions, which is what the directive is all about. We shall ensure that the United Kingdom meets the terms of that directive. The Environmental Protection Bill now before Parliament provides statutory powers to ensure compliance with the legislation and the directive.

Mr. Morgan: Now that the Government have chickened out of their commitment to fit flue gas desulphurisation to 12,000 MW of power stations and their privatisation programme is looking like the charge of the electric light brigade, will the Minister say what discussions are taking place with Hanson about the acquisition of PowerGen? What part will chickening out of their environmental commitment play in the Government's discussions with Hanson, which acts as a scrap-metal merchant for large parts of the British economy? Does the Minister accept that privatisation is not so much a holy grail for the Government as the Turin shroud?

Mr. Baldry: The hon. Gentleman was clearly so busy polishing up his phrases for the benefit of parliamentary sketch writers that he did not listen to what I was saying. The Government are determined to meet the European Community's large combustion plant directive, under which certain targets are to be met in certain years. One of the target years is 1998. As I have made clear, on British Coal's own evidence to the Select Committee on Energy, with 8 GW of FGD retrofitted it will be perfectly possible for the generators, if they so choose, to burn exactly the same volume of British coal in 1998 as they do today.

Energy Conservation

10. **Mr. Tredinnick:** To ask the Secretary of State for Energy what resources his Department devotes to improved energy conservation; what recent measures he has introduced to improve energy conservation; and if he will make a statement.

Mr. Peter Morrison: Our initiatives include the best practice programme, an increased role for the regional energy efficiency officers, and the public sector campaign. In addition, a new home energy efficiency scheme for low-income households is being prepared.

Mr. Tredinnick: Does my right hon. Friend agree that energy conservation is as important as energy creation, and that every household in Britain can play its part? Is he aware that in Leicestershire, the average three-bedroomed, semi-detached house could make £50 savings per year for an investment of £100 on roof insulation or £30 per year for a £10 investment on lagging the tank?

Mr. Morrison: I agree with my hon. Friend that households in Leicestershire, Lincolnshire or wherever could nearly all make a major contribution to their household bills and thus to the economy.

Mr. Tony Banks: There must be some way of converting all the energy that we use bobbing up and down in the House to provide energy for the House of Commons. More importantly, has the Minister noticed the high concentrations of photochemical smog in London during the hot spells in the past week or so? How do the Government intend to monitor the pollution levels and what do they intend to do about the causes of that major health hazard to Londoners?

Mr. Morrison: I have noticed every now and then a scudding cloud, as it were. I will refer the hon. Gentleman's question to my right hon. Friend the Secretary of State for the Environment.

Mr. Barry Field: Does my right hon. Friend agree that one of the most energy conservation-conscious industries is the glasshouse industry? Will he consider introducing a green tariff for those industries that recycle their flue gas and carbon dioxide as the glasshouse industry does? I know that my right hon. Friend is a defender of the environment, even in his own greenhouse.

Mr. Morrison: It is kind of my hon. Friend to refer to my propensity to enjoy my garden and, indeed, my greenhouse. I agree that people who use greenhouses do so most efficiently and effectively and to the enhancement of the environment. The question of taxation implications with which my hon. Friend is trying to tempt me would be better put to my right hon. Friend the Chancellor of the Exchequer.

Sizewell B

11. **Mr. Simon Hughes:** To ask the Secretary of State for Energy how much public money has been spent on Sizewell B to date, how much is committed currently, and if he will make a statement.

Mr. Wakeham: A total of £1,510 million has been committed, of which £920 million has already been spent. both figures are at 1987 prices.

Mr. Hughes: Does the Secretary of State recall the statement made at the Hinkley inquiry by Mr. Brian George, chief executive of the PWR group of Nuclear Electric, that if we did not build a family of PWRs, expenditure on Sizewell B would be extremely doubtful? Is not the reality that the nuclear industry will not only fail to make a profit but will not break even and that if it were in the private sector it would have gone bust long ago? What prevents the Government, when they are casting around for money to save the public purse, from considering the most obvious candidate—Sizewell and the nuclear industry?

Mr. Wakeham: Much of the answer to the hon. Gentleman's question will be contained in the response that I shall shortly be making to the Select Committee report and from which it would not be right to quote at the moment. I have made a thorough review of the costs of Sizewell B. On an avoidable cost basis—the only basis which matters for my decision—Sizewell B output is comparable with that from a combined cycle gas turbine, on central assumptions, and cheaper than that from a coal-fired plant. That is the essential decision that I have to take.

THE ARTS

Photography

79. **Mr. Boyes:** To ask the Minister for the Arts whether he has met the chairman of the Council of Regional Arts Associations to discuss the regional arts associations' future policy towards, and financing of, photography.

The Minister for the Arts (Mr. Richard Luce): No, Sir. As I indicated to the hon. Gentleman on an earlier occasion, the Arts Council will be reviewing its support for photography as part of its development of a national strategy for the arts. The strategy will provide the framework within which the regional arts assocations will develop their own plans for photography.

Mr. Boyes: Is the Minister aware that recently I invited several 12 to 13-year-old Indian girls to the House of Commons to improve their photography, no doubt breaking a few hundred rules of this place in doing so? Given the universality of photography, will he support my plea for more cash for the Arts Council to enable photographers to be employed in schools to teach children to improve their composition and photographic skills?

Mr. Luce: The hon. Gentleman has done much over a long period to promote photography. The Arts Council gives £500,000 of taxpayers' money to support photography in this country and there has been a 10 per cent. increase in the overall budget this year. The Arts Council has an education unit, and I shall bring the hon. Gentleman's views to its attention.

Mr. Bowis: Given my right hon. Friend's encouragement of all aspects of the touring arts, will he consider encouraging the bringing together in one place of the history of photography and cinematography, including perhaps the works and artefacts of Edward Nuybridge, so that it can be taken around the country to encourage people in this form of the arts?

Mr. Luce: I note what my hon. Friend says. With the 150th anniversary last year of the invention of this form of art, much attention has focused on it. As my hon. Friend knows, the national museum of photography, film and television at Bradford does an outstanding job in promoting photography in this country.

Mr. Fisher: You may be aware, Mr. Speaker, that rumours are circulating that today could be the Minister's last Arts Question Time. If that is so, may I take the opportunity—on behalf of the whole House, I suspect—to pay tribute to him? He has made many friends in the arts world and is respected as a person who listens and cares about the arts. Many hon. Members would be reluctant to see him go because of the many things that he has achieved in his time. He should not, however, confuse that praise for him as a person with support for the Government's policies.

On that point, and arising out of the funding question asked by my hon. Friend the Member for Houghton and Washington (Mr. Boyes), will the right hon. Gentleman give the House an assurance that whoever is Minister for the Arts in the coming weeks he or she will be fighting for an increase in the arts budget in this budget round as the Arts Council is set for a real-terms cut in its three-year funding and without an increase the arts will suffer enormously?

Mr. Luce: I am not sure what to make of the hon. Gentleman's generous remarks and I am not clear how photography is linked with my future. The Government's record on funding for the arts is remarkable. Since 1979, there has been a 45 per cent. increase in real terms in the overall amount of money available to the arts from the taxpayer. That excludes the remarkable increase in the overall amount of private sector funds, which has been the fuel for the expansion of resources available to the arts.

Mr. Cormack: In so far as the Government's record has been remarkable, it is largely due to my right hon. Friend's sterling endeavours. I hope that he will carry on in this job for many years and I urge him to do what he can to assist photography.

Mr. Luce: I shall do whatever I can to assist photography. All I can say is that an hour is a long time in politics.

European Convention on Heritage and Culture

80. **Mr. Simon Hughes:** To ask the Minister for the Arts what plans he has to bring into force a European convention on heritage and culture by the end of 1992.

Mr. Luce: I am not aware of the existence of a European convention on heritage and culture. I assume that the hon. Gentleman is referring to the discussions taking place about arrangements for our heritage after 1992. These are at an early stage, but I am in close touch with my European Community colleagues on these issues.

Mr. Hughes: The Minister is right that there is not yet a European convention, but there is great concern that when the single European market comes into force at the end of 1992 there should be a convention to prevent the disappearance of works of particular merit through loopholes not only at national boundaries but at European boundaries. Will the right hon. Gentleman undertake to

pursue with urgency a proposal for such a convention which would supplement European law and would be in force in good time before the end of 1992?

Mr. Luce: I appreciate the importance of the hon. Gentleman's question. There is no doubt that there is concern about stolen works of art and their illicit export. These matters are under discussion by European Community Ministers, but it will take a little more time before we reach conclusions. The hon. Gentleman was right to imply that one of the implications of 1992 is that there will be no full-scale customs control at frontiers. We therefore have to find an alternative way of dealing satisfactorily with the illicit export of works of art. I assure the hon. Gentleman that I shall give great attention to this matter in the months ahead.

Mr. Jessel: Will my right hon. Friend, given his outstandingly successful work as Minister for the Arts in the United Kingdom, make it clear that the point of any international convention is to create duties and obligations? What on earth is the point of that in the arts? Is it not far better to run the arts from the United Kingdom?

Mr. Luce: My hon. Friend is right in the sense that article 36 of the treaty of Rome makes it clear that it is up to each individual state within the European Community to preserve its heritage in the way that it wishes. In this country, we have a liberal system in terms of free trade in works of art, but with some protection for the heritage. I believe that those principles should remain.

Mr. Rooker: Would not one possible advantage of such a convention on heritage and culure be that we could get laws banning censorship written down in a way which cannot be challenged? With such a convention, we would not end up with a ridiculous decision such as that made by the British Board of Film Classification, which is seeking to impose censorship on the publication of a book which most of us in a liberal society agree should be freely available to be read. It is ridiculous that we are faced with an accusation of double standards. That could end if there were a European convention.

Mr. Luce: I am not sure what bearing that has on heritage within the European Community. As the hon. Gentleman knows, however, it is important to stress that in this country we believe in freedom of expression, subject to the laws of the land. That is how it should be.

Curatorial Training

81. **Mr. Gregory:** To ask the Minister for the Arts how many public museums and galleries currently sponsor candidates for curatorial training; and if he will make a statement.

Mr. Luce: This information is not held centrally. The Government recognise the importance of museums training, and have supported the establishment of the Museums Training Institute, for which £400,000 is being provided in the current financial year.

Mr. Gregory: I am extremely grateful to my right hon. Friend for the funds that he has made available through that quarter. Nevertheless, is he not concerned at the large number of museums and galleries employing untrained staff, many of whom would like to be trained? Unfortunately, there are not enough places where they can go to be trained. Will my right hon. Friend consult our right hon. Friend the Secretary of State for Education and Science with the aim of making such places available, funded wherever possible by public museums and galleries?

Mr. Luce: I will look further at my hon. Friend's suggestion. He has taken a persistent interest in museums and galleries. I very much hope, however, that the £400,000 of taxpayers' money for the establishment of the Museums Training Institute will enable us to strengthen considerably the training available for management and volunteers, and also for attendants—thus raising still further the high standards in our museums.

Mr. Dalyell: In view of the enforced early retirement of Dr. Juliet Clutton-Brock, what arrangements will be made for curatorial training in archaeo-zoology and related sciences?

Mr. Luce: The hon. Gentleman has, as always, shown his capacity to ask the most penetrating question, and to expect Ministers to answer in specific terms. I shall look into the matter. I will, however, make the general point that it is important to find ways in which we can raise the standard of professionalism in our museums. That is not to say that that standard is not high already, but training facilities are inadequate and we need to do a great deal about that.

CIVIL SERVICE

Civil Service Trade Unions

96. **Mr. Skinner:** To ask the Minister for the Civil Service when he last met representatives of the civil service trade unions to discuss conditions of work.

The Minister of State, Privy Council Office (Mr. Richard Luce): I meet the civil service unions from time to time to discuss a range of matters.

Mr. Skinner: Is there any truth in the rumour that civil servants get a special supplement for drawing up lists of sacked Ministers for the Prime Minister? If so, can we assume that Charles Powell receives the biggest bonus payment of all? When he gets the poke, will this Minister send him a letter of congratulation, or one of complaint?

Mr. Luce: I wonder whether the hon. Gentleman has the capacity to imagine himself as a civil servant. The mind boggles at the very thought, but if he put himself in the shoes of a civil servant—those of Mr. Powell, for instance—he would realise how utterly unreasonable it is to attack a civil servant who cannot defend himself.

Let me say without hesitation, that Mr. Powell—like every other civil servant in the country—serves the elected Government of the day with great distinction.

Mr. Nicholas Bennett: What would be the reaction of the Inland Revenue to its working conditions if it had to revalue every property in the country as part of a policy of reintroducing domestic rates?

Mr. Luce: I know that I answer questions on more than one subject, but I do not think that I have direct responsibility for that one.

Dr. Marek: I do not know whether there are any rumours about the Minister leaving his responsibility for the civil service, but if he is, I wish him well. Before he goes, however, I hope that he will spare a thought for the incompetence and bungling of the Parliamentary Under-Secretary of State for the Environment, his hon. Friend the Member for Southampton, Itchen (Mr. Chope), who has destroyed morale at the Crown Suppliers and also destroyed its trade. A trade surplus of £6·3 million two years ago has become a £12 million loss now and its value of £100 million has been turned into a £4 million deficit. The Minister has deprecated attacks on civil servants who cannot defend themselves. Will he therefore join me in defending the interests of those civil servants and ensure that, whatever happens at the Ministry, integrity is reintroduced into government and morale restored to the Crown Suppliers and the civil servants who work for it?

Mr. Luce: The hon. Gentleman is wrong to suggest that morale in the civil service needs to be restored. As I go round the country, I see civil servants in different sections of the service doing a marvellous job with great enthusiasm. The Crown Suppliers is specifically a matter for my right hon. Friend the Secretary of State for the Environment. There is a clear question of deciding whether it is best to manage services through privatisation, through the creation of agencies or by some other means. The Government's sole concern is to ensure that the resources that we have are managed to the benefit of the public.

Mr. Barry Field: Does my right hon. Friend agree that one of the most important conditions of work is a reasonable work load? Will he join me in utterly condemning those trade unions, particularly the National Union of Mineworkers, which have put an unreasonable work load on to our loyal civil servants by mismanaging their finances? Civil servants and the NUM are now busily trying to find out where all the money has gone. Can my right hon. Friend assure the House that civil service trade union finances are much better managed than those of the NUM, where it is clear that they cannot count beyond 10 unless they take their boots off?

Mr. Luce: My hon. Friend makes an effective point. I have a high regard for the civil servants in this country. Compared with almost any others in the world, they do an outstanding job.

Appointments

97. **Mr. Tony Banks:** To ask the Minister for the Civil Service how many appointments have been made at grades 1 to 3 since 1979.

Mr. Luce: There are approximately 650 posts at these grades, to which about 1,000 appointments have been made over this period. Totally accurate figures are not available for the early years.

Mr. Banks: I realise that the Minister is biased, but does he appreciate that those figures appear to some people to be a process of Thatcherisation of the civil service since 1979, as we know the general approach that the Prime Minister and her Ministers adopt to recruitment? It seems that taxpayers' money is being used to install Tory party loyalists—or stooges, in the jobs throughout No. 10—to senior appointments in the civil service. Would not it be better to have a genuinely impartial appointments system or an open and honest spoils system rather than what appears to be the politically motivated, politically biased and hyprocritical system of appointment that exists now?

Mr. Luce: That was a colourful question, but the hon. Gentleman knows that the civil service in this country is utterly impartial and that the Government do not make political appointments to top professional civil service posts. Here I pray in aid the all-party Select Committee on the Treasury and Civil Service, which in 1986 said that it had received

"no convincing evidence that the British civil service is being or has been politicised."

That speaks for itself.

Dame Elaine Kellett-Bowman: How many of those appointments were women?

Mr. Luce: I cannot say how many of those 1,000 appointments are women. However, recruitment figures now show that more than 50 per cent., including high fliers, are women. There has been a big increase in the number of women in the civil service, but there are still very few at the top level. I hope that equality of opportunity will ensure that more get there.

Natural History Museum

98. **Mr. Dalyell:** To ask the Minister for the Civil Service if he will make a statement on his meeting with the IPMS to discuss the future of personnel at the natural history museum.

Mr. Luce: I have recently received a request from the general secretary of the Institution of Professionals, Managers and Specialists for a meeting. I have indicated that I will be happy to meet Mr. Brett and his officials at an appropriate time.

Mr. Dalyell: Would an appropriate time be before 30 September? Will the right hon. Gentleman place in the Library his responses to the letters that he has had from the Smithsonian? What does the Minister think about the 950 letters that he has received from distinguished institutions around the world pleading the case of the natural history museum?

Mr. Luce: With regard to the first part of the hon. Gentleman's question, I see no reason why the meeting should not be before 30 September. It should be possible to arrange something during September. Of course, I shall consider placing the exchange of letters in the Library as the hon. Gentleman suggested. I shall see what can be done. I remind the hon. Gentleman, as I have done before, that the natural history museum does an outstanding job and I stress that all collections at the museum continue to be accessible to the outside world. Researchers and staff will be available to give advice and if special research is necessary it is possible to make contractual arrangements for that with the museum.

Ethnic Monitoring

99. **Mr. Janner:** To ask the Minister for the Civil Service if he will make a statement regarding his office's implementation of its ethnic monitoring policy.

Mr. Luce: My Department continues to monitor the ethnic origin of applicants and new entrants to assess the effectiveness of our equal opportunities policies.

Mr. Janner: I thank the Minister for that answer. If he does move on, he will at least have left behind the appreciation of many people for his personal efforts on equal opportunities. Does he recognise, however, that a vast amount remains to be done and that an equal opportunities monitoring policy is useless on its own without positive action to ensure its enforcement? What is the Minister doing to ensure that his policy is brought into real effect so that we get some black people at senior levels in the civil service?

Mr. Luce: The hon. Gentleman knows that at the end of May I launched a programme of action to ensure proper equality of opportunity for black and Asian people within the service. I stress that it is equality of opportunity and involves getting there on the basis of merit. I am sure that the hon. and learned Gentleman would not disagree with that. I hope that he feels that the programme of action will facilitate that aim.

Disciplinary Code

100. **Mrs. Gorman:** To ask the Minister for the Civil Service if he has recently reviewed the civil service disciplinary code.

Mr. Luce: No, Sir.

Mrs. Gorman: Can my right hon. Friend tell me how the civil service disciplinary code works when, as appears to be the case with the Public Health Laboratory Service, bad advice is given to a Minister whereby a whole industry —in that case, the egg industry—suffers grievous damage? From my investigations, published recently in a book entitled "Chickengate", I found that most of the cases on which the Public Health Laboratory Service's evidence was based were wrongly interpreted and that poor hygiene was responsible for the salmonella, as it is today when cases of salmonella are increasing despite the slaughter more than a million chickens. How is the Public Health Laboratory Service to be held accountable for giving Ministers very bad advice?

Mr. Luce: At the end of the day, Ministers are accountable for the policies and actions in their area of responsibility and that principle should not be undermined. However, if a civil servant has broken a rule or performed incompetently, the disciplinary code exists and appropriate action can be taken.

Teachers' Pay

3 pm

Mr. Speaker: Statement Mr. MacGregor.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Mr. Speaker, about the statement.

Mr. Speaker: Well, how can there be a point of order about a statement which we have not heard?

Mr. Foulkes: On a point of order, Mr. Speaker. It is unclear whether the statement applies only to England and Wales or to the United Kingdom. It was the same——

Mr. Speaker: Order. We had better wait and see.

Mr. Foulkes *rose——*

Mr. Speaker: No. The hon. Gentleman may get an opportunity——

Mr. Foulkes *rose——*

Mr. Speaker: Order. I ask the hon. Gentleman to resume his seat.

Mr. Foulkes *rose——*

Mr. Dick Douglas (Dunfermline, West): On a point of order, Mr. Speaker.

Mr. Speaker: Order. This is an abuse.

Mr. Douglas *rose——*

Mr. Speaker: Order. The hon. Member for Dunfermline, West (Mr. Douglas) may have an opportunity to put a question during the statement. I call Mr. MacGregor.

The Secretary of State for Education and Science (Mr. John MacGregor *rose——*

Mr. Douglas: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I must ask the hon. Gentleman to sit down.

Mr. Douglas: No, Mr. Speaker.

Mr. Speaker: In that case, I must order the hon. Gentleman to sit down.

Mr. Douglas: No, on a point of order, Mr. Speaker.

Mr. Speaker: I order the hon. Gentleman to resume his seat. I do not want to take——

Mr. Douglas: On a point of order, Mr. Speaker, on the statement.

Mr. Speaker: Order. I have told the hon. Gentleman to sit down.

Mr. Douglas: On a point of order, Mr. Speaker.

Mr. Speaker: I now order the hon. Gentleman to leave the Chamber for the remainder of today's sitting.

Mr. Douglas: On a point of order, Mr. Speaker.

Mr. Speaker: I repeat that I order the hon. Gentleman to leave the Chamber for the remainder of today's sitting.

Mr. Douglas: On a point of order. This is something else——

Mr. Speaker: Order. The hon. Member will put himself in jeopardy if he does not now obey the order of the Chair.

Mr. Douglas: We are entitled to know——

Mr. Speaker: Order. I give the hon. Member one final chance——

Mr. Douglas *rose——*

Mr. Speaker: I name Mr. Dick Douglas.

Motion made, and Question put,

That Mr. Dick Douglas be suspended from the service of the House.—*[Sir Geoffrey Howe.]*

The House divided: Ayes 177, Noes 25.

Division No. 310] **[3.34 pm**

AYES

Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyes, Roland
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coleman, Donald
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Cunningham, Dr John
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Dykes, Hugh
Evans, John *(St Helens N)*
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Flynn, Paul
Fookes, Dame Janet
Forman, Nigel
Foster, Derek
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Golding, Mrs Llin
Goodlad, Alastair
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Hague, William
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hattersley, Rt Hon Roy
Haynes, Frank
Hayward, Robert
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hoey, Ms Kate *(Vauxhall)*
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon D. *(S'heath)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kinnock, Rt Hon Neil
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lightbown, David
Lloyd, Sir Ian *(Havant)*
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maxwell-Hyslop, Robin
Michael, Alun
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*

Moss, Malcolm
Mudd, David
Neale, Gerrard
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Owen, Rt Hon Dr David
Page, Richard
Patnick, Irvine
Pawsey, James
Porter, Barry *(Wirral S)*
Price, Sir David
Raison, Rt Hon Timothy
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Roe, Mrs Marion
Rooker, Jeff
Rossi, Sir Hugh
Rost, Peter
Rumbold, Mrs Angela
Scott, Rt Hon Nicholas
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Shore, Rt Hon Peter
Sims, Roger
Skeet, Sir Trevor
Smith, Rt Hon J. *(Monk'ds E)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spearing, Nigel
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Tredinnick, David
Twinn, Dr Ian
Wakeham, Rt Hon John
Waller, Gary
Ward, John
Wheeler, Sir John
Widdecombe, Ann
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Tom Sackville.

NOES

Ashton, Joe
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Cohen, Harry
Cryer, Bob
Cummings, John
Douglas, Dick
Galloway, George
Godman, Dr Norman A.
Hughes, John *(Coventry NE)*
Lambie, David
McAllion, John
Madden, Max
Mahon, Mrs Alice
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mullin, Chris
Nellist, Dave
Patchett, Terry
Redmond, Martin
Salmond, Alex
Skinner, Dennis
Vaz, Keith
Wise, Mrs Audrey

Tellers for the Noes:
Mrs. Margaret Ewing and
Mr. Harry Barnes.

Question accordingly agreed to.

Ordered,

That Mr. Dick Douglas be suspended from the service of the House.

Mr. Speaker: I have to direct the hon. Member for Dunfermline, West (Mr. Douglas) to withdraw, in compliance with the order that the House has just made.

The hon. Member withdrew accordingly.

3.44 pm

The Secretary of State for Education and Science (Mr. John MacGregor): With permission, Mr. Speaker, I should like to make a statement on new negotiating machinery for school teachers' pay and conditions.

I wrote to the local authority employers and the teacher unions on 26 April setting out proposals for new permanent pay negotiating machinery for settling the pay and conditions of school teachers in England and Wales. Over the past two months I have engaged in full and careful consultations on the basis of those proposals. I am now able to announce the Government's decisions about future machinery for determining the pay and conditions of school teachers. I intend at the earliest opportunity to bring forward to the House a Bill to give effect to these decisions.

Different and incompatible views on the proposals were expressed during the consultations. Most urged on us a restoration of negotiating rights for teachers; others preferred independent review, but they were not willing to agree the establishment of a permanent body similar to the present Interim Advisory Committee on School Teachers' Pay and Conditions. It is clear that we are far from a consensus in favour of independent review on a basis that would be acceptable.

Accordingly, we intend to provide for free negotiations between employers and teachers under an independent chairman. The Government will not be a party to those negotiations. There will be no pre-set financial limit on the negotiations. The employers will know the aggregate external finance that the Government are ready to make available for local authority expenditure as a whole and will consider what they can afford in the light of that. There will be a time limit on the negotiations.

If the negotiators agree recommendations before the time limit, it will fall to the Secretary of State to consider implementation. If the time limit passes without agreement, however, the negotiations will come to an end. The Government will seek recommendations instead from an independent advisory committee, broadly similar to the present interim advisory committee. This will not be arbitration. The Government will set the body a clear and specific remit. Again, it will fall to the Secretary of State to consider implementation.

I hope that it will normally be possible to accept the recommendations that are put to us, but we have also to provide for circumstances in which that is not the case. If the Government are unhappy with aspects of negotiated recommendations on pay and conditions they will be able to refer these issues back to the negotiators, giving their reasons. If agreement does not result from this process, however, the Government will need to be able to resolve the deadlock. We shall provide for that through a power for the Government to substitute their own provisions on matters referred back, subject to negative resolution of each House of Parliament. The Government would intend not normally to refer back recommendations on cost grounds if the overall cost was within the inter-quartile range of private sector settlements for non-manual employees.

Within the negotiating body there will be a separate sub-committee to deal with heads and deputies. Responsibility for initiating proposals for changes in pay and conditions of heads and deputies will rest with the sub-committee. The sub-committee's recommendations

will come to me for consideration unless both sides of the main committee agree to refer them back to the sub-committee, and subsequently to change them. The precise machinery for this and other, more detailed, features of our proposals are explained in the paper placed today in the Vote Office and in the Library of the House.

I recognise that some employers—be they local education authorities or the governors of grant-maintained schools—may judge that they could better respond to local needs and circumstances if they settled the pay and conditions of their teachers themselves. As envisaged in the consultation document, LEAs will have the opportunity to apply to me to opt out of the national provisions governing pay and conditions, on the basis that they are able to put in place satisfactory arrangements of their own. Grant-maintained schools, too, will be able to opt out of the national provisions.

Teachers are due a review of their pay to take effect next April. Given the need for legislation to establish the new negotiating arrangements, it would not be possible to deal with this settlement under the new arrangements, and that was accepted by all those whom I have been consulting. None supported the option of dealing with the settlement retrospectively through the new machinery once it is statutorily in place. There was insufficient agreement about the possibility of running the new machinery on a voluntary, shadow basis in advance of legislation. I have concluded, therefore, that I should seek the approval of the House later in the year to extend the Teachers' Pay and Conditions Act 1987 for a further, and final, year, and to invite the interim advisory committee to make recommendations to me for a settlement to cover the year April 1991 to March 1992. The first settlement decided in the new machinery would be that to take effect from April 1992.

The arrangements which I have outlined offer full and fair opportunities for negotiations between teachers and their employers, and a means to resolve deadlock if the negotiators cannot agree. They acknowledge the interests of employers, teachers and Government in the determination of teachers' pay. They afford a basis for the peaceful resolution of questions of pay and conditions, and their adaptation to the changes which face our schools in the 1990s.

Mr. Jack Straw (Blackburn): Is the Secretary of State aware that the removal of negotiating rights from teachers in 1986 and the continued delay in re-establishing them has in itself been gravely damaging to teachers' motivation and self-respect, and that that is one reason why our schools face greater problems today than at any time in living memory? Will he confirm that by his statement the first negotiated settlement cannot take place until 1992, six years after the last one? Will he give more detail of the veto that he intends to retain?

Will the clear and specific remit to the new advisory committee include cash limits set without reference to the negotiations, notwithstanding the fact that in his statement the right hon. Gentleman said guardedly that there would be

"no pre-set financial limit on the negotiations"?

Does that undertaking cover the exercise of his veto? Given the substantial powers of veto which the right hon. Gentleman is taking unto himself, does he understand the strong case for this to be subject to the affirmative procedure, not to the negative resolution procedure?

Is the Secretary of State aware that his proposal to allow individual local education authorities and grant-maintained schools to opt out of the national pay negotiating machinery will be seen as no more than an attempt by him to appease his critics on the right of the Conservative party and as a cheap dodge to avoid his responsibility for the current nationwide teacher shortage crisis? Why does he not understand that the reason why teacher shortages have risen by 50 per cent. in two years is primarily that teachers' pay nationally has fallen so far behind that of comparable groups, and that in real terms their pay is now even lower than in 1986?

If local authorities are allowed to set whatever salary scales they choose, what additional resources will the Secretary of State give them to back his words with hard cash? Since such an arrangement could work to solve teacher shortages only if it led nationally to leapfrogging and wage drift, how much does the Treasury think that this will add to public spending?

If a local education authority which is poll tax capped opts out of national pay bargaining, does the Secretary of State have the agreement of the Secretary of State for the Environment to lift poll tax capping in respect of such teachers' pay settlements?

Is the Secretary of State aware that, far from this being a new idea, such a system operated before the war and was abandoned because of the damage that it caused to the education service? Is he aware that the proposal is opposed by the Conservative-led Association of County Councils? Is he also aware that his own Interim Advisory Committee on Teachers' Pay and Conditions, under the chairmanship of the Conservative Lord Chilver, gave the issue of differential subject and regional pay the most thorough examination in both its 1988 and 1990 reports and rejected it on the grounds that it would reduce teacher mobility, be unfair and inflexible, would move shortages round rather than solve them, and would be ineffective? Why has the Secretary of State rejected such powerful advice from his own appointed committee? Why does not he build on the wide local discretion within a national framework which the interim advisory committee has recommended?

This proposal is a shallow and damaging trick. It will not provide an extra penny for the system nor guarantee an extra teacher in the classroom. It shows yet again that the Ministers who have so damaged our education service are incapable of improving it. It is not just failed Education Ministers who need to be removed, but failed and discredited policies which must be abandoned forthwith.

Mr. MacGregor: I reject all those charges and I shall endeavour to deal with as many of the hon. Gentleman's points as I can. He asked when the new negotiating machinery comes into operation. I made it clear to him, on the assumption that there will be legislation in the next parliamentary Session, that it would be in March 1992. I think that there was general agreement in all my discussions that it would be necessary to have some interim arrangement, and the discussions centred on that. In the light of those discussions, I have concluded that this is the most sensible way forward for one year. Teachers will recognise that, as this is the final year, the proposal is sensible.

The interim advisory committee did an excellent job throughout the period during which it carried these

[Mr. MacGregor]

responsibilities. Many of its recommendations were widely welcomed and had a good deal to do with a better career structure and pay and greater local flexibility in the system.

The hon. Gentleman asked about conditions for the use of either referring back or override powers. I shall consider all recommendations from the negotiating body on their merits. I expect that if there are issues that I want to address with override powers in mind, they would be concerned not just with costs but might be concerned—clearly one cannot be specific in advance because the matter is hypothetical—with a range of other factors, including professional duties and the pay structure. One possibility may be cases of disagreement about the pay of heads and deputy heads. As I have said, it is not possible to specify in advance, but I think that I have indicated why the powers are necessary.

The hon. Gentleman asked about a cash limit for any interim advisory committee or committee's recommendations. Clearly, such a possibility must be available to the Secretary of State. I do not know why the hon. Gentleman is so surprised about that because I recently asked him in our correspondence whether he would have cash limits and he replied:

"Cash limits would apply in the normal way . . . (if we inherited an IAC arrangement)".

A negative resolution offers a simpler procedure which will yield more timely pay settlements. That is clearly important in relation to some of the long delays that occurred in the machinery before 1986.

The hon. Gentleman asked about opting out. As he knows, there are teacher shortages in particular geographical areas, and in some parts of the country, especially in some London boroughs, the shortages are serious. I have been adopting a whole range of measures to try to assist local authorities to deal with that. The overall average vacancy in the country as a whole, excluding Greater London, is 1·3 per cent.

Mr. Tony Banks (Newham, North-West): It is 5·3 per cent. in Greater London.

Mr. MacGregor: Yes, 5·3 per cent. The proposals that we advocate build on local flexibility and will act in precisely the right way to respond to market conditions in relation to pay. Therefore, what the interim advisory committee has done is already extremely helpful. The hon. Gentleman will be aware that the interim advisory committee recommendations this year, which I have fully accepted and which will be fully implemented by 1 January, came into effect after the collection of the vacancy survey data, details of which I announced recently. The pay recommendations will build on local flexibility and will be extremely helpful, not least in London, in resolving local shortages.

The hon. Gentleman referred to opting out. Precisely what I am doing will be helpful in resolving local teacher shortages and other difficulties. I am building on the local flexibility that we have achieved in the past three years, or so to tackle teacher issues. The proposed new machinery for opting out is a natural extension of that process.

Differential regional pay is also relevant to opting out. My statement today is not a set of proposals for regional pay, but I make it clear, as I have done on many occasions, that it is important to create greater differentials in the pay of individual teachers so as to relieve shortages in certain subjects. Therefore, the increasing flexibility that we have achieved in the system is necessary to recruit mature entrants and people who have a range of skills which command a high market premium. Therefore, the proposals that I put before the House and recommend today will assist us further in addressing those issues. They are positive and constructive.

The hon. Gentleman asked for additional resources, but he will know that the amount of resources from aggregate external finance was settled in the announcement by my right hon. Friend the Secretary of State for the Environment last week and in the decisions about the breakdown of resources into subject areas in the autumn. Local authorities will know before they embark on the pay negotiations what is available from central Government.

It is extremely rich of the hon. Gentleman to keep pressing for additional resources, because each time I ask him about the matter he carefully avoids the question. He knows that the Labour party would not provide additional resources. It is worse than that from his point of view. He will be aware that in his response from the Front Bench on community care last week, the hon. Member for Livingston (Mr. Cook) committed the Labour party to an additional £1·5 billion. Where would that leave the hon. Gentleman?

Mr. James Pawsey (Rugby and Kenilworth): Is my right hon. Friend aware that his refusal to introduce a Son of Burnham or Burnham mark 2 will be widely welcomed? Is he further aware that his proposals, which will allow local education authorities and grant-maintained schools to opt out of the national pay machinery, will be welcomed by schools, teachers, governors and parents and will do a great deal to answer problems of teacher recruitment and shortages? In short, his statement is widely welcomed, not only by Conservative Members but by people outside the House.

Mr. MacGregor: I am most grateful to my hon. Friend. The proposals strike the right balance between the interests of the teachers in restoring their pay negotiating rights, those of their employers, who must take community charge payers into account, and the interests of the Government, who clearly have an interest because the taxpayers fund a considerable proportion of any local authority expenditure. I believe that the balance is right.

I am particularly grateful to my hon. Friend for what he said about the opportunities to opt out. We shall be legislating for some time to come. We shall provide clearly for not only the immediate and early stages of the legislation but the possibility of evolution. It will be for local education authorities and grant-maintained schools to decide if and when they wish to opt out. They should have the maximum flexibility to respond to local needs and circumstances. If they believe that the best way to achieve that is through establishing a local pay framework, they should have the opportunity to propose it. That will be particularly relevant to grant-maintained schools, where the governing body will be able to review the position in the school itself and possibly enjoy additional flexibility and freedom even beyond that which we have already given.

Mr. Peter Shore (Bethnal Green and Stepney): Tower Hamlets has a teacher vacancy rate of more than 10 per cent., compared with the national average of a little more than 2 per cent. How does the Secretary of State propose

to prevent what could easily degenerate into a competitive scramble for scarce teaching resources spreading throughout the entire inner London area in particular? If an authority produces plans for paying its teachers more, can the right hon. Gentleman guarantee that it will be able to obtain the resources necessary to meet the cost of those plans?

Mr. MacGregor: The new education authority in Tower Hamlets is already tackling the problems that it inherited from ILEA with great vigour and with considerable effect. I believe that we shall see a better position in September than last year, due to the way that that authority is tackling its tasks, the increased flexibility that we have allowed, and the increased possibilities open to London authorities as a consequence of the interim advisory committee's recommendations on teacher pay. As to the right hon. Gentleman's general question, a considerable amount of flexibility already exisits in the system, which education authorities can use if they judge that that is where they should put their priorities. By giving them the additional opportunity to opt out, I am only building on that and allowing education authorities, in the light of their local circumstances, to address that aspect further. As to resources, there is already available to Tower Hamlets, as to many inner London boroughs, a supplement for additional education need from central Government.

Mr. Patrick Thompson (Norwich, North): I welcome the fact that my right hon. Friend has not been tempted back to the old and discredited Burnham procedure. It must be right to move pay bargaining closer to schools, which is the trend that I detect in the statement. Will my right hon. Friend clarify how that might help with differential pay, in dealing with teacher shortages—which, as he knows, is still a serious and worrying problem?

Mr. MacGregor: The proposals represent a considerable advance on the discredited Burnham procedure. I will give two examples of that. There will be a timetable for negotiations, and no possibility of deadlock—both of which were problems in the past. The system that we have been building on for the past three years—thanks not least to the recommendations of the interim advisory committee—allows individual LEAs and schools to offer more flexible pay to recruit not only those offering scarce skills but those whom they particularly want to attract in dealing with specific problems in London. Considerable flexibility, offering significant scope, already exists—but given that that is the right approach, it is proper to build on it. Opting out provides an opportunity to do that.

Mr. Matthew Taylor (Truro): Teachers will welcome the plans to restore negotiating rights, albeit a year late. Can the Secretary of State explain why that is so? Only recently, he was failing to admit that state of affairs, although it was apparent to all that that was the case. Will not his plans for opting out create a wage war between rich and attractive local authorities and poor and less attractive local authorities—despite the fact that the latter suffer the most teacher shortages? Will not opting out simply ratch up teacher costs and the problems for some local authorities?

The Secretary of State said that local authorities will have to apply to him for permission for their schools to opt out, but will grant-maintained schools have to do so—or will they be free to opt out come what may?

Mr. MacGregor: On the first point, it is very clear to me from the fairly extensive consultations that I have had twice with the six unions and with local authority employers that these are complex matters. That is why it is not possible to reach agreement earlier. It became clear that it simply would not be possible to reach agreement because of the wide disparity of views that I was still facing. I have had lengthy consultations which have helped considerably, not least on many of the details in the proposals, and I believe that the time is now right to take decisions. That is what I have done.

As regards the position of what the hon. Gentleman described as "poor" authorities, they already have a higher standard spending assessment allowance per pupil, compared with other areas, and that is reflected in aggregate external finance. For example, the allowance per primary pupil in Hackney is about 70 per cent. more than the allowance in Somerset, and that makes my point clearly. As for applications for opting out, local education authorities will require my approval, and that is clearly laid out in the document which is now in the Vote Office. Grant-maintained schools can apply to me for opting out and they will get it automatically.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that there are two other statements, and ask for single questions.

Mr. Harry Greenway (Ealing, North): Will my right hon. Friend take the opt-out principle further than he has done, although I congratulate him on the points that he has made today? Has not the time come to assess teachers' salaries individually? Could not that be done under a system of local management of schools throughout the country? Would not that system be more effective in overcoming regional and subject teacher shortages than anything else could be? Is it fair to say that a teacher in deepest Wales must cost less than a teacher in deepest London?

Mr. MacGregor: I am grateful to my hon. Friend for his remarks. It will be open to local education authorities to decide whether, if they wish to apply to opt out, they want to put a different arrangement in place. That will be available to them and to grant-maintained schools. It is important to take into account the fact that the extra flexibility in the system now goes a considerable way to enable local education authorities and new governing bodies of schools, under LMS, to have greater flexibility between schools. As my hon. Friend will know, there are may opportunities, such as incentive allowances and paying teachers on different grades of the scale which are now available to schools, but there will be additional opportunities as a result of the proposals.

Ms. Harriet Harman (Peckham): Is the Minister aware that the worst teacher shortages are in the poorest areas, and that those areas will be least able to opt out and to pay teachers more? Therefore, will not the opting-out proposal that he suggests make things worse as boroughs such as Lambeth and Southwark, which are unable to opt out and pay more, lose teachers, who are siphoned off to Bromley,

[Ms. Harriet Harman]

Surrey and Westminster, which can pay more? Is that not a fraudulent con-trick which will make the position in London far worse?

Mr. MacGregor: I have already pointed out to the House, and I repeat it to the hon. Lady, that authorities in the system, in the sort of boroughs that she talked about, already get higher standard spending allowances per pupil. I repeat, as an example, that the allowance per primary pupil in Hackney is about 70 per cent. more than the allowance in Somerset.

Mr. David Madel (Bedfordshire, South-West): With this greater financial independence, is my right hon. Friend encouraging local education authorities, in conjunction with housing authorities, to buy property which they can rent to teachers? That would be useful in many parts of the country where there are high housing costs—I am obviously thinking of Bedfordshire and its neighbouring counties.

Mr. MacGregor: Some authorities, especially London boroughs, which are also housing authorities, are considering arrangements, and one or two schemes are now coming through. I was happy to agree a scheme for some of the properties inherited from ILEA earlier this year, to help with the problem of teachers' housing in London.

Ms. Diane Abbott (Hackney, North and Stoke Newington): The Secretary of State has referred to the level of standard spending assessment for Hackney. He will be aware that we get more because we are one of the poorest boroughs in the country. The Minister will also know that we have a teacher vacancy level of 12·5 per cent., which is the second highest in the country. Does the Minister agree that it is nonsense to give boroughs like Hackney facilities to pay teachers more, if he is not prepared to fund that increase? Hackney and parts of east London are increasingly engulfed by a serious teacher shortage crisis. His statement today is a cruel fraud on parents and teachers in Hackney. When will he address the issue seriously, when will he tackle the problem of housing costs and when will he do something to stop the blight of a generation of children in east London?

Mr. MacGregor: Hackney gets more through the additional educational needs element. That is the point of it. In addition, a number of new measures have been introduced this year for teachers' pay which London boroughs can use, some of which are specifically directed, as the hon. Lady knows, at London boroughs. We have been assisting the inner-London boroughs in their teacher recruitment campaign. A number of other measures that we have taken on teacher supply are designed to help inner London. The hon. Lady will have noticed that one of the problems in Hackney is that the borough has been unable to pay its teachers so far because of its computer arrangements. I hope that they will be sorted out soon, because the money is there.

Mr. Robert Key (Salisbury): I congratulate my hon. Friend on bringing to a conclusion a particularly delicate and long procedure and thank him for keeping his promise to restore negotiating rights to teachers. Will he confirm that the legislation that he outlined, which I shall welcome, will lead to far more open debate about the merits and demerits of teachers' pay than we ever had?

Mr. McGregor: Yes, I believe that that will be one result of the proposals, and I am grateful to my hon. Friend for welcoming them.

Mr. Allen McKay (Barnsley, West and Penistone): Does the Secretary of State realise that one of his statements is entirely wrong? If the present system provides flexibility, why is there a need for additional flexibility? If the present flexibility does not work, what makes the Secretary of State think that additional flexibility will work? Has he not taken into account the fact that staff are already leaving poll tax-capped authorities purely and simply because they find it easier to work for a non-poll tax-capped authority, and that the only ones who will suffer because of his ideas are the children whom we are supposed to educate?

Mr. McGregor: On the hon. Gentleman's latter point, it is interesting that the vast majority of local education authorities were perfectly well able to draw up their education programmes this year without the need for community charge capping at all. On the hon. Gentleman's first point, the sort of flexibility that we have now has come only fairly recently into the system, and since April has been built on considerably. Some of the benefits, therefore, have still to flow through. It is right to allow local education authorities and grant-maintained schools to make their own arrangements, if they think that that is a better way to meet local needs. Their arrangements should be allowed to evolve.

Dr. John G. Blackburn (Dudley, West): Will my right hon. Friend accept the warm and sincere congratulations of many hon. Members, and of those who are interested in education throughout the nation, on his proposals? Does he agree that the new negotiating procedure—a new chairman, a new sub-committee and a new concept of flexibility—heralds a new era in education, which we welcome?

Mr. MacGregor: I am grateful to my hon. Friend. My proposals regarding the negotiating machinery and the restoration of teachers' negotiating rights are a considerable advance on Burnham and overcome some of the difficulties of which everyone had become aware. They will, I am sure, provide a sensible balance between all the interests concerned.

Mrs. Rosie Barnes (Greenwich): While I welcome the provision that local education authorities and grant-maintained schools will be able to set their own pay levels, which will enable them to respond to local needs and circumstances and to reward good teacher performance in the classroom, does not the Secretary of State recognise that inner-city boroughs such as Greenwich which are poll tax-capped will find it almost impossible to offer improved salaries to attract much-needed teachers, since cuts amounting to £10 million have to be made?

Mr. MacGregor: I am grateful to the hon. Lady for her welcome of the new flexibility, but may I point out to her that already there are immense variations in how local education authorities deal with priorities in their budgets. Let me give her one example. We have now moved to local management of schools. As a percentage of the general

schools budget, a considerable amount of money is held back by individual local education authorities. Haringey, for example, is holding back 25 per cent., whereas Berkshire is holding back 10 per cent. There is therefore considerable scope for getting the money into the schools. Furthermore, an assessment of the returns that we have already received shows clearly that for administration—for bureaucracy alone—between 2 per cent. and 10 per cent. is held back. There is, therefore, considerable scope for greater flexibility, including in pay.

Dr. Keith Hampson (Leeds, North-West): In welcoming my right hon. Friend's remarks, may I ask him to improve the general standards of literacy by asking the Department of Education and Science not to use the verb "disapply"? As the major Labour education authorities may start leapfrogging on salaries to increase all teachers' salaries, does my right hon. Friend agree that there is a case for taking a firmer line at local school level? Given the disparities that my right hon. Friend has just outlined, will he ensure that the governors in LMS schemes will have a greater say over differentials of pay?

Mr. MacGregor: I agree with my hon. Friend's main point. I am looking carefully at the returns that we are getting on the local management of schools from local education authorities to see whether there is justification for such a wide disparities in the amount held back in the centre——

Mr. Straw: The Government agreed the formulae.

Mr. MacGregor: We gave flexibility to local authorities, but the figures are raising some interesting issues, one of which is that there may be more opportunity for getting more money into the schools, and hence teachers' pay, in many authorities. We have created a system where everyone will be able to see the figures and ask the questions.

On my hon. Friend's first point, he will notice that I used the words "opting out" in my statement, but I am advised that "disapply" is the correct legal word for the document.

Mr. David Lambie (Cunninghame, South): As a former chief negotiator of teachers' salaries in Scotland, may I ask the Secretary of State, on behalf of the Government, to give a guarantee that no such proposals will be introduced into the Scottish teachers' salary negotiations?

Mr. MacGregor: Such matters are not my responsibility.

Mr. Nicholas Bennett (Pembroke): As a former local education authority officer, I welcome the flexibility that my right hon. Friend is giving to the state sector which already exists in the independent sector in other professions. There is no reason why teachers in Totnes and Toxteth should be paid the same. Does he agree that the Opposition have shown a lack of reality—they may believe that teachers would uproot themselves every few months to go to new schools, but schools would be wary about employing such people.

Mr. MacGregor: My hon. Friend makes the point that there are considerable opportunities to allow greater responsibility at school and governing body level, which is consistent with all that we are trying to do in the other reforms. Therefore, I agree with him.

Mr. Tony Banks (Newham, North-West): Is the Secretary of State aware that the percentage vacancy rate, according to his Department, is 13 per cent. in the London borough of Newham, in the next-door borough of Hackney it is 12·5 per cent. and in Tower Hamlets it is 10·2 per cent.—there is an enormous concentration of teacher shortages in the east end. Newham is not in the Inner London education authority area, but has the highest percentage vacancy rate. Does he not realise that he is perpetrating a heartless fraud on the people of this country, particularly the east end, by suggesting that Newham, Hackney and Tower Hamlets—the three poorest boroughs in the country—are able to deal with the crisis? They simply do not have the resources. Will he make the resources available, because without them, we cannot solve the present crisis?

Mr MacGregor: What is interesting when we look at the London figures is the wide disparity in London itself —Brent's vacancy level is 1·5 per cent. Local issues are involved and we are doing all that we can to deal with teacher supply. It is then for local education authorities to recruit. Not all the issues affecting the boroughs to which the hon. Gentleman drew attention are entirely educational; there are problems of attracting people to those boroughs, which is where we are trying to help.

Mr. Donald Thompson (Calder Valey): I know that my right hon. Friend is aware that my local authority keeps 40 per cent. for the centre. Is he also aware that governors will be overwhelmed and delighted at the proposal to enable them to choose first division teachers and put pressure on LEA to choose first division teachers instead of fourth division football clubs.

Mr. MacGregor: I am grateful to my hon. Friend, who will know that, as a result of the obligation on local education authorities to publish the arrangements and figures involved in the local management of schools, it will be possible for governing bodies, governers, teachers, staff, parents, the general public and him to see whether the holdback is too great, exert pressure if they think it is, and ask questions.

Mrs. Alice Mahon (Halifax): Does the Secretary of State accept the crisis in education will not be solved by these rather cheap measures, as my hon. Friend the Member for Blackburn (Mr. Straw) described them? Will he address himself to capping? Is he aware that the Tories in Calderdale propose to wipe out in-service training for teachers? If that happens, they will not be trained to fulfil the requirements of the national curriculum. What guarantee will he give local authorities on funding? Is he aware that the 40 per cent. that is kept at the centre by Calderdale is spent on special needs, music and everything else that makes up a comprehensive education system? It is nonsense to suggest that it has anything to do with spending a lot on administration.

Mr. MacGregor: Government funding is allocated on a fair basis. Local authorities—and, within them, local education authorities—must decide their priorities.

Mr. Alan Haselhust (Saffron Walden): For counties such as Essex, which is an area of high housing cost and is experiencing increasing problems recruiting teachers, is not my right hon. Friend's announcement about opting out a natural extension of the help that Essex county

[Mr. Alan Haselhurst]

council has been receiving through education support grant—and on its own initiative—to attract teachers to its employ?

Mr. MacGregor: Yes. I am grateful to my hon. Friend, who will know that to recruit back qualified teachers who are not teaching—for example, because they are bringing up a young family—I have increased education support grant from £2 million to £10 million. In Essex and many other parts of the country, much more can be done to keep teachers who are not working—there are about 200,000 such teachers aged between 31 and 44—in touch with education changes so that, when they wish to return to work, they will not fear that education has moved on as a result of the national curriculum.

Mr. Peter Hardy (Wentworth): Will the Secretary of State note that in the House the other day some hon. Members demonstrated the corrupt nature of this year's distribution of central support for local government and therefore have profound anxieties that that corrupt system might continue when the new arrangements come into operation? Does he accept that, whatever some teachers might tell him, those who observe and are interested in British education recognise that the crisis of morale is worse now than at any time since the war and that the proposals of the Government, who have turned the educator into the bookkeeper, will not restore the morale of the profession?

Mr. MacGregor: I am aware that every local authority feels disadvantaged compared with every other local authority, but to describe the system as corrupt is ludicrous. We have progressed well in achieving a fairer system. The main issue affecting teacher morale is that they feel that they have an enormous challenge in implementing the national curriculum. More and more of them are aware that I am introducing the national curriculum in a way that will enable them to cope. As I visit schools, I find that that many more, as they get to grips with the national curriculum, are excited and enthusiastic and becoming positive about it.

Mr. Spencer Batiste (Elmet): I congratulate my right hon. Friend on achieving a solution that is well adapted to current reality, but during his consultations how many teaching unions showed a willingness to enter into no-strike agreements to enhance the professional standing of their members in the community at large?

Mr. MacGregor: Very few indeed.

Mr. Nigel Spearing (Newham, South): Is the Secretary of State aware that his continual use of the word "flexibility" shows only that his scheme and statement are like a conjuring trick: they do not produce any more money or teachers. The slickness of the word defeats the logic of the news. As the London borough of Newham has £5 million less than it requires for education, what would he do as a councillor in Newham? Would he be unfair to the children or to the poll tax payer? What would he do, given the circumstances that he has produced in the statement?

Mr. MacGregor: Community charge payers' interests must also be taken into account in all these decisions. The hon. Gentleman has missed the point that increasing flexibility, which we have already and on which we hope to build, could increase the supply of teachers. I believe that it will do that by recruiting qualified teachers who are not teaching, because they are, for example, bringing up a family, and by encouraging mature entrants to join the teaching profession. There is considerable interest among people in other careers about moving into teaching. This flexibility will enable a pay system to be adopted in schools which can respond to those interests and needs and will thereby increase the supply of teachers.

Mrs. Teresa Gorman (Billericay): Will my right hon. Friend confirm the information sent to me in a letter by the National Union of Teachers to the effect that, far from there being a shortage of teachers, 400,000 trained teachers are not practising their profession? Rather than poaching teachers, my right hon. Friend's measures will enable us to attract that enormous unused resource back.

Mr. MacGregor: That is precisely the point I made in reply to the previous two questions. There is a considerable supply—sometimes inelegantly described as a "pool"—of people who are not teaching for good reasons, for example, because they are bringing up a family and wish to be with their young children. Many such people will wish to return to teaching. It is important to have arrangements to encourage them to do so, including keeping in touch with them while they are not working as teachers.

Mr. Martin Redmond (Don Valley): Will the Secretary of State accept that his statement is a recipe for chaos and that it is dictatorship under the guise of democracy—if not, why retain an absolute veto? What discussions has the right hon. Gentleman had with the Department of the Environment about money values?

Mr. MacGregor: These matters have been fully discussed in the Government as a whole. I do not for one moment accept the hon. Gentleman's initial allegation. We have override powers because the Government must have the opportunity and the powers to take account of taxpayers' needs, should that prove necessary.

Mr. John Marshall (Hendon, South): Is my right hon. Friend aware that his statement will be warmly welcomed by all those who recognise that national negotiations have created regional shortages? Is he aware also that his statement will be particularly welcome to London local education authorities, which will at long last be able to give realistic London weighting allowances?

Mr. MacGregor: I note what my hon. Friend has said. I hope that the statement will be welcomed by the excellent grant-maintained school which I visited in his constituency.

Mr. Harry Cohen (Leyton): Is not the Secretary of State setting up a Heath Robinson machinery to avoid restoring free and fair negotiating rights to the trade unions? Are not aggregate external financing, the time limit and his veto a three-barrelled gun held at the head of the teachers' unions? When will the right hon. Gentleman realise that the continuation of inadequate pay procedures, which his statement confirms, does nothing to tackle the serious problems of teacher shortages and low morale?

Mr. MacGregor: The hon.Gentleman must recognise that aggregate external finance cannot be unlimited; it

comes from the taxpayer. I shall again quote from the letter written to me by the hon. Member for Blackburn (Mr. Straw):

"Cash limits would apply in the normal way, as they have in respect of other local authority employees whose salaries are negotiated".

Mr. Derek Fatchett (Leeds, Central): Does the Secretary of State recognise that he has shown amazing ignorance of the way in which the standard spending assessments work? The right hon. Gentleman says that the poorer London boroughs are given more money. Does he understand that they are given additional resources because it costs more to provide education in those boroughs and, without the additional resources, they would not be able to provide an education service?

Is it not a deceit on the children and parents in those boroughs and on people in all parts of the country facing teacher shortages for the Secretary of State to pretend that the resources that are currently available in the SSAs will result in the recruitment of additional teachers? Not one additional resource is made available through this statement. Is not the reality of the right hon. Gentleman's statement that he is merely redistributing resources and teachers from the poorer to the richer boroughs because the Government do not care about the children of Lambeth, Hackney or the other boroughs which are suffering from shortages? This statement is a deceit on all those children and all those boroughs.

Mr. MacGregor: I reject that absolutely. I made precisely the same point myself about additional educational needs: the extra resources were going into the boroughs through the additional educational needs budget, because it was recognised that there was such a need.

The statement was about teachers' negotiating machinery; there are other occasions when we discuss resources. I remind the hon. Gentleman that each time that I have asked the Labour party what it would propose to do about the additional money it has always ducked the question. We know why: so many of the hon. Gentleman's colleagues are beginning to make additional spending commitments, and the bill is starting to add up. It is clear what the Labour party's position is.

Mr. Speaker: Statement—Mr. Secretary Wakeham.

Mr. Lambie: On a point of order, Mr. Speaker. When the Secretary of State for Education and Science was answering questions on his statement, I asked him to give a guarantee on behalf of the Government that his proposals would not affect Scotland and Scottish teachers' salary negotiations. The right hon. Gentleman said that that was not his responsibility. He may not have a responsibility to Back-Benchers, Mr. Speaker, but you have. My hon. Friend the Member for Dunfermline, West (Mr. Douglas) was expelled from the House today for making a point similar to mine——

Mr. Speaker: Order. Unhappily, the hon. Member for Dunfermline, West (Mr. Douglas) was—I say this with deep regret—expelled from the House for raising a point of order before we knew what was contained in the statement. However, I am now prepared to hear a point of order on what was contained in the statement.

Mr. Lambie: My point of order is this, Mr. Speaker. We have recently heard similar statements from Secretaries of State—representatives of the Government—but when Scottish Members have asked whether the statements are to apply to Scotland, we have been told that they have no responsibility. About an hour later, we have heard that the Secretary of State for Scotland has dealt with the position in Scotland in a written answer, but is not prepared to come to the House to defend his policies against——

Mr. Speaker: Order. In view of the time, I will stop the hon. Gentleman there. I am not aware of any written answer on this matter. The hon. Gentleman's best course —I keep saying this—would be to take up the matter with hon. Members on his own Front Bench to see whether, through the usual channels, a statement relative to Scotland could be made.

Mr. Spearing: Further to that point of order, Mr. Speaker——

Mr. Lambie: Further to that point of order, Mr. Speaker——

Mr. Speaker: No. I have told the hon. Member for Cunninghame, South (Mr. Lambie) that I cannot say any more. Mr. Spearing.

Mr. Spearing: I am grateful to you, Mr. Speaker. In a democratic, accountable body such as the House, is there not a doctrine that all Ministers are responsible and accountable for the Government's actions? When it comes to the question of a time for debate, clearly the Leader of the House must arrange occasions for debates on matters about which debate is agreed to be necessary. What we have heard about this afternoon will be of enormous interest to Scotland, as well as to England and Wales. Is it not the duty of the Secretary of State at least to tell the House whether such a statement is contemplated for another part of the United Kingdom?

Mr. Speaker: That is a matter for the Government, not for me.

PowerGen (Hanson plc)

4.39 pm

The Secretary of State for Energy (Mr. John Wakeham): With permission, Mr. Speaker, I should like to inform the House that I have been approached by Hanson plc which has expressed a firm and serious interest in making an offer for PowerGen plc.

I shall need to consider this approach. I have therefore informed the chairman of PowerGen about it, and appropriate information will be made available to Hanson.

The Government have taken no final decision to proceed with a trade sale of PowerGen. I have a duty to the taxpayer to get a proper return from the sale of the electricity companies. I therefore propose to pursue discussions with Hanson in parallel with pushing forward preparations for the flotation of PowerGen.

I should make it clear at the outset that, if Hanson decides to make a binding offer, I shall invite other companies to tender for PowerGen on a similar basis. Bids will fall to be considered under the competition legislation in the normal way.

The House will rightly want to know what a sale of this sort would mean for the management and work force of PowerGen and for the electricity supply industry generally. As the owner of PowerGen on behalf of the taxpayer, I would intend to lay down conditions which any single purchaser of the business must abide by. All PowerGen's contractual rights and obligations would continue.

In particular, PowerGen is party to the collective industrial relations arrangements for the industry: any new owner would take on the same rights and obligations as PowerGen has now. PowerGen would continue to participate in and be bound by the rules of the electricity supply pension scheme. There would be no change in the pension arrangements for present pensioners and employees of PowerGen. Arrangements would also be made for PowerGen employees to receive benefits broadly comparable in financial terms to those they would have received in a public offering of the company's shares. I shall be talking to the trades unions tomorrow. PowerGen's fuel purchase and electricity supply contracts would continue.

Further conditions would include a restriction on a purchaser's ability to dispose of all or a substantial part of PowerGen's business and a commitment to carry out certain expenditure on environmental plant. There would also be a provision, in line with my proposals for the rest of the electricity industry, to ensure that the taxpayer shared in profits from later property disposals.

The private sector has always thrived on competition to the benefit of customers, employees and shareholders. I believe that Hanson's approach is a vote of confidence in the company and its management which, however it is privatised, will be a major competitor in the new electricity supply market.

Mr. Frank Dobson (Holdborn and St. Pancras): The statement shows that the Government's electricity privatisation programme is now in total disarray. Surely it signals the end of what they used to describe as "popular capitalism". The Government promised wider share ownership but now propose instead to sell PowerGen to the major contributor to the Tory party's funds. That seems to me to be unpopular capitalism. Instead of the eager individuals hoping to buy shares that the Government promised, we have discovered that the Secretary of State has been shuffling around the City like a second-rate ministerial Arthur Daley, offering a nice little earner to his friends, hawking PowerGen round the City basically as a tax dodge.

This secret wheeling and dealing is a disgraceful way to treat valuable assets for which the public have paid. It is an even more disgraceful way to deal with the future of a vital industry and its hardworking, well-trained and committed staff. I am convinced that the people of this country would rather see PowerGen in the hands of its present managers than in the hands of the Hanson Trust, which is notorious mainly as an asset stripper. Hanson is interested in PowerGen because of its real estate portfolio and because it sees its potential as a high-tech tax haven, against which it can set its tax liabilities on other parts of its business. No one with those motives should be allowed to take over PowerGen.

The Secretary of State said that he would like to inform the House that he has been approached by Hanson. Can he confirm that his secret talks with Hanson have been going on since May and that, had I not leaked the information about this at the end of last week, he would have told the House nothing? Can he tell us precisely when the horse trading began? When did the Inland Revenue and the Treasury become involved? Can he tell us whether the Inland Revenue and the Treasury have been offering free expert advice on tax avoidance on this transaction as they did with the despicable Rover transaction? Can he tell us what other sweeteners, as yet undisclosed, are involved? Can he tell us what will be the total loss to the Inland Revenue on this transaction? What price have the Government been quoting for PowerGen in the talks with Hanson? Can he confirm that the price that the Government have quoted in those talks for PowerGen's 18,000 MW of plant is less than the cost of building 1,200 MW of plant at Sizewell B? Can he tell us what sort of fee Sir Michael Richardson of Rothschild will receive for his involvement in the transaction? Can he tell the House whether he would accept a similar proposition for the disposal of National Power or any of the other companies?

To return to the question I asked at Question Time, what has happened to the Government's solemn promise to the House that no individual or company would be allowed to own more than 15 per cent. of any of the electricity companies?

The whole electricity privatisation programme is a sleazy shambles. It is a long endless series: write-off, sell-off, rip-off, tip-off, pay-off and now, for the staff, lay-off. PowerGen is not a plaything but a vital industry supplying light, power and heat to the people of this country. In our view, the Hanson Trust is not fit to own it. The next Labour Government will hold it, like any other shareholders, to a maximum share ownership of 15 per cent., as promised by this Government.

Mr. Michael Stern (Bristol, North-West): How much will that cost?

Mr. Dobson: It will not cost the taxpayer a penny.

We will also hold a full-scale, independent inquiry into the whole sleazy process of electricity privatisation in which City companies have already made over £100 million

before a share has been sold. Before the Government decided on privatisation, the electricity supply industry was a large, up-to-date, well run and highly profitable public enterprise with a well trained, hard-working and highly motivated staff. Now it is a fragmented shambles and its managers and staff do not know whether they are coming or going.

In his first statement to the House as the Secretary of State, for Energy, the right hon. Gentleman saw sense and withdrew the nuclear power stations from the sale. He should now have the courage to abandon the whole crazy project of privatisation and ensure instead that this vital industry is in the hands of people with the skill, training and responsibility to run it on behalf of the nation and not for private gain.

Mr. Wakeham: I agree with the hon. Gentleman this far —this is an important industry. I wish that he had treated an important industry and important matters with a degree of seriousness rather than with the extravagant and nonsensical language in which he addressed most of his remarks. The hon. Gentleman said that the privatisation programme is in disarray but that is far from the truth. As I have told the House, we were on course to complete the privatisation when the approach was received by the Government.

Mr. Dobson: In May?

Mr. Wakeham: I will come to that. Far from there being something secret about it, I have come to the House to make this statement, as I always intended to do, as soon as I had something which would make a proper and meaningful statement. That position did not appertain until this morning and I have come to the House now. There are no sweeteners or anything of that sort.

As a matter of fact, I have had no discussions with the Inland Revenue in connection with this approach.

Most of the hon. Gentleman's comments arise because he has misunderstood, in spite of my statement, the nature of the position. We have had an approach. No decision has been taken to proceed with a trade sale. If we do proceed with one, there will be a competitive tender. It has not been settled before.

With regard to the hon. Gentleman's comments about wider share ownership, I must point out to him that since the Government have been in power, privatisation has been a great success in widening share ownership and we have increased the number of shareholders in this country from about 3 million to around 11 million. Even if this particular trade sale proceeds, and I have said that that is by no means settled at this stage, 15 out of 16 of the companies, according to our present plans, will be floated and the shares sold to the public. I should also point out that PowerGen has under 10 per cent. of the electricity industry's work force.

The hon. Gentleman's remarks about Hanson plc were absolutely disgraceful. Hanson plc is a highly successful company with more than 90,000 employees. Its approach shows its confidence in PowerGen and the new electricity market. Hanson has hundreds of thousands of shareholders.

With regard to advisers, I must inform the hon. Gentleman that I have appointed J. Henry Schroder Wagg to advise me, jointly with Kleinwort Benson. I am sure that the hon. Gentleman will be pleased to know that if we decide to proceed with a trade sale, the costs are likely to be substantially lower than for a flotation. I should have thought that the hon. Gentleman would welcome that.

The hon. Gentleman asked a question about National Power. My announcement is about PowerGen and it has no direct impact on National Power. I can confirm that, subject to market conditions at the time, the Government's present intention is to offer shares in National Power for sale to the public in February 1991. However, I must consider the interests of the taxpayer. If a serious offer were made for National Power, I should have to look at it. *[Laughter.]* Would those Opposition Members who are sniggering expect me not to look at it? They had better consider—*[Interruption.]* That is right. They may not like this, but their cavalier approach to public expenditure will cost them very dear at the next election. That is for sure. *[Interruption.]* The hon. Gentleman asked me a lot of questions and there is one more that I must answer.

The hon. Gentleman asked about the 15 per cent. and the golden share. The purpose of a golden share and the 15 per cent. trigger is to protect against a change in ownership after a flotation has taken place. The Government believe that, if a trade sale proceeds, a golden share would be inappropriate for a subsidiary. The Government believe that the public interest is better protected by a contractual provision in the sale and purchase agreement than in having an indeterminate special share. We seek the protection that we want, if we go ahead by this route, by the sale and purchase agreement and not by a 15 per cent. trigger and golden share which we do not believe would work.

Mr. Michael Alison (Selby): Can my right hon. Friend confirm what I imagine to be the case, which is that nothing that he has said this afternoon will in any way interrupt the installation of flue gas desulphurisation equipment in PowerGen power stations where such installation is in prospect?

Mr. Wakeham: Absolutely. PowerGen, like all owners of large combustion plants in the United Kingdom, will have to comply with the large combustion plant directive. I shall require the retrofitting of 4 GW of FGD as a condition of sale. PowerGen has plans to fit FGD to Ratcliffe on Soar and the Ferrybridge C power stations. I have planning applications before me for those two projects so I must be careful what I say. I am confident that the ownership of PowerGen will not affect those plans.

Mr. Robert Sheldon (Ashton-under-Lyne): In a number of respects this recalls the sale of Rover to BAe. Once the negotiations with Hanson have been completed, will genuine competitive bids be allowed and will more information be given to the competitors than was allowed to competitors of BAe? Will the Secretary of State also consider valuation? It will be essential that a proper valuation of all the assets is arranged before the deal goes through. I accept the right hon. Gentleman's move on clawback, but will the clawback provision to ensure that the taxpayer gets the proper value of assets that are undervalued at the time, because of circumstances that have changed, mean that the taxpayer will receive all the advantages or a major part of the advantages that are subsequently shown to have arisen? Has the Inland Revenue had consultations with Hanson over the bid?

Mr. Wakeham: I am certainly in no position to know what dealings Hanson has with the Inland Revenue. All I can say is that, quite properly, those have formed no part of my discussions. Unlike some of his Opposition Front-Bench colleagues, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) has had some experience of these matters and he will know that consultations between a taxpayer and the Inland Revenue are confidential, and Ministers would not expect to be informed about them. However, I know of no such consultations and I should be very surprised if they have taken place in what must be considered a hypothetical situation. The right hon. Gentleman will also be aware that the Inland Revenue has enough work to do dealing with actual cases without our asking a series of hypothetical questions.

I agree with the right hon. Gentleman that, if there is to be a binding offer from Hanson plc, it is very proper that the competition that we will see take place is based on providing every other serious contender the same information that is being given to Hanson plc. That is absolutely right and we shall see to it. We shall see that the public interest is properly protected with regard to the sale of assets and proper arrangements will be made. I will ensure that I am properly advised, as I have been very careful to be properly advised in dealing with PowerGen as a public flotation, about a proper value for the assets.

Sir Trevor Skeet (Bedfordshire, North): While the Scretary of State will certainly get a premium price for the sale which will be good for the taxpayer, will he consider the implications of what might follow from his statement? My right hon. Friend said that National Power could be sold. However, it could be sold to RWE of Germany or Electricité de France, in which case most of the electricity manufacturing facilities in the United Kingdom would go to foreign countries. Will my right hon. Friend also consider that one of the principal beneficiaries of a sale of PowerGen to Hanson could be the American Peabody Coal Company and that could lead to the import of more sulphur-free coal into the United Kingdom?

Mr. Wakeham: My hon. Friend has read rather more into my statement than I believe it is possible to read into it. I described to the House the nature of the approach that I had from Hanson plc and how I intended to deal with it in the public interest. There has been no approach for National Power and, therefore, we are proceeding with its public flotation as we intended, in parallel with our negotiations on PowerGen.

On the question of the coal contracts with PowerGen, in the event of the Hanson bid becoming binding and its being the top bidder in any bidding arrangements that we make, the terms of the contract between PowerGen and British Coal for the supply of coal until 1993 will be honoured. Thereafter, it will be for British Coal to produce coal at the price and quality to make it the supplier of choice. That will not change. The position will still be the same, whoever owns PowerGen. As my hon. Friend knows, unfair price discrimination by any purchaser of coal would attract the attentions of the competition authorities.

Mr. Alexander Eadie (Midlothian): Whether the right hon. Gentleman likes it or not, the statement is a major change of policy in relation to the privatisation of electricity supply—indeed, it is a volte face to some extent. Does the right hon. Gentleman agree that if the present proposition were agreed, it would mean a major increase in coal imports in this country? The right hon. Gentleman has told us that he has had no contact with the Inland Revenue about the proposition. Of course the House will accept what the right hon. Gentleman says, but is he aware that, as a result of the statement which was sneaked through the House on Friday, in the regions it will mean £20 million tax paid to the oil company? Are we discussing today, as a matter of fact, millions upon millions of pounds of tax breaks due to whatever company gets PowerGen, and at the expense of the taxpayer?

Mr. Wakeham: I think that the hon. Gentleman misunderstands the statement in two ways. First, as I have said, I have received an approach from Hanson plc, and I have said not that I have accepted it but that I shall consider it and the way in which I shall consider it. To do less would be to fail in my duty to the taxpayer. The tax liabilities of any company, whether it be an oil company or whatever, are not matters for me. Such matters are not a concern of mine and I do not take part in any of the negotiations. I assure the hon. Gentleman that they have not been part of the discussions. There is no proposed change, sweetener or arrangement in the tax laws to facilitate this transaction.

Again, with regard to British Coal's future, British Coal will honour contracts until 1993, and thereafter it will be for British Coal to produce coal of the quality and price that will make it the supplier of choice. That will be the position whoever owns PowerGen.

Dr. Michael Clark (Rochford): Does my right hon. Friend agree that the golden share that has been associated with other energy-related companies when they have gone into the private sector is a powerful device, as it ultimately gives the Government the opportunity of ensuring that the taxpayer is protected? Will he ensure, therefore, that the conditions and clauses to which he referred in his statement are comprehensive and can be guaranteed and underwritten by law to ensure that, in this instance too, the taxpayer will be protected?

Mr. Wakeham: My hon. Friend is right. Others may not fully appreciate it, so I should repeat that the purpose of a golden share is to trigger something in the event of there being a significant change in the shareholdings in a company. It is not an arrangement to protect a subsidiary, which, in this case, PowerGen would become, of Hanson plc or whoever bought it. The way in which to protect——

Mr. Dobson: What about the 15 per cent. limit?

Mr. Wakeham: The hon. Gentleman really does not understand how these things work.

The way in which to protect the public interest in this case is to make sure that the purchase and sale agreement of the shares in PowerGen to whoever bids covers all the points that are required to be covered in the public interest. That is much more effective than taking a golden share in a subsidiary company, which is not quoted and for which no share transactions will be taking place.

Mr. Simon Hughes (Southwark and Bermondsey): If the Secretary of State opts for a trade sale, would not it mean two reversals of policy? First, there would be the reversal of the policy that believed that flotation would be possible. Has he not received advice that it may not be

possible to float PowerGen and National Power next year with any success? Secondly, there would clearly be a reversal of the policy of public participation in asset sales. It can mean no other. Therefore, will the Secretary of State tell the House whether he is prepared to countenance those two further reversals of Government policy? Are there no conditions governing to whom such a business can be sold, no conditions governing whether they should be national or foreign, and no conditions governing, for example, whether they should be contributors to the Government?

Mr. Wakeham: If the hon. Gentleman had listened to my statement——

Mr. Hughes: I did.

Mr. Wakeham: Then he should not have asked a question that suggested that he had not listened. I set out at considerable length a range of conditions that needed to be satisfied before we would sell or agree to sell the shares in PowerGen to any purchaser. That protection will exist. The task that the Government have set is to put the electricity supply industry into the private sector. That is what we are seeking to achieve——

Mr. Rhodri Morgan (Cardiff, West): Private hands, more like.

Mr. Wakeham: No, it is already in public ownership. We are now putting it into the private sector.

I am not saying for a minute that we have determined to go ahead with this trade sale, but, even if we do, as I have already said, 15 out of the 16 companies in the electricity supply industry will be floated and shares will be sold to the public. As I have said, PowerGen has well under 10 per cent. of the electricity work force.

Mr. Andy Stewart (Sherwood): May I thank my right hon. Friend for his guarantee that the coal contracts agreed between British Coal and the power-generating companies will be honoured? Does my right hon. Friend agree that it is a bit rich for the Opposition to go on about importing coal when they had an opportunity to vote down the Associated British Ports (No. 2) Bill, but only 49 Opposition Members bothered to turn up and vote on Second Reading?

Mr. Wakeham: That is a matter in which I shall not get involved. The Opposition do not appreciate—if they do, they do not give credit for it—just how much the Government have done to support the coal industry over recent years. As I said in answer to questions today, the Government have given more financial assistance to the coal industry in real terms than all the Governments since nationalisation put together. That is a substantial record. Parliament recently passed a Bill that has written off British Coal's debts and given it a chance for the future. For the first time, we have a long-term contract for British Coal which will enable it to plan for its future and to become competitive in this industry.

Mr. Joseph Ashton (Bassetlaw): Is the Secretary of State aware that, on the edge of my constituency, there are three massive power stations at Cottam, High Marnham and West Burton, on which several thousand families depend for a living? Will he give an assurance that, when he meets the unions tomorrow, there will be no redundancies and that, if there are to be any redundancies, workers will get the same redundancy money as the miners got, and not just an assurance on their pensions? Is it a fact that in the case of Rover and British Aerospace the Government gave the buyers sweeteners to take the company away and that, in this case, the buyer is giving the Government sweeteners for their election fund to rip off the public?

Mr. Wakeham: Again, the hon. Gentleman does not want to understand the nature of the transaction which is that, should we have a binding offer, there will be an open competition between Hanson and the others. Questions on the number of employees in the industry and in the power stations are not for me but for the management of the industries concerned. I assure the House that they will continue to deal with such questions as sympathetically as possible and in the proper way, as they would under any management.

Mr. John Hannam (Exeter): Does my right hon. Friend agree that if more than one firm bid is received for the company in the future that would show a welcome show of confidence in the privatisation of electricity generation? The Opposition, instead of threatening an 85 per cent. confiscation of the shares in the company, should support such an offer as in the best interests of the British taxpayer.

Mr. Wakeham: My hon. Friend is absolutely right that, contrary to what the Opposition have sought to suggest this is a vote of confidence in the industry. It shows that PowerGen is an attractive company and that sophisiticated investors already see the attractions of it. It is a good omen for the sale of National Power as well as a good omen for the sale of PowerGen, should we decide that, in the end, it is better to go for a public flotation.

Mr. Peter Hardy (Wentworth): Would the Secretary of State give the House and the country an assurance that such pillaging of a public asset will not be subsidised or sweetened through the agency of the Inland Revenue? Will he also relieve my anxieties about this, because his predecessor, in a reply to me at the time of the introduction of the Electricity Act 1989, gave an assurance that that privatisation would not lead to unemployment? In fact the former Secretary of State said that there would be more jobs rather than fewer as a result of that privatisation. Are we not seeing yet another inconsistency in the Government's approach?

Mr. Wakeham: The numbers of people employed in the power-generation industry will be a matter for the management, not for me.

As for the continual reference to taxation matters, I can only say that they have formed no part of the discussions I have had. I know of no such discussions. There are no plans to bring into discussions any proposals that bear any relation to taxation. There is no intention, so far as I know, to change the law on taxation to change anyone's liability. Those matters are, of course, primarily for the Chancellor of the Exchequer, but, in so far as I have any knowledge of the matter, there is nothing in those suggestions.

Mr. Tim Smith (Beaconsfield): Would it not have been irresponsible if my right hon. Friend has not given serious consideration to this approach from whatever quarter it came? Surely my right hon. Friend is right to give a high priority to the interests of the taxpayer. Can he confirm that on present plans it will, rather unusually in this case,

[Mr. Tim Smith]

be possible to compare the price-earnings ratio for one company sold through a public flotation with the price-earnings ratio for another sold by a trade sale?

Mr. Wakeham: My hon. Friend is absolutely right. If the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), the Chairman of the Public Accounts Committee, found, in a subsequent investigation into these affairs, that the Government had treated in a cavalier fashion a serious offer for the purchase of the shares and had not investigated it properly, I would not like to be under the lash of the criticism that would come, quite rightly, from his Committee. The offer has been made by a successful company and the Government believe that it is serious. We have a proper duty to look into it.

Mr. Tim Dalyell (Linlithgow): As the negotiations have been going on since May, can the Secretary of State clarify the exact nature of the commitment to which he referred in his opening statement to the House—that PowerGen would carry out certain expenditure on environmental plant? Are any costs tagged to what I imagine to be the desulphurisation of plant? What is the value of that commitment? Those who had been talking about it up to May should be clear about what that commitment means, given it was mentioned in the opening statement.

Mr. Wakeham: The details of any arrangement have not been talked about—they must be tied up before we have a binding offer, if we get one, from Hanson plc. The sort of conditions that I will require to see in the contract entered into by any purchaser will cover the question of FGD and deal with noxious gases. PowerGen has made a number of commitments in that respect and we shall require that the purchaser gives us a binding undertaking that those commitments will be fulfilled.

Mr. Michael Stern (Bristol, North-West): Does my right hon. Friend agree that, in his most important statement this afternoon, the shadow spokesman on energy, the hon. Member for Holborn and St. Pancras (Mr. Dobson), committed a future Labour Government to renationalising at least 85 per cent. of PowerGen without compensation—[HON. MEMBERS: "No."]—and at no cost to the taxpayer, he said? Does my right hon. Friend further agree that it is somewhat rich for the Opposition, having spent months complaining at the costs of the privatisation, to criticise my right hon. Friend for finding a way in which to undertake that privatisation while saving those costs?

Mr. Wakeham: The hon. Member for Holborn and St. Pancras (Mr. Dobson), whom I have had the pleasure of knowing and working with for a number of years, takes a broad view of such matters, especially when dealing with questions of public expenditure.

Mr. Alan W. Williams (Carmarthen): The Secretary of State will be aware that Hanson is a formidable bid-and-break-up machine. What assurances can he give us that massive asset-stripping will not take place should PowerGen pass to Hanson?

Mr. Wakeham: Again, I refer the hon. Gentleman to my statement, in which I said that the purchase and sale agreement would require binding contractual obligations from the purchaser in respect of such matters. We would have to be satisfied that the public interest would be protected by that agreement.

Mr. Michael Morris (Northampton, South): Is my right hon. Friend aware that his statement will be greatly welcomed on three particular counts? First, he has reaffirmed that the conditions on which power is generated will continue. Secondly, he has taken cognisance of what the PAC said—there will be a proper valuation of the assets and a proper clawback provision. On that point will he confer with the Comptroller and Auditor General on what the proper percentage should be? Thirdly, the statement is welcome because, at last, we have a Secretary of State who is prepared to come early to the House to reconfirm that he is not committed to this course, but that he will do what is in the public interest.

Mr. Wakeham: My hon. Friend speaks with considerable authority in these matters. I am grateful to him and I shall note carefully the points he raised.

Mr. Robert Hughes (Aberdeen, North): Is the Secretary of State suffering from midsummer madness? Is he asking the House seriously to believe that the way in which to conduct competitive tendering is to have secret negotiations with a preferred bidder, and then to come to the House when he has been flushed out? He is now pretending that, after months of discussion, when all the information has been available and the bid agreed, he will make that information available to other potential bidders.

If the right hon. Gentleman is serious about competitive tendering even on a trade sale basis, why does not he make an offer to any company interested in buying PowerGen to come to the Government, look at the books and discuss an offer? If that is not the right hon. Gentleman's planned procedure, is not it reasonable to believe that Lord Hanson read the frank interview given by Lord King a couple of days ago when he defended giving money to the Tory party on the grounds that it was good for business? Is the sale to be Lord Hanson's pay-off?

Mr. Wakeham: The hon. Gentleman should ponder what he said, as I do not believe that he has the interests of the management or the work force of PowerGen at heart. At this moment I have no firm contract with anyone. I have received a serious offer of interest, which I am exploring. I shall seek professional advice on how best to proceed, but I have given a firm undertaking to the House that I intend to see carried through.

Mr. Dobson: From Kleinwort Benson.

Mr. Wakeham: I think the hon. Gentleman had better listen.

I have given a serious undertaking to the House that, should we decide to proceed and a binding offer is made by Hanson plc, any information given to Hanson plc will be made available to any other serious bidder that comes along. In that way we shall have a competitive tender. That is the way in which I intend to proceed, if my advisers believe that that is the best way in which to protect the public interest.

Mr. Ian Bruce (Dorset, South): May I preface my question by saying that I own shares in Hanson plc. Can my right hon. Friend confirm that, before the approach by Hanson, the electricity industry had been trying regularly

to talk down the value of its assets so that it would end up with a profitable company at a low purchase price and, therefore, show good profits against those assets? Does my right hon. Friend agree that the one certain thing about interest coming from Hanson or any other company is that the taxpayer will end up with greater value for the assets being sold than would otherwise have been the case?

Mr. Wakeham: I accept that, in the cut and thrust of negotiations, there are sometimes two different views about the prospects for the future. But my impression of all the electricity supply companies with which I have been dealing—both the generators and the former area boards—is that they have good managements that are anxious to do what is right for their present shareholders—the Government—and for their future shareholders. We have had tough, but, I think, frank and fair discussions on these matters and I have no complaints to make. Nevertheless, I agree that competitive tendering can do nothing other than demonstrate clearly the proper value of the company in the circumstances.

Mr. Bob Cryer (Bradford, South): What cost is involved in obtaining the advice of J. Henry Schroder Wagg? Is it under £1 million or over £1 million in round terms? Can the right hon. Gentleman confirm that Hanson plc has given many thousands of pounds to the Conservative party? Can he confirm that, in local government, anyone involved with the receipt of such money by a political party would not be allowed to take part in debates or to vote? Does he agree that the Government can clear up the noxious whiff of political corruption surrounding this whole episode only by refusing to sell to Hanson or to any other organisation that has poured money into Tory party coffers? If they do not, people outside will draw the natural conclusion that what is involved is a pay-off for the bribe that the Tories have received.

Mr. Wakeham: I cannot confirm any such thing. The hon. Gentleman indulges in wild fantasies about these matters. I believe that the taxpayers' interests require that, when faced with an expression of interest such as this, a Secretary of State should be properly advised by people who are competent to advise. I am seeking such advice and an appropriate fee will be determined. For a limited time, the hon. Gentleman was a distinguished member of the Labour Government—although I recall that he found the restraints of office rather irksome—and he conducted his negotiations in the same way as we have conducted ours. I can say with absolute certainty that if we proceed with a trade sale, the costs are likely to be substantially lower than those involved in a flotation, and I am sure that the hon. Gentleman would welcome that.

Mr. Peter Rost (Erewash): In addition to ensuring that the company realised a higher price at a lower cost, would not the sale of PowerGen by competitive tender, rather than by public offer for sale, be likely to increase genuine competition by reducing the risk of a cosy duopoly?

Mr. Wakeham: There are many things in the Electricity Act, in the control of the director-general and in our competition laws to ensure that we do not run into the difficulties of a duopoly on which my hon. Friend has pondered, although I agree with him that if Hanson plc or some other company purchased the shares in PowerGen, the competitive nature of the industry would be improved.

Mr. John McAllion (Dundee, East): The Government originally promised special rates to electricity employees and preference to electricity consumers in the buying of shares. How can those promises possibly be honoured in a trade sale to one of the Prime Minister's closest friends? Will the Secretary of State take this opportunity to rule out any possibility of this kind of corrupt practice being applied to Scotland, by specifically rejecting any question of a trade sale for either of the Scottish-based companies?

Mr. Wakeham: The hon. Gentleman can hardly expect me to give him any sort of assurances if he asks such unbalanced questions. I said in my statement that, if we proceed with a trade sale, those employees of PowerGen who would otherwise have received shares at a preferential rate will be compensated financially by an equivalent amount and will have the freedom to do whatever they like with their money.

Mr. Graham Allen (Nottingham, North): I understand that the Secretary of State is still fairly well connected with the Conservative party. Will he tell us how much money Hanson plc has given to the Conservative party in the past 10 years and how much he knows it will donate to the Conservative party up to the next election? Is not this another case of a company from over here doing very well for hon. Members over on the Conservative Benches? When did the secret negotiations begin? Did the right hon. Gentleman know the truth in May? After all, we have discovered that the truth was known about other matters, such as the British Aerospace affair. Will the right hon. Gentleman now tell the House the truth and will he tell us how much the Government and the Conservative party will make from the deal?

Mr. Wakeham: One thing is certain: I have no ministerial responsibility to answer for the finances of the Conservative party and I do not believe that these are proper questions for me to be asked. I have not dealt with that aspect of the matter. I have told the House that I have received a serious offer from a highly respectable company and I have explained to the House how I intend to deal with the matter. I have also told the House that I reported to it as soon as I had something concrete to say. I could not have come to the House before now.

Mr. Dennis Skinner (Bolsover): Why does not the Secretary of State admit that Lord Hanson is a favourite drinking companion of the Prime Minister? Why does not he admit that, after 10 years of explosive growth and asset-stripping, it was reported in the financial press last month that Hanson plc had run into trouble with its American interests and had to sell off Smith-Corona? Is not one of the reasons for the proposal announced by the Secretary of State today to bail out Hanson plc? Will the right hon. Gentleman now guarantee that when the company is sold off, no Cabinet Ministers will be given a job on the board? Will he also guarantee, on behalf of the Tory party, that not a single penny will be received by that party if the takeover is completed?

Mr. Wakeham: The hon. Gentleman goes on about drinking companions. I do not mind having a drink with him from time to time, but the Prime Minister is probably wiser if she prefers to have a drink with Lord Hanson.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend accept that some of the

[Mr. Anthony Beaumont-Dark]

comments made about Hanson plc are squalid, foolish and narrow minded and that it is sheer nonsense to suggest that a political donation can enter into the sale or purchase of a public asset? Does my right hon. Friend accept, however, that in the sale of any public asset of the size of PowerGen, only a very limited number of companies—perhaps three or four—have the funds available to enter into a private auction? Does my right hon. Friend therefore agree that, if possible, one should enter into such negotiations with great care as there are huge dangers because so few people are involved? Does not he agree that it would be sensible to keep at least 40 per cent. of the shares so that, over a three-year period—this has happened before—we can see whether the prosperity can be shared and some of this foolish criticism can be abated?

Mr. Wakeham: I am grateful to my hon. Friend for his suggestions. As they came from him, I shall consider them, but I am not sure that the prospective purchasers of PowerGen are quite as restricted in number as he suggests. I think that there are rather more of them around, but we shall have to see.

Mr. Dobson: I seek clarification of two points. Will the Secretary of State confirm that, far from his coming to the House as soon as he could, these secret talks have been going on since May?

Secondly, we all accept that, as the right hon. Gentleman said in his statement, he has a duty to the taxpayer to derive a proper return from the sale of the electricity companies, but does not he have a parallel duty to ensure that the Inland Revenue does not lose an equivalent amount? Surely it is naive in the extreme to go into these negotiations without considering the tax write-off consequences for Hanson plc?

Mr. Wakeham: I have said that I came to the House as soon as I felt that I had something to say to it. This morning I received the last piece of information that I needed before I could make the statement.

I confirm that, in a broad way, discussions on the best way to effect the sale have been going on for a number of weeks, but it was not until last Monday when I saw the chairman of PowerGen that I felt able to give Hanson plc any information that was not already in the public domain. We have moved fairly rapidly since last Monday——

Mr. Dobson: Since the right hon. Gentleman was rumbled.

Mr. Wakeham: —when the first confidential information was given to Hanson.

The hon. Gentleman does not understand the way in which our tax system works. The tax affairs of individual companies—if the hon. Gentleman will not take this from me, he can take it from his right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), a former Treasury Minister with whom I remember debating on a number of occasions—and of individual taxpayers are confidential, and Ministers, quite rightly, have no access to them. I have no knowledge of the tax affairs of PowerGen, or of Hanson plc, or of the hon. Member for Holborn and St. Pancras or of the hon. Member for Bolsover (Mr. Skinner).

Local Government Finance (Wales)

5.32 pm

The Secretary of State for Wales (Mr. David Hunt): With permission, Mr. Speaker, I should like to make a statement about my proposals for local government finance in Wales for 1991-92 and about the review of the community charge.

The 1990-91 settlement, which my predecessor outlined in the House 12 months ago, gave Welsh councils an outstanding opportunity to budget sensibly and to offer Welsh charge payers the prospect of community charges averaging only £173. Their response, as every one now knows, was disappointing. Spending in Wales rose on average by 12 per cent.—indeed, for district councils, the increase was no less than 20 per cent.—and by well above any measure of inflation. The result was an average community charge some £60 higher than necessary.

This spending increase, while closer to plans than that of similar English authorities, is far too high. For 1991-92, therefore, while I have taken due account of the views of local authorities and their associations—expressed to me most recently at a meeting of the Welsh Consultative Council on Local Government Finance on 4 July—I have also had regard to the wider question of the level at which it would be right for authorities in aggregate to spend next year in order to deliver an appropriate level of service, and I have considered too the need for a higher level of efficiency savings to be sought.

Taking all these factors into account, I consider it right to propose a level of total standard spending for 1991-92 at £2,436 million. That is about £316 million more than the equivalent figure for 1990-91, and represents an increase of 8 per cent. above authorities' budgets for 1990-91.

I propose to set the level of aggregate external finance, or AEF, at £1,939 million, which is 11·2 per cent. higher than last year, and—after allowing for the financing of the safety net, which applies in England only—that is equal to the increase which my right hon. Friend the Secretary of State for the Environment announced for England lat Thursday. This is a very substantial increase, and I urge councils to recognise that and to pass on the benefits of this injection of funding to their chargepayers, instead of seeking to boost spending still further. In the autumn I will announce details of the split of AEF into its three component parts, namely, revenue support grant; the distributable amount of national non-domestic rates; and certain specific grants towards current expenditure.

Under my proposals the community charge for standard spending in Wales will be £228. This is, I emphasise, an entirely achievable figure given the generous increases that I have proposed in spending and Exchequer grant; but if it is to be the average actual charge in Wales for 1991-92 councils will have to budget responsibly and spend in line with plans. Charge payers will expect them to do so and will quickly realise that a higher average level of charges will be directly attributable to overspending by their local authorities.

Protection for charge payers from unnecessarily high spending and charges will, I hope, be unnecessary. But local authorities should know that I am fully prepared to step in to protect their charge payers by making vigorous use of my charge capping powers. Next year these will be applied both to excessive spending in relation to standard spending assessments or SSAs, and to excessive

year-on-year increases in spending by authorities spending above their SSA for 1991-92. I propose specifically for this year to give an advance indication of the criteria that I will use in making decisions about charge capping, so that authorities are aware of them at the time they take their budget decisions.

Members will know that the Government have reviewed the operation of the community charge and have reaffirmed their commitment to the basic principle of the new system: that almost all adults should contribute towards the cost of local services. Within that framework, however, I have proposals for a number of changes in the operation of the system.

For the standard community charge, which applies where a domestic property is no one's sole or main residence, I propose to reduce the maximum standard charge which local authorities have discretion to levy in a number of exceptional cases. I have in mind, for example, those who are required as a condition of employment to live in a particular property; people in houses with an empty granny flat; and those whose home is empty because they have gone to care for someone else. I also propose to help those who are having difficulty selling a property, by extending the period during which a zero charge must be levied.

All my proposals should, subject to consultation, be in operation from 1 April 1991, and I trust that they will be widely welcomed. They are set out in a consultation paper issue to local authorities and to other interested parties last Thursday; copies have been placed in the Vote Office and the Library of the House.

I turn now to the position of small businesses. There has been concern about people who live over the shop, who pay rates on their businesses and who are also liable to pay the community charge. There is no fundamental issue of principle here because all business property is liable to rates, and all adults are liable for the community charge. I do, however, recognise, that this group of businesses may need more time to adjust to the new system, and so I intend to amend the business rate transitional arrangements, for small composite hereditaments only, to limit increases from 1991-92 to 10 per cent. in real terms instead of the current maximum of 15 per cent.

The present exemption from non-domestic rates for people who make bed-and-breakfast accommodation in their own homes available for less than 100 days a year has also, as I know from many of my right hon. and hon. Friends caused some difficulty. I therefore propose to change this rule from 1 April 1991 and will shortly issue a consultation paper outlining a range of options based on the amount of accommodation made available rather than the time for which it is available.

Finally, I have considered again the operation of the distinctively different system of community charge transitional relief in Wales. The £20 million provided for 1990-91 has assisted some 750,000 Welsh charge payers and provided transitional relief in more than 300 qualifying communities, with reductions of up to £93 available to assist charge payers in areas where rates bills were traditionally low. The scheme has been outstandingly successful in channelling relief into those communities where it has been most needed, and thereby cushioning the impact of the new system where that has been appropriate.

It had originally been intended that lower levels of transitional relief would be available in 1991-92 and 1992-93, with the scheme to be phased out by the end of that year. I now propose a postponement of that phasing out, so that the sum available will remain at £20 million for 1991-92 and, indeed, for 1992-93. That is an increase of 50 per cent. above planned levels, and the scheme will also be extended to 1994-95. In all other respects the scheme will remain unchanged.

Those are my proposals for the operation of the local government finance system in Wales in 1991-92. The settlement that I have proposed honours the commitment made by my predecessors that no resources would be lost to Wales as a result of moving to the new system. I am, of course, ready to consider all representations on the proposed settlement and I will be consulting the local authority associations in detail on my proposals. I shall then bring forward more detailed arrangements for all aspects of the settlement in the autumn. It is right to emphasise that the settlement offers substantial increases in total standard spending and grant. With greater realism and responsibility from Welsh local government in setting budgets for 1991-92, charges in Wales should average only £228, which is a reduction of £4 in the levels set this year. I remind Welsh authorities that the position of the charge payer—their customer—is paramount, and I look to them to recognise that simple fact.

Mr. Barry Jones (Alyn and Deeside): Before I ask a question on the statement by the Secretary of State for Wales, may I ask you, Mr. Speaker, why the Government's decision to make a statement was indicated at late as 2 pm on the Common's annunciator? That was the first time that hon. Members knew that a statement would be made. When the statement was first announced on the annunciator, it was flagged as the second statement and not the third. Less prudent Members may well have temporarily left the confines of the Palace and, arguably, will have missed the statement. The Leader of the House is in his place and may later seek to explain this extraordinary omission.

I welcome the increases in standard spending and aggregate external finance. Any increase is welcome, because Wales has suffered greatly from the imposition of the poll tax. I deplore the attack on Welsh local authorities because no local authorities are more loyal and co-operative, and the right hon. Gentleman knows that. In that respect his statement was unworthy. Those local authorities warned the Government and the Welsh Office not to put the poll tax in place in Wales. Now we find that it is deeply flawed and that the right hon. Gentleman has had to come to the House to make changes around the edges.

Inflation is running at approximately 10 per cent. Is not the right hon. Gentleman's provision insufficient, given that local authority costs run well ahead of general inflation? Last year the provision was insufficient, and is not this year's provision for inflation a defect in the statement?

How does the right hon. Gentleman propose to assist county authorities on pay and salaries? Those authorities are facing settlements for teachers, lecturers in further education, manual workers and the police and fire staffs. The right hon. Gentleman should spell out his provision for those crucial sectors, because in that context the statement appears to be seriously defective.

Is it not the case that, while transitional relief in Wales remains at £20 million, in England it has increased dramatically? It is not as good as it should be, and the right

[Mr. Barry Jones]

hon. Gentleman should tell us why. How many communities in Wales will be excluded from transitional relief? Last year in north Wales, 207 communities out of a total of 247 were excluded.

Is it not the case that, throughout Wales, at least 500 communities were excluded from transitional relief? In some instances almost whole counties were excluded. We note that transitional relief expires after the likely date of the general election. How strange, how coincidental, that transitional relief should run beyond the next general election. Does the right hon. Gentleman realise that serious examples of inequity about transitional relief are now manifesting themselves in Wales?

Care in the community is a serious matter and places a major burden of expectation on local authorities. Have not the Government retreated on care in the community because of the implications for poll tax bills? With one eye on the general election, have not the Government resolved to delay the domiciliary care of the most vulnerable citizens in Wales? Has not the poll tax in effect blighted the prospect of improved care for many elderly and handicapped people? It seems that the Government have put themselves in grave difficulty over the poll tax. It is quite disgraceful that vulnerable citizens must now pick up the tab when what they need is our urgent care and help.

Borough and district treasurers are under the gravest pressure from the poll tax, first because they must operate a major means-testing bureaucracy and secondly, because many people are not paying the poll tax, thus contributing to a plunge in the public sector budgetary surplus. Is it not the case that in the first quarter of this financial year some 20 per cent. of our people have not paid the poll tax? What are the consequences of non-collection for the budgets of Welsh local authorities?

In the context of legislation, where in the statement is the extra money to enable the counties to respond to the severe challenge of local management of schools? There are inevitable cost implications, as there are for implementing the national curriculum and improving the fabric of our schools in Wales.

Where in the statement is the extra money to implement the Environmental Protection Bill 1990 with its challenge on street cleaning and, indeed, the many green challenges that it contains? Where is the extra cash to respond to the new Food Safety Act 1990 and the new Water Act 1989 and the new home renovation grants?

In conclusion, I remind the Secretary of State that his hon. Friend the Member for Clwyd, North-West (Sir A. Meyer) referred in the House on 1 March 1989 to

"the sheer lunacy of the poll tax . . . that daft idea."—[*Official Report*, 1 March 1989; Vol. 148, c. 316.]

I also remind him that his hon. Friend the Member for Cardiff, Central (Mr. Grist) said in a debate in the House that the poll tax was

"regressive by . . . nature . . . a legal nightmare."—[*Official Report*, 29 January 1986; Vol. 90, c. 968.]

Surely his hon. Friends must be right. However the Government wrap up the poll tax and whatever sweeteners they give, the right hon. Gentleman must understand that the people of Wales have rejected and will reject the poll tax. To put it on the record, Labour will abolish the poll tax. Today's statements will not safeguard the parliamentary skins of the Secretary of State's hon. Friends behind him.

Mr. Hunt: I counted altogether nine specific questions, which I shall attempt to answer. There was also a 10th question which the hon. Gentleman did not ask, but which I shall presume that he asked. I shall answer it later.

The hon. Gentleman's first question was why the statement was so late. In the hon. Gentleman's words, "Why have the sweeteners been delayed?" That is not a matter for me, as you know, Mr. Speaker. I was anxious to make the statement as soon as possible and my hon. Friends will realise why. It is a good and positive statement for Wales.

The hon. Gentleman's second question was, "Is the provision for inflation defective?" The answer is no. If the hon. Gentleman looks again at the settlement he may find that his eye skipped the percentage increase in aggregate external finance. The figure was 11·2 per cent. That is 11·2 per cent. more external money going into local authorities in 1991-92 than in 1990-91.

The hon. Gentleman's third question was about defective provision for counties in several respects. I closely consult the Assembly of Welsh Counties. If the hon. Gentleman discusses the settlement with that organisation, I hope that he will find that it too regards the settlement as realistic.

The hon. Gentleman's fourth question was on transitional relief. I am not sure whether he realised that my announcement increased the amount of funds already available for transitional relief next year by 50 per cent. We believe that that is the best use of available resources. This year, 750,000 people in Wales will benefit, whereas only 200,000 at most would have benefited if the English scheme applied to Wales. If the hon. Gentleman consults again the assembly and the Council of Welsh Districts, he will find that they agree with me that the transitional relief scheme is the best arrangement and that the associations have agreed it. I should have thought that the best relief for all Wales is the news this afternoon that the actual community charge of £232 will fall to £228 if councils spend in line with my assumptions.

The fifth question was also on transitional relief. The hon. Gentleman asked whether we had extended the scheme to 1994-95 to take it past the next general election. I have news for the hon. Gentleman. I do not know when the election will be but I certainly intend to be Secretary of State for Wales in 1994-95.

The hon. Gentleman's sixth question was on care in the community. By setting a higher average community charge than was necessary this year, local authorities placed an additional burden of some £100 million on charge payers. It would be wrong in Wales as elsewhere to expose charge payers to the possibility of immediate further burdens where they could be avoided.

Our experience under the all-Wales mental handicap and mental illness strategy shows that fundamental changes in the delivery of services cannot possibly be achieved overnight. They take years of careful planning and development. The phased programme of implementation that we now propose will enable all involved to work together to do just that for the many elderly people, those with physical and sensory disability and others in need of social care. Our track record shows that no one should have any doubt about our commitment to making a success of the changes proposed in the White Paper.

The hon. Gentleman's seventh point was that treasurers are under pressure because of the failure to pay the community charge. I do not know what the hon.

Gentleman gets up to. I have here the statistics that have been published. The rate of non-payment in Nottingham is 30 per cent., in Birmingham it is 35 per cent. and in Bath it is 39 per cent. In Cardiff, our largest authority, the rate of non-payment is under 10 per cent. I have every confidence that that percentage will diminish still further and that the vast majority of Welsh charge payers are law-abiding and will pay their community charge.

The hon. Gentleman also asked about local management of schools and the counties. I assure him that we took all that into account before I announced the settlement. The hon. Gentleman's ninth question was about extra money for extra duties. All those were carefully taken into account before the announcement today.

Finally, I come to the question that the hon. Gentleman did not ask. It was—*[Interruption.]* He made a statement towards the end of his speech, that his party would seek to abolish the community charge. For many years, the Labour party tried to find an alternative to the unjust and inequitable domestic rates system. We now know the result of their efforts. The Labour party will go back to the unjust, unfair, domestic rating system. It published a policy document called "Looking to the Future." This is not just "Back to the Future" but backwards into the past.

Mr. Nicholas Bennett (Pembroke): May I congratulate my right hon. Friend on his statement, which is in line with the statement for England and Wales made last week? It will help the community charge payers. I am a firm supporter of the principle that everyone who enjoys local services and has a vote should make a contribution towards the services.

Will my right hon. Friend consider carefully the position of constituents who run bed-and-breakfast accommodation and those who have second homes, such as clergy and teachers who teach in other places? They are an important group who are made to pay two standard community charges, and the matter must be dealt with quickly. Will he confirm that it was only at the last election that the Labour party promised to abolish the rates, yet three years later it proposes to return to the same unfair rating system which three years ago it claimed could not be amended as it suggested?

Mr. Hunt: I recognise that my hon. Friend has strong views to express on the system for dealing with bed-and-breakfast accommodation. I should like to discuss that area of policy with him again, because I have an open mind on what we should do.

My hon. Friend is right about the Labour party. At the last election, it promised to abolish the domestic rating system.

Mr. Donald Coleman (Neath): The former Member for Vale of Glamorgan was fighting a seat at the general election.

Mr. Hunt: I remember. The hon. Gentleman was not fighting to retain his seat at the last general election.

I recall vividly that, halfway through the election campaign, the right hon. Member for Copeland (Dr. Cunningham) announced that the Labour party intended to introduce capital value rates. Will the hon. Gentleman think through the consequences of his earlier remarks? I understand that Labour has not yet worked out the details. Instead of doing so, will it please drop the whole idea of reverting to such an unjust system?

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that a number of hon. Members have been waiting patiently for the debate on the summer Adjournment motion, so I ask hon. Members representing Welsh constituencies to ask single questions. There will be other opportunities to deal with this matter.

Mr. Alex Carlile (Montgomery): Will the right hon. Gentleman join me in congratulating Montgomeryshire district council on keeping its poll tax below the average level hoped for for last year? Will he be the first Minister for many years to tell the House that he supports the excellence of village schools in rural Wales, and will he express the hope that the settlement will assist in their retention?

If the right hon. Gentleman really wants to be Secretary of State for Wales in 1994-95, will he take up the challenge of giving up his stockbroker Cheshire seat and fighting a seat in Wales at the next general election?

Will the Secretary of State explain why it was decided by the Government's business managers to sneak the statement through on the first Monday of the Royal Welsh show, which is Wales's premier agricultural event, when he knows perfectly well that many hon. Members with a deep interest in agriculture, who knew nothing of the imminence of the statement, could not be present in the House today?

Mr. Hunt: Unfortunately, the hon. and learned Gentleman asked five questions. In reply to the last of them, I may say that I wanted to make the statement at the earliest possible opportunity, but the timing of such statements is never a matter for the Secretary of State. I wanted to make it as soon as I could. If I am allowed to visit the Royal Welsh show tomorrow, I look forward to meeting the hon. and learned Gentleman there. May I ask him to get his geography right? My seat is in Merseyside, and I am proud to represent a Merseyside constituency. Finally, without singling out any particular county council, I acknowledge——

Mr. John P. Smith (Vale of Glamorgan): On a point of order, Mr. Speaker. The question of the late announcement of the statement has twice been raised. News of it appeared on the annunciator at only 2 o'clock this afternoon. The Leader of the House has left his place, but are we to receive an explanation of why the statement was announced so late?

Mr. Hunt: I will not be drawn into commenting on a specific council at this stage, but I take this opportunity to congratulate councils throughout Wales, and in particular the officials most concerned with the introduction of the new system, on the quality of their professional management, which allowed the system to be introduced so successfully.

Mr. Gwilym Jones (Cardiff, North): I congratulate my right hon. Friend on an excellent statement, which means that there is no justification for an increase in the average community charge in Wales next year. I urge my hon. Friend to spell it out to local councils, particularly those in Cardiff and South Glamorgan, that he will not hesitate to use his charge-capping powers, and on what terms he will use them. I suggest that he should consider capping any council that increases its community charge by more than

[Mr. Gwilym Jones]

the rate of inflation, provided that that increase is proportionately reduced by every 1 per cent. that the council's community charge has already exceeded this year's standard spending assessment.

Mr. Hunt: I much appreciate my hon. Friend's warm words of welcome, given his distinguished career in local government. I do not want to be drawn on the specific criteria for capping, and it would be wrong for me to do so. I hope that it will not be necessary to use capping powers, although I shall not hestiate to do so if necessary.

Mr. Donald Colman (Neath): I did not hear the right hon. Gentleman mention inflation in his statement—but it is rising, and additional burdens are being placed on local authorities, particularly in respect of education. How will the right hon. Gentleman's statement ensure the survival of small schools—or is he happy to see them closed?

Mr. Hunt: I believe that the settlement is fair and realistic, and that it will allow the specific policies decided by local authorities in conjunction with the Welsh Office in line with the guidance to be fulfilled. As to inflation, I have announced a settlement tha gives an 8 per cent. increase in spending—which is higher than the figure announced for England last Thursday. The external finance that I have also announced will increase by 11·2 per cent.—a substantial rise, and more than enough to cope with any increased spending demands.

Mr. Keith Raffan (Delyn): I join in the congratulations to my right hon. Friend on attaining a very generous settlement and continuing the very strong record of both his Conservative predecessors—in sharp contrast to the record of the Labour party and former Labour Secretaries of State for Wales. Whilst I welcome the extension of the transitional relief system, is my right hon. Friend aware of the concern in my constituency and others that Wales has a different and, in my view, less well targeted transitional relief system? Will he consider issuing a consultative paper, particularly in the light of the obvious differences in view between Labour Members and Labour councils in Wales?

Mr. Hunt: I thank my hon. Friend for his kind words of welcome, which I much appreciate. As he will know, my right hon. Friend the Member for Worcester (Mr. Walker) —to whom I pay particular tribute—introduced a well targeted relief scheme that offers assistance to residents in areas where domestic rates bills were low, and who would otherwise be confronted by significant increases in their local tax liability. The scheme is simple to administer an incurs no additional administrative costs. As I said earlier, Welsh associations agree that it offers the best arrangement.

Mr. Ray Powell (Ogmore): We want an explanation of why we were not made aware on Thursday, or as late as Friday, that a statement was to be made today by the Welsh Office concerning poll tax in Wales. I do not know where the Secretary of State gets his information about the views of county or district authorities. I visit most areas of Wales and talk to county council and district council members—but none of them, whatever their political persuasion, shares the views expressed by the right hon. Gentleman this afternoon.

The Secretary of State can tinker as much as he likes with the poll tax in Wales, but he will not convince the electorate there of its worth, whether he waits until 1991 or 1992. We would like to know where the Secretary of State obtained the information on which he based parts of his statement and why we were not informed on Friday that a statement was to be made.

Paragraph 2 of the consultation document said that the Secretary of State would review the operation of the poll tax—one must bear in mind the fact that he was then the Minister responsible for winding up the poll tax debate —and identify any anomalies that needed to be addressed. I was convinced that, when the right hon. Gentleman wound up that debate, he knew of all the anomalies, but he said that there were none. We were very disturbed to hear this afternoon's statement.

Mr. Hunt: I am almost reluctant to reveal to the House that I regard the hon. Member for Ogmore (Mr. Powell) as an old friend—[HON. MEMBERS: "Withdraw."] That remark does not need to be withdrawn. I have genuine affection for the hon. Gentleman, but he has been unfair. He was unfair to blame me for the timing of the statement, when, with his tremendous experience of the House, he knows that that matter is not for the Secretary of State. I wanted to make the statement at the earliest opportunity.

I was criticised by some for failing to get in ahead of the Scots, but I understand that my right hon. and learned Friend the Secretary of State for Scotland will not be catching your eye today, Mr. Speaker. I do not know whether or not that is a matter for plaudit, because I have nothing to do with the timing of statements. I had nothing to do with the timing of these statements.

As regards the remainder of what the hon. Gentleman stated, for consultation I rely on talking to the elected representatives of the Assembly of Welsh Counties and the Council of Welsh Districts, and I meet them regularly. I met them on 4 July and I am meeting them again today. Of course, local authorities would have liked more money, but when he consults the representatives, I think that they will agree that this is a reasonable and realistic settlement. On his questions about what we might do to alter the system, I have issued a consultation paper. Responses should be in by 28 September, and I look forward to receiving representations from the hon. Member for Ogmore (Mr. Powell).

Mr. Donald Anderson (Swansea, East): The Minister should know that this exercise will be seen in Wales as effectively scapegoating our local authorities and using unreal fairy-tale figures. Is it not clear that this is trying to sugar a bitter pill until after the next election? Can the Minister confirm that the figures that he has given the House today are based on the assumption of a 100 per cent. payment by all poll tax payers in Wales and that even with the best will in the world, there will not be a 100 per cent. payment, so Welsh poll tax payers will have to pay more?

Mr. Hunt: The bitter pill is nothing to do with the community charge—it is the pill that the electorate have already spat out by getting rid of the unjust, inequitable, domestic rating system. The hon. Gentleman and his party are now seeking to reintroduce it without any of the basic questions being answered—such as, is it to be reintroduced

with the old values of 1973, which is really "Barry in Wonderland"? How on earth can anyone reach any assessment based on 1973 values?

Also, it is not yet decided who will be liable to pay. Apparently there is to be a meeting at each property to decide who should be nominated to pay the new, old-fashioned domestic rates bill. That is the bitter pill, and the sooner the hon. Gentleman spits that one out, the better it will be for the Welsh electorate.

Mr. Gareth Wardell (Gower): How is the momentum for the demonstration projects that have been set up using elderly initiative finance—such as the west Glamorgan staying-at-home initiative which is being used in Neath and Morriston—to be extended throughout Wales, when the Government have postponed their community care proposals?

Mr. Hunt: I dealt with some of that in my earlier response, but let me continue because I realise that the hon. Gentleman is not only in a prestigious position as Chairman of the Select Committee on Welsh Affairs, but that, as a constituency Member of Parliament, he has always paid attention to this matter in the past.

Elderly people have benefited from a massive real-terms increase in expenditure on health and social services. In addition, the Welsh Office provides substantial funding to promote best practice under the elderly initiative, and 60 projects have been approved for support for up to five years at a total annual cost of more than £2 million. We are not attempting a radical reshaping of patterns of services, so there is no justification for an all-Wales strategy of the sort that exists for mental illness and mental handicap services, but we recognise the need to develop more flexible forms of domiciliary care and to provide alternatives to residential care where possible; the steady implementation of the White Paper changes will do that.

Also, the carefully targeted new grant schemes will replace the current disparate sources of Welsh Office support, such as urban aid joint finance and the elderly initiative, and I think that that is generally welcomed. The level of resources for 1991-92 will be announced in the autumn.

Mr. Allan Rogers (Rhondda): May I join my hon. Friend the Member for Alyn and Deeside (Mr. Jones) in saying that the statement is most unworthy and a shameful attack on local government in Wales? The Minister came to his present post after being Minister for the poll tax for Great Britain, and he is already known in the south Wales valleys as "Dai Poll Tax". When he attacks local government, he is attacking not its buildings and fabric but its services. The real sufferers as a result are not vague councils—I use that as a general term—but the people they serve: the elderly, the sick, children in schools, those people who are vulnerable and rely upon local authority services.

The settlement is hardly in line with inflation, and certainly does not take into account the year-on-year, end-on responsibilities of local authorities as any service or function develops. Perhaps it would be unusual for a Secretary of State of any party, but instead of his having a flat rate or poll tax capping facility this year, would he study more seriously local authorities and the functions that they provide and say that, if a local authority cannot provide the services that are needed, central Government will function-cap them rather than rate-cap them.

Mr. Hunt: I am quite willing to debate at length with the hon. Gentleman the principle of function capping and charge capping but, at the moment, I am minded to continue with my existing policy, and I am not persuaded by his arguments.

As for the poor, the elderly and those who need benefit, the latest figures, which I have here, from the Department of Social Security state that charge payers in Wales who are expected to receive community charge benefit will total 550,000, of whom 320,000 will qualify for the maximum reduction of 80 per cent. So we concentrate help where it is most needed. As regards services, if the hon. Gentleman will consult the Assembly of Welsh Counties and with the Council of Welsh Districts, he will find that they believe this to be a realistic settlement—although, of course, they would have wanted more.

Mr. Alan W. Williams (Carmarthen): Does the Secretary of State accept that nothing that he has said this afternoon tackles the basic problem of the poll tax—the fact that it is not linked to the ability to pay? Will he accept that tens of thousands of people in each of our constituencies are on low incomes, but have to pay the full poll tax and that they will join us in throwing out the Government at the next election?

Mr. Hunt: The present rates at which community charge benefit is payable, especially bearing in mind the enhanced rate for disabled people, are the right level. That is why the figures that I have given are so sizeable when one considers the number of people who will qualify and receive community charge benefit.

Mr. John P. Smith: Has the Secretary of State considered the impact of this afternoon's statement on the community councils in Wales? We have an anomaly in Wales, as community councils, as a direct result of the poll tax, can vote themselves out of existence—two community councils have already gone. Surely that was never the intention of the poll tax in the first place. What will the Secretary of State do about it in the future?

Mr. Hunt: I do not think that a democrat should protest about the effects of democracy.

Mr. Paul Flynn (Newport, West): The Minister said, quite fairly, that new policies require years of careful planning to put into place. Does he not agree that the new policies that are essential to deal with the environmental challenges of the next few years and of the next century need a great deal of planning to put into place, and that local authorities are in the front line of all those battles? In the Newport area, there is a need to protect against the effects of global warming by putting in the groundwork on sea defences, to look for new ways to recycle materials which were previously thought of as waste, and to look for new solutions to the energy crisis.

Not only does the settlement, allowing for the gearing effect when it is translated into poll tax charges, not take account of legislation that is in place, but it is no foundation for the challenges of the next decade. Is it not the old story of the Government producing strong words but lame action?

Mr. Hunt: No, I do not think it is. I agree with the hon. Gentleman that the environmental challenge for us all is to move into the next century with a better environment and a better quality of life in Wales. I agree 100 per cent. with

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the hon. Gentleman about that. However, I disagree with him about the consequences for local authorities of those costs. I believe that the settlement more than takes into account those additional burdens.

Mr. Rhodri Morgan (Cardiff, West): I welcome the Secretary of State's statement about poll tax concessions to the owners of small bed-and-breakfast establishments. They will be very useful for various Conservative Back Benchers who will lose their seats at the next election.

What exactly will be the position of the disabled in Wales next year? The Secretary of State will remember that, before he became "Dai Poll Tax," he was "David Poll Tax." When he dealt with the matter in England he introduced transitional relief for the disabled. They paid virtually no rates before the poll tax was introduced. Wales has not been granted such a concession.

Is the Secretary of State saying that the position of the disabled will remain as difficult in Wales as it was before? Does he think that it is acceptable that the disabled in Wales should get no relief from the poll tax when they know that the disabled in England are getting such relief and that it came from this Minister?

Mr. Hunt: I have always found it difficult to follow the hon. Gentleman's sense of humour, and I find it difficult to follow now, particularly on his first point. I did not understand what he was trying to say, but as he welcomed my announcement I welcome his welcome. If he has any particular views, other than wit and humour, on the whole area of bed and breakfast, I shall be delighted to hear from him.

The disabled will receive, as they do now, an enhanced rate of community charge benefit, but the greatest relief for everybody in Wales will be the news this afternoon that community charge levels in Wales need not rise next year. That will be a great relief to a lot of people. It is good news for Wales.

Mr. Paul Murphy (Torfaen): Does the Secretary of State accept that the poll tax is almost universally detested in Wales? Every single test of opinion in the Principality has shown that it is the most deeply unpopular tax ever faced by our people. Will he therefore be prepared to hold a referendum in the Principality and ask the electorate whether they would prefer the Labour party's new fair rating system or the poll tax? Can he not see that that hatred is reflected in the hundreds of thousands of Welsh men and women who have yet to pay the tax? In Gwent alone, more than 80,000 people have still not paid the poll tax. Has the Secretary of State not been told that the business rate especially has not been paid in Wales? In my authority 43 per cent. have not yet paid the business rate.

Does the Secretary of State still believe that local authority borrowing is bad? If he does, how does he square that view with the fact that all Welsh councils have been forced to borrow because of non-payment? Will he do something for our poll tax payers who will have to face that unnecessary burden?

Finally, does not the Secretary of State understand that no amount of clever tinkering and tampering with the poll tax will fundamentally alter the warped and absurd nature of the tax and that it will not save the few Conservative Members of Parliament who still remain in the Principality?

Mr. Hunt: I do not intend to rewrite the hon. Gentleman's brief, from which he has just read so clearly. I have not yet seen details of the Labour party's new fair rating system. The only Labour alternative that I have seen details of—I am delighted that the right hon. Member for Copeland (Dr. Cunningham) is here—[HON. MEMBERS: "Hon."] Yes, the hon. Member for Copeland; it is just that I have high respect for him. I remember the hon. Gentleman standing up at a press conference early in 1988 and announcing Labour's alternative to the community charge. It was capital value rates. I remember it clearly. I read again just a few moments ago the detailed press release that he issued. I do not know what is going on on the other side. All I know is that the Opposition keep changing their views. When the electorate see the Labour party's proposals, I believe that they will turn and run. Nobody wishes to go back to the past.

The hon. Member for Torfaen (Mr. Murphy) is also confused. His hon. Friend the Member for Alyn and Deeside (Mr. Jones) began by accusing me of putting sweeteners before the electorate, of seeming to bribe the electorate, but other Opposition Members have got up and said that it was too miserly a settlement. I think that they had better go away and think out their alternative again. They ought also to think out their approach and welcome the settlement, because it is good news for Wales.

Mr. Barry Jones: On a point of order, Mr. Speaker.

Mr. Speaker: The hon. Gentleman has already had a long bite.

Mr. Jones: I shall be very brief, Sir. As the Leader of the House is in his place and as the Secretary of State for Wales gave no answer to our rightful question as to why the declaration that a statement would be made today was made so late, may we ask you to ensure that the Leader of the House now comes to the Dispatch Box to tell us why?

Mr. Speaker: That is not a matter for me. It is a matter for the Government and the usual channels.

Mr. Rogers: Further to that point of order, Mr. Speaker.

Mr. Speaker: It is not a point of order; it is not a matter for me. The usual channels decide these matters.

Mr. Rogers: It is a point of order, Mr. Speaker. I thought that everything that went on in this Chamber was part of your business and under your control.

Mr. Speaker: It is a great myth, widely believed.

Mr. Rogers: There are certain conventions that you exhort hon. Members to keep to in the House. The Secretary of State said that he did not know that he would be making the statement until 2 o'clock and that it was not his business when a statement was to be made. If it is not his business, is it your business, Mr. Speaker, or is it the business of the Leader of the House?

Mr. Speaker: One thing is quite certain—that it is not my business. The Government, not the Chair, decide when statements are to be made. I grant private notice question applications and occasionally Standing Order No. 20 applications for debates, but I do not decide when statements are to be made.

Mr. Anderson: On that point, Mr. Speaker, surely that question ought properly to be decided between the usual

channels. Is it not clear that on this occasion the usual channels were blocked? If I may mix my metaphors, if the usual channels are blocked can you not be an umpire, or a stop of last resort?

Mr. Morgan: Or a plumber.

Mr. Anderson: Yes, or a plumber. May we therefore call on your services as a plumber extraordinaire to ensure that at least some courtesy is extended to the House now that the person with whom the buck stops, the Leader of the House, is in his seat? He could prevent any further problems from arising by letting us into his confidence as to why it was only at 2 o'clock today that we were told that there would be a statement. Is it not a discourtesy to the House? Will the Leader of the House not answer that question in his capacity as plumber extraordinaire?

Mr. Speaker: I shall plumb this matter during the summer recess. I hope that, when we resume in the autumn, there will be no repetition of this kind of thing.

Mr. Coleman: On a point of order, Mr. Speaker.

Mr. Speaker: No. I am on my feet.

Consolidated Fund (Appropriation) Bill (Adjournment Debates)

6.27 pm

Mr. Speaker: Before we come on to the motion for the summer Adjournment, I have a short statement to make on the Consolidated Fund (Appropriation) Bill topics which will follow the passing of the Bill.

As can be seen from the Order Paper, the second debate on crime figures was to have been initiated by the hon. Member for Bootle (Mr. Carr) who, sadly, died suddenly at the weekend. The practice of the House is that particular topics are the property of the Member concerned, and therefore, if a Member is not present, the topic lapses.

Exceptionally, on this occasion, since the hon. Member died over the weekend, and since eight other hon. Members had applied for a debate on the same subject, I have decided that a supplementary ballot should be held among those Members, and the debate will now be initiated by the right hon. and learned Member for Warley, West (Mr. Archer).

This decision is not to be regarded as a precedent, and it remains the rule that substitution for a Member who cannot be present to initiate such a debate is not permissible.

Adjournment (Summer)

Motion made, and Question proposed,

That this House, at its rising on Thursday 26th July, do adjourn until Monday 15th October.—*[Mr. Fallon.]*

6.29 pm

Mr. John Biffen (Shropshire, North): I am happy to support the motion in the name of my right hon. and learned Friend the Leader of the House. I am glad to have this opportunity to take the Chamber from the turbulence and controversy of the community charge in Wales to a more measured topic—the future of Fenns, Whixall and Bettisfield mosses. They are lowland raised bogs which many people, particularly the hon. Member for Copeland (Dr. Cunningham), will know are ecological treasure stores and very much part of our environmental heritage.

The Nature Conservancy Council estimates that 84 per cent. of lowland raised bogs have disappeared since 1850 on account of either afforestation, agricultural reclamation or peat cutting. That underlines the importance of the mosses at Fenns, Whixall and Bettisfield which lie predominantly in the constituency of the hon. Member for Wrexham (Dr. Marek), although the Whixall moss area falls entirely within my constituency.

The hon. Member for Wrexham told me that he, like me, takes a great interest in the future management of the mosses. He hopes that a public purchase can be arranged and has written to the Welsh Office about it. He takes that view because, although the mosses are already sites of special scientific interest, covering almost 1,700 acres, by long tradition they have been subject to peat extraction in the context of established, unconditional planning permission. Against that background, anxiety about future developments has spread much further than the immediate locality.

Croxdens Horticulture Ltd., a subsiduary of the Lands Improvement group, has purchased the freehold of Whixall moss and the lease for Fenns moss. It is said that it has plans to expand peat extraction from 15,000 to 60,000 tonnes per annum, and many conservation organisations have made representations. I see that the hon. Member for The Wrekin (Mr. Grocott) is in his place on the Opposition Front Bench. I know that he, like me, has received letters on the subject, particularly from the Shropshire Wildlife Trust.

There is a case to be made for the continued working of the mosses. The question at issue is whether that can be done in a way that will secure and protect the environmental heritage. During the weekend I was visited by Mr. R. K. Davies of Whixall, who works on the mosses and is involved with, and an authority on, peat cutting. He assures me that, according to someone who is employed in the area, the present rate of extraction is not detrimental and is less than it was a generation ago. I recognise the integrity of those comments, but there is considerable anxiety about how the present working of the mosses can proceed.

Both Clwyd and Shropshire county councils feel that there should be a conservation management contract so that whoever works the mosses does so in a way that will preserve what is becoming a unique area of raised bog marshland. It is hardly surprising that the Nature Conservancy Council has become the focal point of environmental interest in the subject. It is currently talking

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to Croxdens with a view to securing an agreement to enable the management of work on the mosses to be consistent with preserving the ecology.

I raise the subject on the Adjournment debate because it lends itself to a short but comprehensive presentation. There are clearly financial implications in any deal that might be done by the Nature Conservancy Council and the Department of the Environment. It is important that whatever deal is in prospect can be concluded during the Nature Conservancy Council's current financial year. I shall not press for more details. I merely ask my right hon. and learned Friend the Leader of the House to convey to the Secretary of State for the Environment my anxiety, which is widely shared in the House, that adequate funds should be available to the Nature Conservancy Council so that the future of the mosses can be secured, not only for the ecological treasure that they represent, but to ensure realistic peat working that will provide continuing livelihood for a community which, for centuries, has lived off the mosses.

6.35 pm

Mr. Merlyn Rees (Morley and Leeds, South): Of course the House should adjourn, but I should like to raise a constituency matter that reached the newspaper headlines today and yesterday about an acid house party in my constituency at which 836 people were arrested. The basic responsibility for policing rests with the West Yorkshire police authority. I wish to raise the subject because during the recess there is every chance that there may be another such party in my constituency—or so I hear. There are other such parties in different parts of the country, and they pose a growing problem of law and order. I hope that in the next two or three months the Home Office will keep an eye on the problem and report back to the House on a number of questions that I shall put in my brief speech.

I shall describe the scale of what happened on Saturday night. About 836 people were arrested, making it about the third largest mass arrest since the 1960s, not just among acid house parties, but other street demonstrations that have taken place in the past 30 years. According to the "Guinness Book of Records", the greatest number of mass arrests was in 1961 when 1,314 demonstrators supporting unilateral nuclear disarmament were arrested in London for obstructing highways leading to Parliament square.

Saturday's incident involved £2,000 worth of drugs, including LSD, amphetamines and cannabis. I was told —we shall have to see what charges are eventually brought —that crack was also being used. The development of the use of crack at such parties is dangerous because we seem to be moving towards what is happening in the United States. Several police officers were injured, and three needed hospital treatment.

The police were good enough to keep me informed yesterday. They were alerted by a security guard at premises near Gelderd road, Gildersome. The warehouse where the party took place was only 200 yards from the M62. Everyone is talking about the value of the M62 in allowing free movement between Hull and Liverpool on the M6 and M1. What is happening—I should like to know more about this by the time we return from the recess—is that the M62 is being used by the parties' organisers to move people swiftly from one part of the country to another. There were people in Gildersome on Saturday night from as far afield as Glasgow.

The police were alerted and prevented up to 1,000 other youngsters from attending the event, for which tickets were priced at £6. The building was raided after 5 am and arrests were made for conduct liable to cause a breach of the peace and suspicion of causing criminal damage. I have been advised that I should see the scale of the damage wrought that night. People were also charged with drugs offences. Those arrested were detained in about 30 police stations throughout west Yorkshire. There have been complaints by people who were arrested and those who were prevented from coming in that the police mishandled them. If so, there is a procedure to deal with that.

People living in College road in Gildersome were awake all night from 1.30 am to well after 6 am. It is a surburban area which you, Madam Deputy Speaker, know well because you were born and bred nearby. It is a good area, yet suddenly people arrived, there was noise all night, with car doors banging, and I imagine that local people were among those who contacted the police and caused the first investigations. We need to know more, because these parties will be held not only in Morley and Leeds, South —the fact that such a party was held in Morley could not be a bigger surprise—but in other places.

I have gone no deeper than researching newspapers, but we must find out who is behind the organisation of these parties. Who is clever enough to arrange a meeting at a service station on the M62? Who makes the announcements beforehand?

Mr. Bob Cryer (Bradford, South): Mr. Big.

Mr. Rees: Mr. Big. I will come to that point; it is a good phrase.

One of the articles says that things were quiet during the World Cup, but since that time——

Mr. Denis Howell (Birmingham, Small Heath): What?

Mr. Rees: That is what it says. I do not want to upset my right hon. Friend. I simply said that people were watching the programme on television and moved from one sort of—no, I will not go on to that.

Mr. Howell: I am hoping to do so later.

Mr. Rees: An article in, I think, *The Independent* says:

"It's an underground club network. The organisers tip off a couple of DJs on a Saturday night. There's no flyers"—

in other words, no notices—

"one car sounds its horn and sets off, and a huge convoy follows."

I gather that these are held throughout the north of England. A pay party intelligence unit—I hope that the Leader of the House will contact the Home Office on this important point—based in Kent pools police information on illegal parties around the country and is aware of the scale of the problem. When Manchester police cracked down on the problem in Blackburn, parties sprang up in Merseyside and West Yorkshire. I am glad that West Yorkshire police are taking steps to deal with the problem, but when parties are squeezed out they go elsewhere. This problem must be dealt with nationally.

Where do the drugs come from? If crack is involved, what do the police know about it? I have no illusions: I strongly believe that soft drugs lead to hard drugs and when I was Home Secretary I made that abundantly clear.

There is a group of people who say that soft drugs like nicotine and so on are okay. In a sense, I understand that, but experience of the United States shows that soft drugs lead to hard drugs, and there are the first signs of crack being used here. Are the police fully aware of the new legislation that came into force on 13 July as a result of a private Member's Bill introduced by the hon. Member for Luton, South (Mr. Bright) and supported by the Government?

What about fire precautions? Fire precautions are taken in places of entertainment, but the places where these parties are held are broken into. How on earth they know where the electric points are, I do not know. These parties pose great hazards and it is my responsibility to use this debate to say on behalf of my constituents in Morley that they do not want this to happen again. We also want to know more about them, because they will be held in other parts of the country. It is a nasty development.

One sees in the newspapers comments such as "We were only setting out to enjoy ourselves." I say to them, "Enjoy yourself, and in ways that I would find difficult to accept," but these parties, which are occurring throughout the north of England, must be stopped. On behalf of my constituents, I want to ensure that it does not happen again in Morley and Leeds, South.

6.43 pm

Sir Fergus Montgomery (Altrincham and Sale): I initiated a debate on 23 May which highlighted the importance of the channel tunnel to north-west England. My hon. Friend the Minister for Public Transport made a helpful and useful speech. He promised to come up to the north-west and speak to interested parties about the importance of the channel tunnel to the north-west. I am glad to say that his offer was received with alacrity and that on 5 September he will be meeting members of the north-west channel tunnel group and other interested parties. We in the north-west are grateful for his interest, but I should like to take this opportunity to underline some of our concerns about the channel tunnel.

My right hon. and learned Friend the Leader of the House need not be told that the north-west is a great industrial area and that 70 per cent. of our overseas trade is with mainland Europe, which explains why we believe that the tunnel is of such importance to our region. We already know that the single market will come into effect in 1992 and that the channel tunnel will open in 1993. Hon. Members who represent north-west constituencies are anxious to ensure that the north-west is in the best possible position to take advantage of the enormous opportunities that will open up in the 1990s.

We desperately need improvements to our transport infrastructure. I have drawn attention to the overcrowded motorways and the time that it takes to get from London to the north-west. Those delays are caused not so much by accidents and roadworks, although there always seem to be roadworks on the M1 and M6, but by the sheer number of vehicles on the roads. Therefore, I should have thought that it makes much sense to move more traffic from the roads on to railways. The more freight that we can move from road to railways the less traffic we shall have on our roads; and the better the railway system, the more likely it is that freight will use it.

We in the north-west feel that we are the poor relations of the north-east in terms of rail links. I was born in the north-east and lived on Tyneside for more than 30 years. In those days, I thought that it was a long journey by train from Newcastle to London and that the north-west did much better in getting its share of benefits, but times seem to have changed. Perhaps it is a jinx that as I have moved to the north-west the north-east is in the same position. The hon. Member for Copeland (Dr. Cunningham) is in the same position. We were both born in the north-east, but represent north-west constituencies. Perhaps he is as much of a jinx as I am.

Today, it takes the same time to travel by train from Preston to London as from Newcastle to London, yet the distance from Newcastle to London is considerably more. Therefore, is it any wonder that we feel that our rail links have been neglected and that we are anxious for that to be corrected? With better railway links to the north-west, we could look forward to greater prosperity.

As I am dealing with transport and the north-west, I am sure that my right hon. and learned Friend the Leader of the House would be disappointed if I did not mention Manchester airport. Since he became Leader of the House, whenever we have had one of these debates and he has heard my name called he has immediately put "Manchester airport" on the top of his writing pad. I keep mentioning it because it is the largest single employer in my constituency.

I am delighted to say that, on Friday 29 June, the bilateral agreement was signed providing two new route opportunities for United States airlines to serve Manchester airport. I am told that there are three other strong contenders—United airlines, which wants to fly from Washington to Manchester, Northwest Orient Airlines, which wants to fly from Detroit to Manchester, and Delta Airlines which wants to fly from Atlanta to Manchester. Interest has been shown by Continental Airlines, which would like to fly from Los Angeles to Manchester and Pan Am and American Airlines are interested in the New York to Manchester route. We must wait for the United States Department of Transport to decide which of the airlines should be given the necessary licence, and we hope that we shall have a start date next spring.

The other good news was that the temporary licence held by American Airlines has now been confirmed as a permanent fixture, covering flights between Chicago and Manchester. For years, I have advocated more transatlantic flights from Manchester airport. I could never understand why passengers from the north had to take the shuttle to Heathrow and get on an aeroplane at Heathrow to fly to various cities in the United States. This decision will mean that thousands of travellers from the north will be able to fly direct to the United States, which is a good thing. I am particularly delighted at this decision because, as the chairman of Manchester airport said at the time, it will bring more industry and jobs into the region and will help the growth of the airport as a business.

Amid all this euphoria, praise must be given to my right hon. Friend the Secretary of State for Transport—*[Interruption.]* Hon. Gentlemen may cackle, but it is the truth. Authorities at Manchester airport, which is not controlled by the Conservative party, have said how grateful they are to my right hon. Friend for the part that he played in negotiations. He intervened directly and the fact that the negotiations were brought to a successful

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conclusion was due in no small measure to his work. Ministers seem to get a lot of brickbats; it is rather nice if occasionally one can get a bouquet.

The other issue that I wish to raise is a very human one. At a recent advice bureau, I had visits from three constituents, all of whom were epileptics and were finding difficulty in getting employment. Epilepsy affects at least one in 200 people, and the majority of people with it are successfully employed in many different types of work. To have three people, each with a different case, come to see me independently, without collusion, on the same day, made me wonder whether enough is being done to help.

The main legislation for the employment of disabled people consists of the Disabled Persons (Employment) Acts 1944 and 1958. The aim was to assist people whose disabilities prevented them from obtaining employment suited to their skills. The Acts provided for the registration of disabled people and imposed a quota on employers with 20 or more workers to give employment to registered people up to a quota—a proportion of their total staff. I am told that in this country the quota is 3 per cent. In Germany, it is 6 per cent., in France it will be 6 per cent. and Italy is reorganising its 15 per cent. quota which has been found to be counter-productive, as firms know that it cannot be fulfilled. In other words, we are lagging behind our Community partners.

Our present system does not seem to be working properly, because the number on the disabled register has dropped so low. I am told that there are three reasons: first, the lack of apparent benefits in joining the register; secondly, the stigma that is often associated with being on the register; and, thirdly, the negative effects that it can have on a job application. For people with epilepsy, whose difficulty is in the main hidden, registering for this employment register through the disablement resettlement officer based at the local jobcentre has always been difficult.

The type, severity and number of epileptic attacks experienced by each individual can vary from no seizures at all—being fully controlled by anti-epileptic drugs—through to a number of seizures each day, with sudden loss of consciousness. It is not surprising that the former category would not wish to be registered as disabled while the latter, even if registered, would have a poor chance of getting employment. I am told that about 20,000 disabled people in the United Kingdom were found employment within the sheltered placement schemes, sheltered workshops and Remploy during 1989. All these employees are expected to produce work output of at least one third of that expected from a non-disabled worker in an equivalent job. All these worthy schemes were subsidised and paid for by the Treasury.

Are we doing enough to assist? It is distressing to see young people who desperately want to work and who, because they are epileptics, cannot get it. If it is distressing for people like me to witness, what must it be like for epileptics and their families? I hope that before the House rises for the summer recess, my right hon. and learned Friend the Leader of the House will talk to the responsible Minister in the hope that we can get positive action to help in such cases.

6.54 pm

Mrs. Ray Michie (Argyle and Bute): I support the motion that the House should adjourn until 15 October, not just because I look forward to returning to Scotland, for obvious reasons, but because before the House rises we should pay attention to an important matter. It is a Scottish matter, and hon. Members may be surprised that I should raise it here when there are no other Scottish Members in the Chamber. That does not worry me, because I wish to persuade Members who represent constituencies south of the border.

During the coming months, members of the Scottish Constitutional Convention will continue to meet to conclude the first part of their work—to produce a scheme for establishing a Scottish Parliament and for establishing how Scotland should be governed. I hope that the final package will be presented to the full convention, which meets on 27 September.

The convention was set up in response to the "Claim of Right for Scotland" and at its first meeting agreed:

> "We do hereby acknowledge the sovereign right of the Scottish people to determine the form of government best suited to their needs".

Members of the convention comprise 58 of the 72 Scottish Members of Parliament; the rest come from all walks of life in Scotland. It is unfortunate that the Scottish National party and the Conservative party refuse to join this debate, although there are members from both parties in the convention who are not officially representing their parties.

There is no dispute about the fact that Scotland is a nation, although I am aware that some people in the House regard it as a region. Until 1707, Scotland was both a nation and a state. The state was wound up by a treaty; the nation was not conquered, but it did not freely agree to the Union of Parliaments, which took place without the consent of the Scottish people. All hon. Members know that Scotland has a strong sense of cultural identity. It has its own Church, legal system and education system, but no legislature and no Government. There was never any mechanism for enforcing respect for the terms of the treaty of Union and no method of veto on legislation contrary to the interests of its people. From that day to this, Scotland has sought to re-establish its right to govern itself.

As a Liberal Democrat whose party has a long-held commitment to home rule, I say that our demand is not based on expediency or an intermittent response to bad government from Westminster by any particular party at any particular time; rather, it is securely based on the key principle that it is the sovereign right of the Scottish people to self-determination—a right which is given to all countries and which is enshrined in the United Nations charter and in the international covenant on civil and political rights.

As a new Scottish Member of Parliament, I have been shocked at the way in which Scottish legislation has been dealt with in the House. Let me give a few examples. There is no Scottish Select Committee, and the Government refuse to set one up; yet the Scottish Office is a large spending Department which gets away with exercising no kind of scrutiny. There is the sham of the Scottish Grand Committee; the humiliation of debating the old Royal high school in Edinburgh and then being sent down to London to be outvoted by Members of Parliament here; the inability of all Scottish Members to be called at Scottish Question Time; the disgraceful shambles of the

Law Reform (Miscellaneous Provisions) (Scotland) Bill; the statement on Britoil made by the Minister of State, Department of Energy last Friday—obviously to avoid questioning by Scottish Members, most of whom had returned to their constituencies; and, of course the imposition of the poll tax a year earlier than in the rest of the United Kingdom, in direct and blatant contravention of the Act of Union.

We in Scotland do not believe in the doctrine of the sovereignty of Parliament, but rather in the sovereignty of the people. It is on that basis that the constitutional convention operates. So much double-talk emanates from the Government. They congratulate and support the eastern European countries as they seek freedom and self-determination; and, in a speech in the House on 5 July, the Secretary of State for Northern Ireland—referring to the future government of that area—said:

"It seems to me and my ministerial colleagues that we have a moral duty to seek to find ways of returning substantial responsibilities to politicains who are elected by the people of Northern Ireland and who will be accountable to them for their stewardship of Northern Ireland affairs."—[*Official Report*, 5 July 1990; Vol. 175, c. 1141-42.]

Would that the Leader of the House and the Government considered it their moral duty to acknowledge the rights of the Scottish people to the re-establishment of their own Parliament, instead of sniping from the sidelines, both here and in Scotland—ably led, I am sad to say, by the Parliamentary Under-Secretary of State for Scotland, the hon. Member for Stirling (Mr. Forsyth). Their threats imply, "You will be cut off without a penny if you dare to assert your rights," and we hear the nonsense that a Scottish Parliament would mean an increase in tax of 25p in the pound. Of course, the Government are careful never to reveal the contribution to the Exchequer made by Scotland.

Only the politics of a childlike mind would attempt the pathetic argument that a Scottish Parliament would tax its business community out of existence. Does that happen in similar countries such as Switzerland, Eire, Norway and Denmark—to name just a few? The Tory party should remember what it promised in the late 1960s and early 1970s and so coolly betrayed in 1979: that will not be forgotten.

The problems will not go away. I ask the Leader of the House not to be dismissive, but to listen to members of his own party. If he listened to his own Back Benchers—not the Scottish ones, but those from south of the border—I believe that he would be surprised to learn how many would like to see Scotland looking after its own affairs in a Parliament in Edinburgh. Some would want that for good democratic reasons; others, I admit, would like to see the back of us, regarding us as an irritation and a nuisance.

We are caught in a trap. Let me quote from "Claim of Right for Scotland", which puts it very clearly:

"There is a profound hypocrisy in saying that the Scots should stand on their own feet while simultaneously denying them management of their own political affairs, and that denial is a clear deprivation of choice for Scots. Scots can stand on their own feet only by refusing to accept the constitution which denies them the power to do so."

The constitutional convention seeks not to sever our political links with this place, but rather to challenge its legitimacy, bring about change and give Scotland hope for the future.

7.4 pm

Mr. Terence Higgins (Worthing): I am glad to have this traditional opportunity of raising a matter of constituency interest on the motion that the House should adjourn for the summer recess. If—as appears likely—my right hon. Friend's motion is passed, I hope that Ministers and officials will investigate closely the matters that I shall bring to the attention of the House.

A matter that has been of major controversy in Worthing for many years is whether there should be a Worthing bypass. Some 10 years ago, a preferred route was announced—it was in no sense a bypass, because it went through a substantial part of the town. Although some houses on the route were bought up, I am glad to say that, in the light of representations the scheme was dropped and the houses were sold. Subsequently, the proposal has reared its ugly head again and a similar route has been announced—despite the Government's declared objective that traffic should avoid towns, and despite the fact that every other town of any size along the south coast will have a bypass.

My constituents—rightly, I believe—have protested violently about the proposal.

Mr. Cryer: Violently?

Mr. Higgins: Only in the sense that people normally protest violently in Worthing: a petition with more than 24,000 signatures constitutes violence there. Indeed, a petition of 24,000 signatures would be seen anywhere as a weighty document. There have been many public meetings, some attended by more than 850 people, saying that the town should have a bypass and not a throughpass, which is what the preferred route is.

In the light of that—and the fact that the Government went ahead and announced a preferred route—strong representations were made, not only by me but by the borough council and my constituents. I welcome the fact that, as a result, Ministers agreed that a full traffic, environmental and economic assessment should be carried out of both the preferred route and a real bypass. None the less, I must express concern at the way in which the assessment are being carried out in practice.

I believe that public confidence in the impartiality of the inquiry is being seriously undermined. A study was originally carried out by Howard Humphreys, consultants to the Department, who recommended the preferred route through the town. The borough council, being strongly opposed to that route, employed its own consultants—W. S. Atkins—who drew attention to serious deficiencies in the analysis carried out by Howard Humphreys. Despite that, the preferred route was confirmed; but, in the light of representations, the Government established a further inquiry, under the management of Acer Consultants, to appraise both routes.

The county council and the regional office of the Department have never been in favour of a bypass, despite the Government policy that I have mentioned. It was therefore with astonishment that I discovered that the official who had apparently been much involved in the Department of Transport as the project manager—and who had therefore been instrumental in recommending the preferred route—had accepted the post of technical director with Acer Consultants, which is supposed to be carrying out the impartial survey. That is extraordinary.

[Mr. Higgins]

One of the problems that I have experienced is the fact that Ministers keep changing. I have now made representations to no fewer than 15—perhaps even more —Ministers over 10 or 12 years. I understand that my hon. Friend the Member for South Ribble (Mr. Atkins) with whom I have recently been raising this matter, is now about to be removed from the Department of Transport to become Minister with responsibility for sport. Therefore, I will have to go over the whole story again. That is why it is appropriate to raise it now.

I raised this point with my hon. Friend the Member for South Ribble, who wrote back a carefully worded letter which said that the individual concerned, a Mr. Rix,

"has attended the initial meetings with local authorities in relation to the assessments. I can however confirm that he will not be Technical Director for this scheme and that he will have no further involvement in it."

None the less, as I understand it, he is still employed by the consultants. The Minister does not deny the fact that he moved from the Department to the consultants in the roles that I have described.

This raises some serious questions for the Department of Transport and the Minister for the Civil Service. Did the Department know that the individual concerned was going to work for the consultants on the same issues? Did it know that when the consultants were appointed as the impartial advisers? What are the civil service rules on such matters and at which level was the decision taken to employ the consultants, either with or without this individual?

It is understandable that my constituents are concerned. One of the several action groups said:

"The knowledge of this information destroys any confidence this Committee has in believing that the new Consultants would be able to provide an unbiased assessment of the relative merits of alternative proposals."

The Government must do something to reassure public opinion.

The related point that I wish to raise is that of compensation for blight of houses on the "preferred" route. I welcome the statements made by my right hon. Friends the Secretary of State for Transport and the Prime Minister that they are considering carefully what additional compensation arrangements can be made for people who are affected in this way. There are essentially two groups—those just off the preferred route and those on it.

For those who may be as little as 100 yards off the route, this is appalling. It is impossible for them to sell their houses at a reasonable price because of the uncertainty surrounding the scheme, which may eventually not go along the preferred route at all but may, as I hope, be a real bypass. Many of my constituents are frozen in that position. There is clearly a case for dealing with this. It may be that because of the present arrangements for compensation they will not even be able to put in a claim until 1997, and will therefore suffer tremendous hardship. There is no doubt that under the present arrangements for road schemes one's constituents, through no fault of their own, may be heavily penalised.

The other group are those actually on the preferred route. They may apply for purchase of the property under the blight provisions. Having said that, in a large number of cases the valuation placed on the property has not been satisfactory. I have taken them up with the Department of Transport and my hon. Friend the Economic Secretary. There are serious problems. There are also problems for those who are on the preferred route, who could apply for a blight notice but have decided that they do not want to move because nothing may happen for several years. The problem that they face is only just emerging.

When the A27 issue first arose 10 years ago there was no great problem about this. Some houses were purchased and were rented out to people in the interim. The same is happening again. However, in contrast to the position 10 years ago, I am receiving serious complaints from people who have decided to stay put. They say that the tenants who are now arriving in the rented accommodation are, in many cases, harassing them and creating disturbances of one sort or another. Some of my constituents are convinced—I do not believe it, but it is possible—that there is a deliberate policy to do that. Reports in the local press say that the Department is saying, "You will have to move in the end anyway." That is not necessarily true. There may be a bypass which goes nowhere near the preferred route.

The way in which the property is being allocated gives cause for concern not only for the reasons that I have mentioned but for the financial implications. I do not have the latest figure, but a while ago I was told that already £6·5 million of taxpayers' money had been spent buying up the houses along the route. They are being rented out at rents way below what would normally be expected for such accommodation. Many of the houses are in the £120,000 or £150,000 range and they are being rented out at what appears to be an uneconomic rent. The Public Accounts Committee and the Government should be concerned about that. Apparently, some of the houses have been allocated to a North British housing association, but on what criteria it is not made clear. That association has, in turn, allocated some of them to the local authority. The overall picture gives real cause for concern.

Similarly, the traffic survey is being carried out by the consultants, Acer, and I understand on an agency basis by the West Sussex county council. That is not something about which my constituents are happy because West Sussex county council's view against the bypass has been clear at official level for many years. The survey seems to be deficient in a number of respects.

This is a serious matter affecting my constituents, and reassurance is very much needed. The alternative routes must be appraised on a sensible basis. The Department should look seriously at the problem. If affects not only the Department of Transport but the Civil Service Department and the Treasury. If we adjourn at the end of the week, as seems likely, I hope that the Minister now responsible will look into this matter and make rapid progress sorting out the problems I have mentioned.

7.16 pm

Mr. Denis Howell (Birmingham, Small Heath): I want to raise the case of the 240 English citizens who were disgracefully deported from Italy during the latter stages of the world cup. Most of them were perfectly innocent and many have written to me saying that they are lifelong Conservatives with unblemished records. I place much of the blame with the former Minister of Sport, who has now disappeared. I regret that he has gone, because he created such a mess and brought about such an abuse of civil liberties and, as the story unfolds, human rights, that he

should continue in office to clear it up. I regret that that is not the case. However, that does not stop me from saying a word of welcome to the new Minister for Sport, the hon. Member for South Ribble (Mr. Atkins). I hope that he enjoys his new post.

I am not sure what the new Minister's level is to be. I hope that he will be a Minister of State. I know that we have a new Minister for the Arts and it has been the Prime Minister and the Government's practice to make the Minister for the Arts senior to the Minister of Sport. That is reflected in the subventions that arts and sport receive.

I have received a letter from a Mrs. Hitchman who was on holiday in Italy. She said:

"Dear Mr. Howell,

We have just spent the last few weeks being prodded by truncheons, continually buffeted, had property confiscated, ordered by police carrying machine guns on to buses (already packed) to destinations we didn't want. We witnessed a young man being kicked and punched by police for daring to ask the directions to a station ticket office. We watched a Swedish photographer shouting 'I'm not English,' but still getting hit by truncheons."

In three sentences that illustrates the terrible abuse that occurred mainly as a result of the vainglorious rompings of the former Minister for Sport who went around Italy apparently urging the Italian authorities to believe that anyone from this country should be regarded as a potential criminal and a hooligan. That was a disgraceful abuse of his position. He did that because his Football Spectators Act 1989 has been a complete and utter failure.

In part II of that Act, which had the support of all sides of the House, the Minister promised that people with criminal records for hooliganism would not be allowed to go to Italy. We were also told that people who committed offences in Italy would be taken before the courts there, tried and banned from any future overseas activities. Neither of those things has happened and that is the cause of the former Minister for Sport's panic. His policy has totally failed.

What has happened is quite disgraceful. In Rimini on the night of 25 July there were racialist attacks by the Italian police on people simply because they were English. I could give many examples of what happened and I have details of 108 cases involving people who are going to appeal against their deportations. Hon. Members will be pleased to learn that I do not intend to quote from all the 108 appeals, but I could do so because they are graphic accounts of what happened.

I will give a brief summary of what happened. The Italy versus Uruguay match began at 9 pm on 25 July. Many English people were in Rimini and most of them were peacefully eating meals miles away from trouble. At 9 pm the manager of the Rose and Crown pub received a call from the police telling him that there would be trouble at his restaurant after the match. He did not convey that information to the people in the restaurant. He did not close his restaurant and his customers continued to eat or drink cheerfully and innocently.

Two hours later, at 11 pm, 300 or 400 Italian spectators arrived outside the pub celebrating Italy's victory. They bombarded the people inside the pub with missiles and stopped them from getting out. The Italian police arrived, but they did not arrest a single Italian supporter. Instead they fired tear gas at the English people in the restaurant. They then went on a mad round-up of anyone who was English.

In one of the letters to me I have details of five people who were having a meal in a restaurant five miles away from the trouble. The Italian police arrived and asked whether anyone present was English. Not knowing what was happening, those diners said that they were English and they were taken into custody for their own protection. They were made to sit on the floor for 18 hours, 12 hours of which were spent under the heat of the Italian sun, and they were offered only one cup of water and one stale bun. They were then deported. They were put on a plane and were not allowed to stand up while on board. They could not go to the toilet unless they were accompanied by one of the 30 Italian police who were on the plane. They were hit on the head with truncheons and were made to use the toilet with the door open in the full view of the other passengers. That is a degradation of human rights which it is the duty of this Government to tackle. However, the Government have done nothing about it.

I have spent some time analysing where the 230 people concerned were. As I have said, 108 of them have written to me. I have found that 11 of my correspondents were in the Rose and Crown where there was some trouble, although everybody has told me that it was not started by English people. Nine people were in the Talk of the Town three miles from Rimini where they were arrested. Eight were in the Lord Nelson pub two miles away and 10 were in other restaurants. Two of the people involved were in their own hotel and having supper when they were taken by the police. One was walking along the sea front and two others were three miles from Rimini. Six people have told me that they were walking alone. Two people were taken off a tram which was stopped by police who were looking for English people and two were taken off a bus. I must bring those cases to the attention of the House. That is an absolute scandal and we need to know what is going to happen as a result of that outrage.

The 230 people involved were refused access to the British consul. They were hit on the head when they tried to stand up. After sitting for 18 hours they wanted to stand to stretch their legs, but they were forbidden to do so. That is an appalling story.

It is extraordinary that all those 230 people have been served with the same deportation order which states about all those people, whether they were on buses or trams or three miles away in another restaurant or elsewhere:

"after consuming alcoholic drinks in some pubs along the seaside in Rimini, went out in the streets vandalising the town centre, clearly behaving in a way totally incompatible with the situation of the Adriatic Riviera already crowded with numerous groups of Tourists."

For the overwhelming majority of those who were deported, that deportation order is an absolute lie.

As other hon. Members want to speak, I will be as brief as I can. I have invited those 108 people to come to the House tomorrow and there will be a meeting at 4 pm in the Grand Committee Room to which I invite Ministers. Ministers have written to me and have refused to believe what those innocent people have said. However, they have not met one of them, they have not written to one of them, interviewed one of them or answered letters from them. The 108 people concerned have written to their hon. Members, including many Conservative Members and to Ministers, but Ministers have abdicated their responsibilities.

We were first told that the people concerned could not return to Italy until after the world cup. We now find that

[Mr. Denis Howell]

the situation is much more serious. Those people are banned for life from returning to Italy. Italian lawyers have now told us that unless they appeal by Wednesday, 30 days after they were deported, criminal charges will follow. The appeal procedure will cost them at least £150 each. I am grateful to our solicitors, and in particular to Mr. Peter Jackson of Hill, Dickinson, Davis and Cambell of Liverpool, who is co-ordinating the activities of a large number of solicitors to help all those people who want to appeal.

If those people appeal, they must by Wednesday have their appeal forms, which can only be issued in Italy, endorsed by a notary in public, who is difficult to find although we will have one available tomorrow in the Grand Committee Room. They must then go to the Foreign Office which must, under some procedure for which it is charging those people £8 each—which is a scandal into which I hope the new Minister for Sport will look—endorse the forms before submitting them to Italy, and after that the solicitor must rush the forms around on Wednesday morning and lodge them with the Italian embassy. That is the appeals procedure which those people who are completely innocent of the charges must endure.

In the face of all that, what has been the attitude of Ministers? When the former Minister for Sport was in Italy—and I was there as well—he did not meet a single football fan. He did not go to the headquarters of the Football Supporters Association, although it was trying to provide helpful advice. He did not go to the Football Association office. That was a disgraceful dereliction of duty.

Many of the people who were deported had paid £10 to join the England Football Association's supporters club. They could have used their membership cards, which the Minister said would be regarded as tokens of good order. They were totally disregarded. The Minister did nothing about ensuring that the arrangements, which he himself set up with the Football Association, were honoured in Italy. On their return, that wretched Minister promptly proceeded to libel those people. He said that they were criminally motivated.

Mr. Tom Pendry (Stalybridge and Hyde): Effluent.

Mr. Howell: I shall refer to that matter in a minute. As the Minister said that outside the House, it is actionable. One of the reasons I am sorry that he is not still in office is that I should like to see him, as the Minister with responsibility for sport, receiving a record number of writs for libel, which I hope will be the case when many of those people consult their libel lawyers. In the House, after the event, he praised the Italian police without finding out anything about the way in which the operation had been conducted, and he described those British citizens as the effluent tendency. That was a contemptible comment by somebody who made no effort whatever to talk to any of those people.

What about the attitude of the Home Office? On arrival at Gatwick, all those people were photographed. I want hon. Members, in particular my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees), a former Home Secretary, to note that that is a new development. Those people were not photographed in an ordinary way. They were asked, for example, "Are you Jack Jones?" They said, "Yes." A door was then opened, a photograph was taken, and the door was then closed. Some did not even know that they had been photographed.

Who authorised photographs of those innocent people who had not been charged with a single offence and were deported without charge? The answer is that they were photographed at the request of the national football intelligence police unit. That is a development. We now have a national football intelligence police unit, which apparently authorises photography. When I have asked what the protection is, I have been told that it is contained in the Data Protection Act 1988. That is quite disgraceful.

The football intelligence unit did some good work. A very small number of people were causing trouble. As I said, they should never have been there in the first place, and should have been got rid of. Opposition Members do not support for one minute people who behave like hooligans or who are violent. They should be dealt with, not least for the protection of innocent people on whose behalf I speak today.

On transport, who can control the unlawful, non-humanitarian attitude of the Italian police on planes in British airspace? I am told that, under the Tokyo convention, the carrier has the duty to take action. After serious breaches of human rights? Are we to say that the Italian police who breached human rights will not receive any protest from the Home Office or from the Foreign Office and that there is no protection for a British citizen in such circumstances? That is an absolute scandal. I hope that the Minister will tell his colleagues—I know that he is not responsible—that we expect better than that.

Trying to keep my speech within manageable proportions, I now refer to the Foreign Office. I went to see the Under-Secretary of State for Foreign and Commonwealth Affairs. I did not get a good reception. Frankly, I think that he was overwhelmed by my story, and he did what Ministers often do, which, in the circumstances, is to back up their friends in total ignorance. I expected better from him. His reply stated:

"There was extensive fighting in the town and risk to life and property was great."

That is not so, although there was some fighting. He went on:

"In the circumstances I accept they had no option"—

the Italian police, that is——

"but to act quickly to restore order."

Does the Minister say that a foreign Government should take action against British citizens and not against Italian citizens? That is not the standard that we expect from the Foreign Office.

The Minister went on to make the incredible statement that

"it was perhaps inevitable that the conditions of detention in which the England football supporters were held should have been uncomfortable."

Uncomfortable? They were not allowed to stand up for 18 hours, were given one glass of water and were hit on the head with truncheons when they stretched their legs or wanted to go to the toilet. That is disgraceful and it totally undermines the rights of innocent citizens.

The Minister went on:

"consular access is only granted after criminal charges have been brought".

In that incident in Rimini no such charges were brought. Hundreds of British citizens were degraded. If they are not to be charged with anything, they get no right of access,

contrary to the Minister's specific promise. The British ambassador and the consul did a good job. I do not criticise them. I met them, and they were working hard in Italy, but they did not see any of those people. Did they know what was going on? If so, why did they take no action? Why did they allow innocent citizens to be treated in that way?

It is a degrading and disgraceful story, and no British Minister comes out with any credit. It is my duty to raise the matter on behalf of those citizens who come from all over the country—from Colwyn Bay to Kent and from Bristol to the north-east. Those 108 letters come from every part of the country. I hope that I have effectively lodged their protest, but, more important, I hope that the Government, the new Minister, the Foreign Secretary and the Home Secretary will read my remarks and the 108 accounts, which are available if they want to conduct a proper inquiry and if they want to interview those concerned or send officials to interview those concerned tomorrow.

I hope that a major protest will be made by the Foreign Secretary to the Italian Government about the considerable abuse they made of their powers simply because people were English. I hope that hon. Members, whatever their views about football, the World cup or hooliganism, will agree that every Englishman has the right to be declared innocent until proven guilty in court and that he has the right to speak in his own defence. That was denied in these incidents.

7.37 pm

Sir Geoffrey Finsberg (Hampstead and Highgate): When I went on the bench about 30 years ago, I was told that one should hear both sides of a case before jumping to a conclusion. Hon. Members have heard about 108 letters. Many defendants appeared in front of me and protested their innocence. When we found the cases proved and discovered that there were previous convictions, it made us realise that we should not jump to conclusions too quickly. The right hon. Member for Birmingham, Small Heath (Mr. Howell) made his case, but one should not condemn anybody until one has heard both sides of the case. In the absence of my hon. Friend who is now Under-Secretary of State for Energy, it is right that I should make that point. I do not deny anything that the right hon. Gentleman said; I merely say that we have so far heard only one side of the story.

Mr. Denis Howell: As someone who respects conventions, I naturally took the opportunity early today to inform the Foreign Office, the Home Office and the Minister with responsibility for sport that I would be making my speech. I hoped that the appropriate Ministers would be present. Like the hon. Gentleman, I regret that they are not here today to say anything in their defence.

Sir Geoffrey Finsberg: Of course, I would not expect the right hon. Gentleman to do otherwise. He is a great observer of conventions.

I wish briefly to raise three points. I shall get the controversial one over with first. I am sick and tired of Labour councils that use ratepayers' money to fight the Government in the courts. Community charge capping is the latest and, according to the media, the most expensive of such cases. It is easy for people such as Margaret Hodge to fight the Government in the courts and posture on television, but I doubt whether she and her associates would be so willing to use their own money.

Before the House rises, I hope that the Government will take action on what I regard as a scandal. My suggestion is quite simple: if a council wants to fight Government legislation in the courts it should be bound to refer the issue to the Bar Council or to a special section of the office of the Director of Public Prosecutions for an opinion. If the view is that the issue is purely political or stands little chance of success, and if that council still goes ahead with that case and loses, the cost should fall on the councillors who voted to go to court. If the opinion is that there is a case and the case still fails, the cost will fall on the council's budget.

I spent 25 years in local government and at that time it was a great rarity for councils, whether Labour or Conservative, to go to the courts. It is now all too common and it is monstrous for the innocent ratepayer or community charge payer to finance such actions. I hope that the Government will take some action.

Dr. John Cunningham (Copeland): I know that the hon. Gentleman thinks a lot about local government, as I do, but it is interesting that the frequency with which the courts are asked to adjudicate on Government policy has increased in the past decade. Successive Secretaries of State for the Environment in particular have regarded their Acts of Parliament as justiciable and provided within them the opportunities for councils to challenge their decisions in the courts. As councils have their own law officers, solicitors and legal advisers, who do not give advice on party political grounds, it is preposterous to suggest that some external body should have the right to determine whether a council should go to law to protect the interests of its ratepayers.

Sir Geoffrey Finsberg *indicated dissent.*

Dr. Cunningham: I note that the hon. Gentleman shakes his head, but when the Department of the Environment was under the stewardship of the former Secretary of State for Trade and Industry, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), on several occasions the courts found that he had acted unlawfully.

Sir Geoffrey Finsberg: If independent legal opinion told a council that it should go to court, that would be all right. However, the hon. Gentleman must not live in a false world. When he and his father, for whom I had great respect, were in local government, the officials appointed by councils were appointed on ability, not because they were supporters of a particular political party. The hon. Gentleman is well aware that the overwhelming proportion of appointments made today are based on the understanding that many of those officers are parti pris. I object to that and for that reason I do not withdraw anything I said. I believe that my proposal is the fair way in which to proceed and I believe that the ratepayers and community charge payers would welcome it.

Leaving aside such controversial issues, I welcome what the Government and members of the Conference on Security and Co-operation in Europe have done in saying that there needs to be a democratic parliamentary input in the affairs of CSCE. In a firm communiqué they said that it should be based on the Council of Europe. I shall not

[Sir Geoffrey Finsberg]

develop that argument further because at some unearthly hour tomorrow morning my hon. Friend the Member for Bournemouth, East (Mr. Atkinson), who is a member of the delegation I have the honour to lead, will raise the specific issue of the Council of Europe. Does my right hon. and learned Friend believe that there is a way in which that political input could be extended to the first basket of CSCE—the defence basket?

My right hon. and learned Friend will be aware that the only organisation empowered by treaty in Europe to deal with defence is the Western European Union. The Council of Europe and the European Parliament are not so permitted. However, the growing interest of the Soviet Union in the WEU means that the element lacking in WEU and CSCE—parliamentary oversight—could be fulfilled by finding a way in which to associate the non-WEU/CSCE countries with WEU at a special assembly. After all, that is what is being suggested for the Council of Europe and I merely put to my right hon. and learned Friend that that is something worth considering.

The final topic I want to raise is a House of Commons matter. The House has changed enormously in the 20 years in which I have been a Member. More and more hon. Members work here full time and do not regard the summer recess as an opportunity to get away to their constituencies to do no work. Those of us who must be in London and in this building are surely entitled not to receive second-rate services while the House is in recess. I tabled a written question to my right hon. and learned Friend to ask him what reductions would be made to the services and facilities available to hon. Members during the summer recess in the various buildings of the House.

I received a partial answer today about the cafeterias and the dining rooms, which I accept. The answer concluded, however, by saying:

"Certain other minor services and facilities, usually available to hon. Members when the House is in session, will not be available for practical or economic reasons."

That is not good enough. I have tabled a further question to my right hon. and learned Friend to discover what are those practical and economic reasons and the minor services and facilities. Those of us who work here want those "minor services and facilities" if we have to do a proper job of work.

For a Minister it is easy, as all the services remain and one has the advantage of one's office—matters proceed whether the House is in recess or not. For other hon. Members, however, it is not good enough to find that the tape machine is suddenly turned off at midday with the effect that one does not know the balance of payments or the trade figures. One is also entitled to expect to go into the toilets and to find face towels, but all those disappear the moment the House goes into recess.

Those of us who are in the outbuildings suddenly find that the *Evening Standard* disappears. I should inform my right hon. and learned Friend that I have got that newspaper back by getting seven colleagues in Norman Shaw to co-sign a letter to say that we wanted that service. It should not have been necessary to write that letter.

I know that my right hon. and learned Friend has an open mind on this, as he has done an enormous amount for the House since he became Leader. There is only one other person who performed even greater services—the late Sir Robin Cooke, without whom much would never have happened in this place. My right hon. and learned Friend has an opportunity to see that those of us who have to be here to work are not deprived of any services.

I do not want to say any more because there are many hon. Members who wish to participate. I appeal to my hon. and learned Friend to take some action. I hope that he will not say "Well, we have never had those services before. They are always reduced in the recess." Times have changed and until the new buildings are complete and new facilities are offered, the House should not reduce the services normally available to hon. Members.

7.48 pm

Mr. John P. Smith (Vale of Glamorgan): I am grateful for this opportunity to draw to the attention of the House an urgent matter that must be considered before we adjourn—the future of the Lomé protocol after the creation of the single European market in 1992. Any discontinuation of that protocol will have a serious effect on British trade in general, but especially on the fruit trade, which greatly concerns my constituency.

I am sure that the House will be aware that the British eat 300,000 tonnes of bananas every year. Everybody is familiar with that figure. Hon. Members may not be so familiar with the fact that more than 70 per cent. of the bananas imported into this country come through the port of Barry in my constituency and that they come from former British colonies in the Windward islands—St. Lucia, Dominica, Grenada and St. Vincent. If the trading relationship that we currently enjoy with those countries, which automatically receive licences to import their primary product—the banana—into Britain, is discontinued, that will have a devasting effect on those former colonies. It will certainly have a devastating effect on the port of Barry, which depends on the banana as its largest single source of trade, and on major British companies —in particular, Geest, which has a long-standing relationship with my constituency and the port of Barry.

With the advent of the single European market, we shall be faced with the prospect of a single tariff for imports across all the member countries. That means that the 40,000 banana growers in the Windward islands will have to compete on a one-to-one basis with the dollar fruit producers in central and southern America. That is out of the question, because the banana plantations in central and southern America are on gigantic flat plains and not on hillsides and because they are controlled by large corporations, which pay what are virtually slave wages to their producers.

Those central and southern American countries already account for 50 per cent. of banana imports into the EEC, with 30 per cent. of imported bananas being domestically grown and just 20 per cent. coming from the African, Caribbean and Pacific countries. I am deeply concerned about that 20 per cent. The House should share my concern. We should find time to discuss the matter seriously and consider the effect that our going along with such a change will have on our own industry and trade and on the economies and future of our former colonies in the Windward islands.

At present, Geest has an arrangement with the islands —the Windban agreement—it is a very democratic procedure allowing all the growers to come together and negotiate a price for their produce. The price is a realistic price, although I must say that it is also a protected price

because they are negotiating for a protected market. Geest agrees not only to accept the countries' produce but to provide a service to the islands in terms of exports from Britain, which also go from Barry docks, and trade between the islands. The Geest company provides not only an economic link but a vital social and communications link between the islands which could be lost if the banana protocol is discontinued after 1992.

In 1987, the Prime Minister promised that she would fight hard—I think that those were her exact words—to maintain our long and historic trading relationship with our colonies. I am concerned about the murmurings that are coming from the Ministry of Agriculture, Fisheries and Food to the effect that licences will be available for banana imports only at an unrealistically low level. That would scupper the chances of growers in the Windward islands and the rest of the Caribbean competing with the big dollar fruit producers in central and south America. There is no question about it: if we lose that trading relationship, the European and British markets will be swamped by dollar bananas and that will have a devastating effect on some of our major companies and on the port of Barry.

It is interesting to note that other countries have already taken steps. The French and Portuguese, for example, have moved to ensure that their existing trading relationships are protected after 1992. We should act now, before it is too late. We should take similar steps to ensure that our trading relationship is protected.

I do not believe that we can allow the present arrangements to continue indefinitely, but we certainly cannot allow them to change over night because of the dramatic effect that that would have. The economies of the Windward islands would be devastated. St. Vincent, for example, exports 70 per cent. of its bananas to Britain and the banana is that country's largest single source of wealth. If it loses the British market, its future will look bleak indeed.

Since the abolition of the dock labour scheme last year, the Barry dockers have formed a successful co-operative —Barry Stevedores Ltd. They, too, depend entirely on the banana trade for their livelihood and futures. I am sure that right hon. and hon. Members on both sides of the House could cite ports in their constituencies which depend on trade with ACP countries. It is incumbent upon us to ensure that we do whatever we can. It is not simply a question of a moral obligation to our former colonies. Let us be clear about this: Britain and the EEC have encouraged the Windward and other Caribbean islands to invest in their infrastructure to support the growing of a single primary product—in this case banana. We have encouraged that activity, and we have neither encouraged nor allowed diversification into other products.

What do I think the long-term solution is? I support the principle of an open market in which we can compete freely, as long as that open market works and as long as it serves those who live in its area and those to whom we have an obligation. It would be outrageous if we ended the agreement overnight. The House should be considering a staged withdrawal from the agreement in the medium term, to allow those countries to diversify so that they do not depend wholly on one product and also to allow ports such as the port of Barry to find alternative sources of trade.

This is an important matter which has general overseas development implications. I hope that the House will consider carefully what I have said. We should take every opportunity to raise the matter before it is too late. We should do what our European counterparts are doing, which is to protect their industry and society as well as meeting the historic and moral obligations that they have to their former colonies, on which they depended for so much wealth for so long.

7.59 pm

Mr. Michael Jopling (Westmorland and Lonsdale): I shall not follow the hon. Member for Vale of Glamorgan (Mr. Smith), except to say that his speech brought back memories of responsibilities that I held some years ago.

I wish to draw to the attention of the House a matter that is causing considerable difficulties in my constituency and in the county of Cumbria. I am glad to see that my friend—although not in the parliamentary sense—the hon. Member for Copeland (Dr. Cunningham) is in the House; my heart nearly stopped when he went out a few moments ago, since I would prefer to have him here to listen to what I am going to say.

There are growing difficulties with education in Cumbria. When the House resumes on 15 October, the schools will be back and more time will have passed, and we shall not have had the opportunity to debate problems which cause much anxiety to me and to others. I hope that we shall have a ministerial statement before we go away about the serious problems that many school governors in Cumbria are facing with their budgets under the introduction of local management of schools.

Many governors have extreme difficulty making their budgets balance, and the difficulties are caused almost entirely by the arrangements made by Cumbria county council for the allocation of total education budgets to schools under the LMS formula. Total spending on LMS in Cumbria for next year is intended to be a little more than £148·5 million. Of that, it is proposed that slightly over £93 million should go to schools for LMS. On the face of it, that might seem a great deal of money, but the percentage of the total education budget to be distributed to schools has recently been lifted from a little over 61 per cent. to 62·6 per cent. So, with great difficulty, we have forced Cumbria county council to increase the allocation by a little more than 1·3 per cent. My efforts and those of some Conservative councillors have been crucial in increasing the proportion of the distribution, but it is still woefully inadequate.

The percentage allocation—62·6 per cent.—is significantly the meanest distribution of any English shire county. It is disgraceful that Cumbria should be in that position. On figures provided by the Department of Education and Science back in February, it is clear that the crude average distribution in English shire counties amounts to almost 69 per cent., which means that Cumbria's shortfall is a little more than six percentage points. That is where the difficulty arises.

These same Government figures show that 12 English shire counties have been able to distribute more than 70 per cent. of their education budgets to schools for local management of schools. East Sussex, for instance, can allocate almost 75 per cent. of its budget for that purpose. So Cumbria is far and away the meanest county when measured by this distribution. It is even far below the second meanest, Cambridgeshire, which has a distribution of 64·13 per cent.

Mr. James Paice (Cambridgeshire, South-East) *indicated dissent.*

Mr. Jopling: Perhaps my figures are a little out of date; if my hon. Friend has another one I should be grateful to hear it.

Mr. Paice: A little sadly, I must tell my right hon. Friend that the figure he quotes is now inaccurate. Cambridgeshire's percentage is now only 59·6, which is even worse.

Mr. Jopling: That surprises me, but it means that our positions at the bottom of the table have been reversed. It seems that my statement that Cumbria is the meanest of all the shire counties is out of date: it is the second meanest. However, it is still about 6 percentage points below the crude average for the country.

My previous figures for Cambridgeshire's distribution clearly show what the problem means in practical terms. Representatives of a school in my constituency wrote to me some time ago explaining the problems that it is having in balancing its budget. The letter said that the school was £29,000 short, and I discovered, using Cambridgeshire's old figure of 64·13 per cent., that even if Cumbria had brought itself up to that miserable level—to share first place as the meanest county in the country—the school in question, Kirkbie Kendal, would have had another £36,000, which would have gone a long way to solving its difficulty and which would certainly have covered the immediate deficit of £29,000.

I am very worried about this as, I am sure, is my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice). No doubt his school governors face the same problems as do mine—in our case because of the behaviour of the Labour and Liberal councillors who control the county council.

The principal reason for the problem was discovered recently by the Audit Commission. At my request, it examined Cumbria's expenditure for education administration and inspection. A letter dated 26 April from the Audit Commission gave me the figures for comparing Cumbria county council and a family of similar authorities in rural constituencies such as mine:

"Thus Cumbria spends some £2 million more on these activities than it would if it spent the same as other counties in its family group, per head of population."

Actually, the figure should have been £2·1 million. The letter goes on to make the point that Cumbria has 8 per cent. more school pupils per head of population than the average and that its total education budget is also higher than average.

The letter ends thus:

"So if we look at these same costs as a percentage of the total education budget, the difference does not appear quite so marked."

The cost using that other method is just under £1·2 million. The conclusion is clear. Compared with the average for similar counties throughout England, Cumbria's education, administration and inspection costs between £1·2 million and £2 million more. That is a manifestation of the ineptitude of the administration and the councillors who control Cumbria county council. That is one of the reasons for there being no money for the schools.

If Cumbria could bring itself to spend the same as the average of similar counties on administration and inspection, a huge amount of extra money could be spent on schools that are finding great difficulty meeting their budgets. This is a serious matter. The schools will be back when the House reconvenes and it is important to air the issue now before the House rises on Thursday. I am not opposed to our rising on Thursday, but before we do I hope that the Minister will be able to say whether he can take some steps to ensure that school governors in Cumbria get a fair deal. They are certainly not getting one now.

8.11 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): The issue that I am about to raise should be debated before the recess. It is about the plan for hospitals in Birmingham. This debate is timely because tomorrow West Midlands regional health authority will meet to approve a plan called "Building a Healthy Birmingham" and that plan will be sent to Ministers. The document was drawn up after much local argument and two attempts at consultation. The result of the regional health authority's operation is a fiasco. It has ignored all opposition to its proposals, although that is not to say that all its proposals were opposed.

The right hon. Member for Worthing (Mr. Higgins) spoke about a petition of 24,000 signatures and said that ignoring it amounted to violence. West Midlands regional health authority has ignored a petition opposing the plan to close the city centre Birmingham general hospital and that petition contains the signatures of no fewer than 250,000 people. That flies in the face of the wishes of Birmingham people. All those signatures are almost meaningless to the regional health authority.

There is no change in the health authority's plan that people will have to wait until 2002 for the new children's hospital. There has been a massive demand to bring forward that new hospital at the expense of other changes. People have said that the closure and demolition of the general hospital and the building of its proposed replacement should be set aside until the children's hospital has been built. However, the health authority has said no and pursues its plan willy-nilly.

All the community health councils have been ignored and are asking why the regional health authority even bothered to consult because consultation has proved meaningless. The much-loved Sorrento maternity hospital, which delivers 200 babies a month, is doomed and that is against the wishes of local people who wish to use that fairly small local maternity hospital. However, the desire is for massive hospitals, baby factories, which do not have locally based community services such as those in Sorrento hospital.

Mr. Denis Howell: Will my hon. Friend give way?

Mr. Rooker: I shall make one other point and then gladly give way to my right hon. Friend.

The regional health authority has ignored the most genuine local newspaper campaign that I can recall during my service in the House. *The Birmingham Evening Mail*, which is not a supporter of the Labour party, saw the flaws in the regional health authority's plans from day one. The people of Birmingham responded massively to support the campaign run by that newspaper which cut right across the health authority's plans. Those plans mean that the centre of Birmingham, Britain's second city, which has massive infrastructure and new development, will be devoid of major hospital facilities. *The Birmingham Evening Mail*

saw that and the people responded, but again the unprecedented response was ignored. The free *Daily News*, which supports the regional health authority, was the vehicle in May for an eight-page regional health authority supplement—and it was not even stated that it was an advertisement.

Most Birmingham Members oppose the planned package. The proposal that will go to the Secretary of State after tomorrow's meeting of the health authority hardly mentions the scale of the opposition from community health councils, Members of Parliament, the newspapers, the city council, and the social services committee or the 250,000-signature petition. Those things are not even referred to. For those reasons the issue should be debated. Right at the beginning of the recess the Secretary of State will get that document on his desk. Now that I have concluded that point I shall gladly give way to my right hon. Friend.

Mr. Denis Howell: My hon. Friend concluded his point most emphatically. I support what he said about Sorrento hospital, of which I have personal experience. Within the last three weeks a grandson of mine was born in that hospital. Immediately following the birth and before the afterbirth could be dealt with, procedures had to be interrupted because an emergency case was brought from another major hospital which did not have the room to carry out a caesarean section. That had an unfortunate result for my daughter-in-law, and it proves conclusively that Birmingham is still ill-equipped with wards and facilities to deal with the present case load, never mind closing maternity hospitals.

Mr. Rooker: My right hon. Friend's telling point reinforces what I said about Sorrento hospital.

Birmingham does not want overdeveloped mega-site hospitals with difficulty of access. It is ludicrous for the chairman of the regional health authority to say that no one will be more than five miles away from the hospital. He is looking at straight line distances and should realise that people do not have personal helicopters. The plan takes no account of the difficulties of access for public transport and the road network. That is especially true of the overdevelopment of the site of the Queen Elizabeth hospital.

As I have said, the city council opposes the plan, and the social services department, which some years ago reorganised its structure so that it was based upon the health authority structure, thus enabling them to work conterminously, has never been consulted about any of these proposals. The health authority is barmy in the way it has gone ahead. The plan has been described as dictatorial and manipulative and the community health councils are demanding apologies. The plans have been headlined as a kick in the teeth and the way that the matter has been handled from start to finish is appalling.

I shall conclude with two issues, one of which is slightly contentious from a party political point of view. However, it shows the state of affairs in the conduct of public administration. On, I think, Friday, the West Midlands regional health authority put out a four-page press release naming the new regional health authority members in the reconstituted system. It stated:

"The Secretary of State for Health has announced the names of the five non-executive directors of the reconstituted West Midlands Regional Health Authority."

The press release named the five and gave biographical details and some record of their public life. They, along with the re-appointed chairman, Sir James Ackers, would appoint the five executive directors. Why is it thought necessary after 11 years of Conservative government with overwhelming majorities to point out that one of the five executive directors is a member of the Labour party? There is no mention whatever of the political affiliation of the other four. I conclude that Sonia Beesley, Tim Morris, Professor Michael Thompson and Michael Worley must be members of the Conservative party. One can draw no other conclusion.

It is a thundering disgrace that one member was singled out. I do not criticise the background and record of any of the other four, but what is the relevance of the fact that one director is a member of the Labour party? It is offensive to me that such things are said. The way in which the matter was handled was an absolute disgrace from start to finish.

I say to the Leader of the House and through him to the Government and the Secretary of State that if the Secretary of State accepts the plan that is due to be rubber-stamped tomorrow, almost in the last days of the regional health authority, the closure of the general hospital and the delay until the next century in building the new children's hospital will become a key ingredient in the general election in Birmingham. We shall make it so. Some Conservatives will make it so.

There is enormous opposition to the closure of the general hospital and the delay in building the new children's hospital. We should much rather have the new children's hospital in advance of the closure of the general hospital. If the money runs out, fine: we can keep the general hospital in the centre of the city of Birmingham.

The regional health authority made up its mind what it wanted to do from day one, the best part of 18 months ago. I say that from memory, but it must be that long. It has changed almost nothing in its plans. It has changed only minor aspects such as shifting a boundary or transferring one aspect of health from one lead district health authority to another. None of the basic framework has been changed. We shall be left with mega-hospitals to which people will find it difficult to travel. The mega-hospitals will be highly vulnerable in times of emergency. We shall be left with no major general hospital in Birmingham city centre. That is not on.

I warn the Secretary of State through the Leader of the House that the people of Birmingham will not put up with it. On general election day they will be given an opportunity to vote for a real alternative that will meet the needs of the people of Birmingham, not the bureaucrats in West Midlands regional health authority. The bureaucrats take a pile of statistics and say, "A general hospital cannot serve a population of less than a certain size. That is what the text books and planners tell us we should have." We do not want it. That is not the basis on which health care should be organised in the second city of this country. The people of Birmingham will not wear it.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. The Leader of the House and Shadow Leader of the House intend to seek to catch my eye at five to nine. There are still six hon. Members who wish to speak in the debate, so I appeal for brief speeches.

8.25 pm

Mr. Douglas French (Gloucester): I have a selection of fairly diverse points to make. They come together in one speech because they are all matters to which I should like attention to be given before the House rises for the summer Adjournment.

My first two points are on transport safety. The first is car telephones, which I have raised in the House on several occasions. I continue to believe that the use of car telephones by drivers while the vehicle is in motion is dangerous. It needs to be curbed. I have raised the subject in debates, in questions, in correspondence with the Minister and in a private Member's Bill. I have had letters on the subject from people throughout the country. Each one has agreed that car telephones are a danger to road safety and need some legislative attention.

I was slightly encouraged by a parliamentary answer that I received this week from the previous Minister for Roads and Traffic, who has moved on to other things. He said:

"I deplore the use of hand-held telephones by drivers whilst their vehicle is moving."—[*Official Report*, 18 July 1990; Vol. 176, *c.* 585.]

That represented some progress on replies that I had received previously. He went on to say that he considered that existing legislation took care of the problem which was covered by the provisions for driving without due care and attention and the obligation to have proper control of one's vehicle at all times.

It is a pity that that Minister has moved on. It puts me in the position that my right hon. Friend the Member for Worthing (Mr. Higgins) described, when he said that he had to start again with the new Minister.

The points that I have endeavoured to promote are simple. The first is, that the use of such telephones would be much safer if they were all equipped with remote microphones and speakers, so that they could be used by the driver without his taking his hands off the wheel of the car. The second requirement is that the dialling mechanism should be pre-programmed with a short-call facility or operated by a voice activated system. That is now commercially available at a reasonable price. The third requirement is that the dialling mechanism for such equipment should be at the fascia level and not somewhere down near the gear lever, away from the line of vision of the driver.

My proposals are all preventive. The current legislation is a way of tackling people who drive carelessly because their attention has been distracted by making or receiving a telephone call. I propose steps to ensure that the danger will be averted before it arises. They would help to enhance road safety and would undoubtedly save lives as result.

My second point on transport safety is very much in mind at a time when a holiday period is approaching, and an increasing number of private planes will be in use. It is extraordinary that so often tragic accidents take place at holiday times, but it is even more extraordinary that there is no requirement for private pilots to have third party insurance. That fact seems to have been neglected for many years. We place great importance on the need for motorists always to be equipped with third party insurance, but there is no such requirement for private pilots. There should be such a requirement, and I hope that the Minister responsible will turn his attention to it as soon as possible.

My next point is on housing. I applaud the efforts made by the Government to encourage private sector provision of rented accommodation. One respect in which landlords are badly served is the arrangements for payment of housing benefit directly to the landlord on behalf of a tenant. If it is discovered later that the tenant's eligibility for housing benefit ceased during the period of his tenancy, the landlord is asked to repay the housing benefit that he has received as rent. He will be asked to do that even though he provided the accommodation in good faith, he could have provided the accommodation to another tenant if rent had not been forthcoming and he may have had no means whatever of knowing that the tenant's eligibility for housing benefit had terminated during the period of the tenancy.

It seems extremely unfair that there should be a clawback on housing benefit paid as rental in this way. It is likely to discourage people from providing private rented accommodation at a time when other Government measures are designed to enhance that possibility to help to ease housing pressures.

My next point relates to the activities of commercial estate agents. My hon. Friend the Under-Secretary of State for Industry and Consumer Affairs, the Member for Mid-Worcestershire (Mr. Forth), recently published draft orders and regulations under section 3 of the Estate Agents Act 1979, which set out specific offences and undesirable practices in which some unscrupulous estate agents engage. The most obvious among them are misdescriptions of property, failure to observe the requirement not to tie together property and financial services, and the bidding up of prices.

My hon. Friend the Minister is also involved in proposals to extend the Trade Descriptions Act 1968 to cover misdescriptions of property, and I applaud his efforts in that respect. My hon. Friend is building on the excellent work of the Director General of Fair Trading, who in March published a booklet on estate agency practice, which contains many excellent recommendations, and makes proposals for what he calls "cleaning up" the profession.

However, the director general's report and the two regulations emanating from my hon. Friend the Minister are heavily influenced by the residential estate agency sector. Paragraph 2(4) of the report of the Director General of Fair Trading says that "surprisingly little comment" was received during the preparation of the report on the application of the proposed measures to the commercial property market.

The circulation list for the draft regulations does not include any of the leading commercial estate agency practices, yet that sector is guilty of abuses which may be hidden but which are just as serious as those in the residential sector.

One such abuse is the way in which comparisons are drawn between the rental levels achieved in one property and those achieved in others. There is much evidence to suggest that certain agents find it a little too easy to confuse a rental level that they hope to achieve with one that they have achieved. That has the consequence of misleading a prospective tenant. Another is the way in which a particular property is measured. That is not a matter for the Trade Descriptions Act 1968 but concerns the formula that may be used in measuring a property and what constitutes net usable space. That is important if one is endeavouring to make a fair calculation of total rental

value, and of the total capital value that is a direct consequence of it. Those points are both important and ought to receive early attention. They relate specifically to the commercial sector, not to residential estate agents.

My final point relates to the Financial Services Act 1986, which I continue to believe is an unhappy piece of legislation, especially as it relates to the activities of self-regulatory organisations. I am prompted to raise that matter by the constituency case of C. J. How and C. J. How International, investment companies in which constituents of mine invested considerable sums of money. At the time that those investments were made, the compensation provisions of the Financial Services Act 1986 had not come into force, so those investments were not covered. By the time that those provisions had been implemented, C. J. How and its associated companies had had their FIMBRA membership withdrawn.

In those circumstances, FIMBRA could not take responsibility for the company's actions, including, it seems, if it continued to accept investments. At that point, the company became the responsibility of the Securities and Investments Board, but it seems that the SIB does not have a procedure for ensuring that all investors know that such a change has taken place. As a consequence, the public may continue to invest, in the belief that the company is still a member of a self-regulatory organisation, when that membership has been lost. The end result has been for my constituents the loss of a considerable amount of money that they have no means of recovering. It is a serious matter that demands early attention.

8.35 pm

Mr. David Winnick (Walsall, North): I understand that there is great excitement on the Government Benches over some of the ministerial changes that have occurred today. I will only say that the Government are as unpopular as ever as we go into the summer recess.

Mr. Greg Knight (Derby, North): The hon. Gentleman will never know what it is like to serve in a Government.

Mr. Winnick: I did not hear the remark made by the Government Whip, but if he wants to intervene, I will give way.

I suppose that the Leader of the House and deputy Prime Minister can at least congratulate himself on surviving. Perhaps he should thank us on the Labour Benches, because the very fact that we have raised the question of his future in the Government has made it far more difficult for the Prime Minister to take any action against him.

During the recess, there will be taking place in my borough, as elsewhere, a formal period of consultation over whether certain national health hospitals will become so-called self-governing. I question whether the consultation process will have any meaning and whether the Secretary of State for Health has not already made the decision to approve the changeover, regardless of the strength of opposition in a given locality.

The district general hospital in my borough, Walsall, usually referred to as the Manor, is on the list for self-governing status. A genuine consultation exercise was undertaken by the local authority, in which questionnaires were sent to every household in the borough. It included all the arguments for and against, and no one suggested that they were in any way unfair. Even the local health authority accepted that the arguments for self-governing status were fairly put.

There could be no doubt either about the response. A total of 27,639 people were against the hospital achieving self-governing status, and only 6,004 were in favour—more than 78 per cent. of respondents were not in favour of the Manor becoming self-governing, and more than 94 per cent. believed that local people should be consulted about such a change. Some 68 per cent. held the view that a change would lead to a poorer service.

If the regional health authority will not allow a vote on the matter—clearly there will be no such vote in my borough or elsewhere, even though there should be, because that is how the democratic process works in our country—what criteria will it use in the consultation exercise? Who will be consulted?

The district general manager for the Walsall health authority is extremely enthusiastic about opting out, but whether a full-time administrator should be involved in what are undoubtedly highly sensitive and controversial political issues is very much open to question. I have made my views clear on that locally on a number of occasions.

It is plain that the national medical organisations, such as the British Medical Association's joint consultants committee and the Royal College of Nursing, are all strenuously opposed to self-governing status.

When, in a parliamentary question, I asked the Secretary of State for Health to name one national medical organisation in favour of the change, he could not do so. That was understandable, because no such body is in favour, and that is reflected locally.

The public want more funding for the national health service, better services and facilities. In every opinion poll which touches upon the national health service, again and again the point is made that the Government are not providing sufficient funding—no matter what figures are given by the Secretary of State or by the Prime Minister at Question Time.

The local community health council in Walsall fears that a change will cause difficulties at Manor hospital. Present services may no longer be provided, and the elderly and the chronically sick may have to go to a hospital outside the borough.

The internal market puts the emphasis on profitable services. Hospitals will become more fragmented as a result of opting out. That is why it is absolutely essential that there should be a meaningful consultation exercise, and, above all, that there should be a proper vote.

The second matter I want to mention is far removed from my borough—the remarks made last week by the President of Zambia about the execution of the journalist Farzad Bazoft. Obviously, like all hon. Members, I welcome the release of Daphne Parish, and I praise the efforts that the President of Zambia made to secure her release from prison. However, it is dangerous nonsense to suggest that the reason that the journalist was hanged was pressure from this country on the Iraqi regime.

If there is any criticism to be made of the British Government in this, and in related matters, it is quite the opposite—that the Government have not protested enough about the appalling abuses of human rights in Iraq, and the numerous killings by the regime there. Very few regimes have such a murderous record as that of the Government that rule Iraq.

[Mr. Winnick]

Mr. Bazoft was arrested on 15 September last year and brought before the court on 8 March. He was sentenced to death two days later, and five days later, on 15 March, he was hanged. The matter was first raised in another place on 14 November in a written question. The reply stated that the British authorities were seeking access to him and to Daphne Parish on humanitarian grounds. The matter was only raised in this Chamber orally on 12 March, after sentence was passed on 10 March. There was a private notice question on 12 March, when hon. Members on both sides of the House understandably expressed strong concern that he had been sentenced to death. Three days later, on 15 March, the Foreign Secretary made a statement, as Mr. Bazoft had been hanged that morning.

If it is argued that pressure from this country caused his death—as I have already said, that is dangerous nonsense—if it was a valid criticism to say that pressure from the Government, from the House or from the media resulted in the hanging, I ask hon. Members to bear in mind the fact that, on 11 July, a citizen of Sweden was executed as a spy by the Iraqi regime. There was no campaign in Sweden. As far as I can tell—I have received information from the Library—the matter had not been raised in the Swedish Parliament. The Swedish Government made some representations, but a low profile was maintained. That did not have any effect upon the Iraqi regime, and the person was executed.

It is quite clear that it was not undue pressure or criticism of the Iraqi regime that led to the execution on 15 March of someone who travelled on a British travel document, and had protection in law from the United Kingdom. He would have been executed anyway, because the Iraqi regime were determined that he should be.

From what Daphne Parish has said—many hon. Members will have seen her comments in *The Observer* yesterday—Mr. Bazoft was clearly not a spy, and neither was she. Any confession that he made—as we now know and as we strongly suspected at the time—was made under threat of torture. It is important to set the record straight. It was unfortunate that the President of Zambia—whatever he has done to secure the release of Daphne Parish—I praise his efforts—should have made such comments. They are not valid, there is no truth in them and the record should be clear about where responsibility for the execution on 15 March lies.

8.45 pm

Mr. John Ward (Poole): I wish to raise two points—one that is parochial and one that is of wider significance.

The port of Poole has been busily expanding, and has roll on/roll off ferries serving Cherbourg and the Channel Islands. Additional roads have been constructed by the local authority on reclaimed land across the harbour. However there is a bottleneck—a lifting bridge across the harbour.

The bridge has to be opened about 20 times a day in the summer to allow commercial and yachting traffic to pass through and the consequential traffic jams back up through the town. It is intolerable that, in such a thriving port and commercial area, the replacement of the bridge may be delayed, because the Department of Transport has agreed to take over responsibility for it under the trunk road scheme. We are delighted that the Department will meet the cost of that and attached works, which amounts to £40 million, but we are less pleased that, instead of a start date in early 1990s, as envisaged by the county council, a decision, even on the type of bridge, will not be made until 1993, and we may well have to tolerate serious road congestion, with all the attendant frustration for locals and holidaymakers, until the late 1990s.

I hope that the new Minister for Roads and Traffic can be persuaded to come to see Poole for himself and to witness the problems caused by such delay.

The other matter I must mention is perhaps of importance to the House—the developing situation in eastern and central Europe, and especially the relationship of the emerging democracies with present European institutions.

I am worried that the EEC is developing into a close-knit organisation, and is making it more difficult, and not easier, for countries to join with either associate or full status.

Events at the recent summit in Houston show that there is little willingness to reduce the cost and the lack of competitiveness of the common agricultural policy, and so we are making it difficult for eastern and central European countries to associate with us. We raise trade barriers, but Conservative Members would much prefer free and fair access to all European markets.

I hope that my right hon. Friend the Prime Minister will continue to try to bring a degree of sanity to the world of agricultural pricing, and that she will also remember that the British farmer can compete. There is no reason why we should subsidise hobby farmers in other countries. I welcome the co-operation of the Council of Europe which, at its autumn session will invite parliamentary delegations from non-member states that are signatories of the Helsinki Final Act. Such countries will be able to participate in the debate on an equal footing with assembly members, including the right to vote. I support all that my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) said about that.

We all want the integration of eastern, central and western Europe into one free, democratic society. That will be more easily achieved through a loose-knit organisation like the Council of Europe, where every country can proceed at its own pace, than by erecting barriers, which will make it difficult for integration to take place.

The Minister for Foreign Affairs of Hungary showed the path that I believe we should follow, when he told a Western European Union meeting in Paris last month:

> "We envisage the future of a united Europe not as a great monolithic bloc but as the sum of regionalism, preserving the diversity of national identities."

He described a Europe from the Urals to the Atlantic, a Europe with a common purpose and a common home but, above all, a Europe that was allowed to keep its individual identities. That is what I should like to see.

8.49 pm

Mr. Bob Cryer (Bradford, South): In the few minutes that remain, I follow what has been said about east-west relations by saying that they have radically changed. That is why the House should debate the United Nations nuclear non-proliferation treaty before we rise on Thursday. It is an important treaty. It is committed to multilateral nuclear disarmament, the maintenance of peace and the non-proliferation of nuclear weapons. There are 142 signatories to the treaty.

By the time that we resume on 15 October, a review conference will have been held between 20 August and 14 September. We ought to know the Government's attitude towards that conference. The subject is extremely important, particularly as the Government are breaking clause 6 of the treaty, which says:

"Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective control."

What is the United Kingdom doing about that? It is embarking on a £10 billion programme to introduce Trident nuclear weapons that will be between four and 10 times more powerful than Polaris nuclear missiles. Each Polaris submarine that goes out on patrol carries more explosive power than was used by both sides in the 1939-45 war. However, the Government propose to increase that firepower by up to 10 times, depending on the number of nuclear missiles that are deployed in each submarine. The Government are therefore in breach of their treaty obligations.

One of the underlying provisions of the treaty is that the 139 non-nuclear signatories have agreed to abide by its terms, provided that the three nuclear signatories carry out clause 6 and do something about getting rid of nuclear weapons. Only two of the signatories, the United States and the Soviet Union, have carried out clause 6, though not fully, through the intermediate nuclear arms treaty that has got rid of cruise missiles from our shores. So much the better. However, they represent only 4 per cent. of the world's stockpile of nuclear weapons. Our world is still in danger. The changes in east-west relations should not hide the fact that there are too many nuclear weapons, that the United Kingdom Government want more nuclear weapons and that they have no facilities at the moment that would lead to the reduction, removal or destruction of those weapons.

While the House is in recess, nations will be meeting and saying to the United Kingdom Government, "We signed the United Nations nuclear non-proliferation treaty and said that we would not manufacture or deploy nuclear weapons, on the basis that under clause 6 you would start to get rid of your nuclear weapons." The United Kingdom has been a signatory of the treaty for many years, but has done nothing to implement the terms of the treaty. Inevitably, a non-nuclear state will point its finger at the United Kingdom and say, "We shall do what the United Kingdom has done. We shall deploy and manufacture nuclear weapons because the United Kingdom has shown not the slightest interest or willingness to get rid of them and begin the process of nuclear disarmament."

By cancelling the Trident nuclear weapons programme, we should be saying to the 139 non-nuclear signatories to the United Nations non-proliferation treaty, "We agree with you. We shall support the vast majority of the world's nations that do not manufacture or deploy nuclear weapons." That is the only way that our planet can survive. That is why the treaty is so important. Therefore, it is lamentable that the Government have not provided time for a debate.

Another initiative that the Government could take would be to announce that they intend to ban all tests of our nuclear weapons and to join in talks on a comprehensive test ban treaty. That would lead to no further development of nuclear weapons. It would complement the United Nations nuclear non-proliferation treaty and would be an important step forward.

It is shameful and lamentable that the Government have not provided time to debate that important treaty to which they pay lip service. Recently Ministers have said, "It's a pity that it's a failure." The only failure that one can attribute to the United Nations nuclear non-proliferation treaty is the United Kingdom Government's failure to honour it. Whatever political party is in power, there is no moral or economic justification for the manufacture and deployment of nuclear weapons. Moreover, a very strong and important treaty provides that we should not manufacture and deploy nuclear weapons. By honouring it, the next Labour Government will be able to strengthen world peace and will join the majority of nations that say no to nuclear weapons.

8.55 pm

Dr. John Cunningham (Copeland): Adjournment debates are usually good-natured affairs and address a number of serious issues. That has happened this evening. I am pleased that we are coming to the end of this Session. During it, three close friends, Allan Roberts, Sean Hughes and Mike Carr, all met untimely deaths. This place is the poorer without them.

Several points have been made during the evening on both sides of the House which I agree with and support. Again, there is nothing unusual about that. However, it will be difficult in the relatively short time that is left to me to reply to 14 or 15 individual speeches. Everyone agreed with the point made by the right hon. Member for Shropshire, North (Mr. Bi[illegible]n) that more effort should be made to conserve ancient mosslands, wetlands and peatlands, especially when sites of special scientific interest are involved. He said that proper conservation management should apply to peat extraction and to any other kind of industrial activity that takes place upon them. Many people would go further and say that no such activity should be allowed on the more sensitive sites.

My right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) referred to the much-publicised acid house party in Morley. He is right to draw our attention to a growing problem that causes disturbance, distress and often damage to people's property and to the need for more concerted Government action to control what is becoming a national problem. I share his view that the people of Morley—no doubt my constituents would feel the same—would not like what they experienced recently to be repeated.

I listened with a wry smile to the speech of the hon. Member for Altrincham and Sale (Sir F. Montgomery) who originates from the north-east of England, as I do. I agreed with him about the importance of the channel tunnel, and improved rail links and road infrastructure for the north-west of England. I certainly support him if he was including Cumbria in the north-west and in his pleas for greater investment.

The wry smile arises because the hon. Member, and many other Conservative Members, call specifically for increased public investment in their constituencies, while almost universally voting against it for the nation as a whole when they support the Government in the Division Lobby. That is a variation on the NIMBY phrase—not in my back yard. In this case it is OIMBY, only in my back

[Dr. John Cunningham]

yard. They want investment in their constituencies, but seek to deny it to other parts of the country. I shared his views when he made a special plea for greater help for people suffering from epilepsy.

The hon. Member for Argyll and Bute (Mrs. Michie) spoke of the Scottish convention and the important work it does. Like her, I regret that, at least formally, the Conservative party and the Scottish National party are not represented in its work. Like her, I continue to be dismayed by the failure of the Leader of the House to discharge his duty to the House under Standing Orders to set up a Scottish Select Committee. It is, if not unprecedented, extremely rare for a Leader of the House to fail to meet his obligations in the way that the right hon. and learned Gentleman continues to do.

We in the Labour party also share the criticisms of the Government's Law Reform (Miscellaneous Provisions) (Scotland) Bill, which we believe should be withdrawn.

The right hon. Member for Worthing (Mr. Higgins) spoke about the endless saga of the Worthing bypass——

Mr. Higgins: The non-bypass.

Dr. Cunningham: Yes—the non-bypass.

I have considerable sympathy with the right hon. Gentleman because the tale that he described was almost word for word my description of the continuing failure of the Department of Transport to provide a bypass for the ancient market town of Egremont in my constituency. Having failed to notify people properly of the public inquiry, it now seems to have further failed and caused more incompetent delay by making a mess of the compulsory purchase orders. It is still unclear, after more than a decade, when and whether work on the Egremont bypass will be allowed to begin.

I also share the right hon. Gentleman's view that the road to which he referred—like the one that we are likely to get—is not a bypass, but a relief road. In Egremont, that will ensure that any development takes place to the east of the town, on the only available land, so the "bypass" runs right through the middle of the enlarged town.

My right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) spoke about the disgraceful treatment of British, mainly English, people in Rimini and elsewhere following a World cup football match. I hope that Ministers will respond positively and speedily to his call for a thorough investigation into the treatment of our fellow citizens.

I disagreed with the proposition of the hon. Member for Hampstead and Highgate (Sir G. Finsberg) that the Bar Council and the Director of Public Prosecutions should have overriding powers over democratically elected local authorities that seek redress through the courts against arbitrary Government action. He seemed to suggest that Conservative councils such as Wandsworth and Westminster could quite properly hire lobbyists to get their grants changed under the poll tax system, working covertly and behind the scenes, while Labour councils working in the open were to be denied the due processes of law. I simply cannot accept that as a proposition, as I said to the hon. Gentleman in a brief intervention.

Sir Geoffrey Finsberg: I did not say that those councils should be denied the right, but that if they took the decision against advice, councillors, not charge payers, should pay.

Dr. Cunningham: I think that that idea is even worse because a number of cases involving Government mismanagement have been exposed over the past few years. When there are huge losses to the taxpayer as a result of Government incompetence and mismanagement, no one suggests that Ministers should be held personally responsible. The personal surcharge, as it affects councillors, is an anachronism that should be abolished, not extended.

I share the view of my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) about the importance to the African, Caribbean and Pacific countries of the banana industry, and the importance of that industry and British imports to the workers in Barry docks in his constituency.

The right hon. Member for Westmorland and Lonsdale (Mr. Jopling) rightly described me as a parliamentary friend and constituency neighbour. That is as far as our agreement goes. The right hon. Gentleman failed to say that in a letter signed by the education spokesmen and women of all political parties in Cumbria—Conservative, Labour and Liberal—the all-party approach to the Government was to seek more money for the education budget of Cumbria county council. The Conservative party on Cumbria county council, which has no majority, played a willing and open part in saying that the Government's allocation was inadequate to meet the proper needs of Cumbria's children.

The Government provided more taxpayers' money—£7·6 million—for one city technology college in Nottingham than for the capital budget for education in Cumbria. That is not an example of a shortage of resources but of political decisions being taken by Conservative Ministers—former colleagues of the right hon. Member for Westmorland and Lonsdale in Government. The right hon. Gentleman was corrected by the hon. Member for Cambridgeshire, South-East (Mr. Paice), who pointed out that under LMS Cambridgeshire was being allocated less money than Cumbria. I share the right hon. Gentleman's view on the problems of small schools, particularly in rural areas, because I have many in my constituency, but I do not share his partial and, in at least one particular, inaccurate description of the state of affairs in Cumbria.

Mr. Jopling: Will the hon. Gentleman attempt to justify why Cumbria is so very far below the national level for English shire counties in its distribution for LMS? So far as I can see, there is no justification for that niggardly distribution.

Dr. Cunningham: I, too, have urged Cumbria county council to be as generous as possible in the circumstances that prevail because I regard the education of our children as the most important investment that we can make. The right hon. Gentleman was a Cabinet Minister for many years, particularly when the Government systematically, deliberately and persistently cut rate support grant for Cumbria—the county he represents—so it is rather late in the day for him to protest about the inadequacy of education investment in the county.

Mr. Jopling: That is not the point.

Dr. Cunningham: It is the point.

I share the views expressed by my hon. Friends the Members for Birmingham, Perry Barr (Mr. Rooker) and for Walsall, North (Mr. Winnick) about the proposed changes in the national health service, especially the development of so-called self-governing hospitals. I believe that they will be against the public interest and the interests of a better, more effective and more responsive health service, but I do not believe for a moment that proper notice will be taken of public attitudes and interest. From what we have seen so far, whatever the consultation process and however the public are given the opportunity to express a view, the likelihood is that they will be ignored and that people will go their own way regardless.

I smiled when I listened to the hon. Member for Poole (Mr. Ward) because I recognised his description of the problems of Poole harbour bridge—a location that I know well from my many happy days in Poole and its environs as a student. I hope that he gets his wish, but he is another Conservative Member who has consistently voted for cuts in public expenditure and would like to see more expenditure in his constituency. This facing both ways simply cannot be reconciled.

I am sorry that my hon. Friend the Member for Bradford, South (Mr. Cryer) had only a few minutes—I regret that a couple of Conservative Members were not called—to speak about the important issue of nuclear disarmament, which we all want to proceed as quickly and effectively as possible.

However Governments feel, they usually utter a sigh of content when they see the end of parliamentary Sessions and the House of Commons being dispersed for the summer recess. This week, we have heard a collective, highly audible gasp of relief from the Government, who are in desperate trouble. In the past few months, four major Cabinet Ministers have resigned—the right hon. Members for Blaby (Mr. Lawson), for Sutton Coldfield (Sir N. Fowler), for Worcester (Mr. Walker) and, most recently and in the most disgraceful circumstances, for Cirencester and Tewkesbury (Mr. Ridley).

The Government have not recovered from their disastrous policy of introducing the poll tax. They are presiding over the highest inflation rate since March 1982 —9·8 per cent.—and the highest of all our competitor countries. The Government presided over a current account deficit of £19·1 billion in 1989, with the most recent trade figures showing a £1·36 billion deficit. The Government are in deep trouble because of the hypocrisy of their about-faces. In the autumn statement, the Chancellor of the Exchequer said:

"in a society that is experiencing real growth in wealth, the disadvantaged and the elderly should benefit too."—[*Official Report*, 23 January 1990, Vol. 165, c. 750.]

That was the Minister in the Government who, last week, cynically decided to cast aside their commitments on community care.

I emphasise the fact that the Government are in deep trouble, not only with their policies and with the public but with their campaigns. A few weeks ago, the chairman of the Tory party, the Chancellor of the Duchy of Lancaster, lauched his "Summer Heat on Labour". It had all the sparkle of a wet Woodbine. It spluttered and went out. Now we have seen a Government reshuffle, irrelevant to the problems faced by the people. It is the policies that should change because, like us, the British people feel that Britain is heading in the wrong direction. Happily, they will not have long to wait for a general election and a change.

9.11 pm

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The hon. Member for Copeland (Dr. Cunningham) was able to bring his properly discursive remarks to what must pass for a rousing conclusion which did not command much support in the House—it certainly commanded no support among Conservative Members. The hon. Gentleman talked about the "sigh of content" that normally accompanies these debates. I noticed overwhelming enthusiasm on both sides of the House for the idea that the House should rise on the advertised day. I am certain that the Labour party will want to spend much of the recess re-examining its recently revealed commitment to replace the community charge with the rates, which the Labour party repudiated over many years. The Government, who have presided over a long period of economic growth—there has been a larger growth in employment in this country than in any other—will devote themselves during the vacation to preparing our plans for the Session ahead with confidence and authority.

I can at least join the hon. Member for Copeland in expressing sadness at the number of our colleagues who have passed away during the Session—one of whom we mourn today; the Conservative Member, John Heddle, whom we particularly remember; and a former colleague who moved on to another place and who was well loved by both sides of the House, Jock Bruce-Gardyne, who showed remarkable courage in the face of adversity.

It is a feature of these debates that I must start by responding to a point made by my right hon. Friend the Member for Shropshire, North (Mr. Biffen), who told us that he could not be here for the debate's conclusion. I was struck by the way in which he raised questions about the mosses on the Clwyd-Shropshire border, less than 10 miles from the house that we shared many years ago. He was right to do so. The Government recognise the nature conservation importance of the peatlands. We are aware of the worries expressed about the effects of peat extraction and of the need to balance two needs and to ensure that the Nature Conservancy Council has the resources with which to respond. Those resources were increased from £7·9 million at the beginning of this Government's term to £44 million in the current year—a substantial increase, which I am sure will help.

Like the hon. Member for Copeland, I was struck by the point raised by the right hon. Member for Morley and Leeds, South (Mr. Rees). He was right to draw attention to the serious implications of the acid house party at Gildersome. The police are still investigating all the aspects. The incident certainly justifies the substantial increase in penalties recently enacted in the Entertainments (Increased Penalties) Act 1990, which was introduced by my hon. Friend the Member for Luton, South (Mr. Bright). Let me join the right hon. Gentleman by expressing concern about similar activities in my own county of Surrey, some of which have been prevented, while others are the subject of criminal prosecutions. I am certain that the Government will continue to take seriously the concern that he has expressed.

[Sir Geoffrey Howe]

My hon. Friend the Member for Altrincham and Sale (Sir F. Montgomery) is another regular participant in these debates: there is a regularity not only about his participation, but about his contributions. He again referred to the position of Manchester airport, although this time in a more optimistic style, which I was glad to welcome. When I was there within the past couple of weeks, I was impressed by the large volume of traffic that the airport now handles. During a subsequent visit to the Flint enterprise zone, I met an American entrepreneur who had been able to travel from Manchester airport to the Flint enterprise zone via the massively improved road system, having flown in to Manchester that morning.

My hon. Friend was also right to emphasise the importance of good rail links with the channel tunnel. British Rail plans to invest more than £1 billion to ensure that there is an effective international passenger and freight service from the tunnel. Its record investment programmes for the country as a whole—amounting to an increase of 75 per cent. in real terms over the previous three years—are, to some extent, relevant to the points raised by my hon. Friend.

I think that we would all endorse what my hon. Friend for Altrincham and Sale said about the position of the disabled in employment. He will be aware that the Secretary of State for Employment issued a consultative document on 29 June, inviting comments on the merits and demerits of various legislative approaches to securing good practice in the employment of disabled people, and will be taking account of representations received in that respect.

The hon. Member for Argyll and Bute (Mrs. Michie) referred to the Scottish Constitutional Convention. On her own admission, the convention is—at least to some extent—a self-selected group of people whose sole objective is the establishment of some form of Scottish Assembly. As she knows, the Government do not think that that would be to Scotland's advantage, and that is why we have declined to participate. We are fully committed not just to the Union between Scotland and the rest of the United Kingdom—which we believe delivers great benefit to our citizens—but to the current arrangements for the representation of Scotland, which we believe provide for the effective representation of Scotland's interests and acknowledge its distinct nationhood.

My right hon. Friend the Member for Worthing (Mr. Higgins) raised several points. He is concerned about the proposition for a throughpass, rather than a bypass, in his constituency. I cannot comment on the merits of that, but I have no doubt that the "violent" representations that he has reported will be taken into account by my right hon. Friend the Secretary of State for Transport. He knows that the Secretary of State for the Environment is considering possible improvements to the provisions for compensation, and I shall draw my right hon. Friend's points to his attention. As for the appointment of consultants, they were apparently appointed by the Department in accordance with normal open competition, and the consultancy went to the best offer. I do not know how far my right hon. Friend's point was taken into account, but I shall draw it to the attention of my right hon. Friend the Secretary of State for Transport. I cannot do more than that.

Mr. Higgins: I am grateful to my right hon. and learned Friend; I realise that he is not very familiar with the position. Let me stress that I am in favour of a bypass, not a throughpass. The question is not whether the consultants were appointed in open competition, but whether the Government were aware that the person from the Department had taken a job with the consultants who were supposed to be giving an impartial opinion. That should really be dealt with by the civil service Minister, as well as the Minister for Roads and Traffic.

Sir Geoffrey Howe: I appreciate that; that is why I said that I would refer the matter to my right hon. Friends. There is no need for me to repeat myself.

The right hon. Member for Birmingham, Small Heath (Mr. Howell) spoke at length about his anxieties regarding the treatment of British subjects in Italy during the recent football matches. I have no doubt that he made that presentation in good faith. However, as my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) pointed out, it was a presentation of only one side of the case. He did not acknowledge the extent to which his demand for effective action against, as he put it, the small group of troublemakers, involved difficult judgments being made by the authorities on both sides.

We appreciate the Italian determination to avoid violent incidents. They were within their rights under Community law to remove people they considered to be a threat to public order. However, we are prepared to take up with the Italian authorities, as we should do, allegations of ill treatment. The consular staff present in Rimini tried to assist at the time but were unable to gain access because it was not open to them to do so until charges had been brought. All that I can say is that I shall bring his long intervention to the attention of the newly appointed Minister for Sport. I am sure that he will investigate it as far as he can.

My hon. Friend the Member for Hampstead and Highgate raised one point which aroused controversy between him and the Opposition Front-Bench spokesman. I shall not intervene on that. My hon. Friend referred to the need to extend parliamentary representation in the CSCE context beyond that available in the Western European Union. His points were echoed to some extent by my hon. Friend the Member for Poole (Mr. Ward) who was also seeking greater involvement of parliamentarians in the process of engaging east Europeans in our west European discussions. He will find that that topic will be dealt with a little more fully in an Adjournment debate to be opened by my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) later tonight.

My hon. Friend the Member for Hampstead and Highgate also raised some detailed points about parliamentary conditions. I hope that he will forgive me if I do not deal with the towels at this stage in the debate. I shall look into the points he raised because it is important that this place should not, further than is necessary, close down to the extent that it does during the recess. He knows—I am grateful for his kind words—that I am aware of the extent of dissatisfaction felt by hon. Members on both sides about facilities here, despite the best efforts of officers and staff, who deserve our thanks. It is for that reason that the Commission hopes that the work by Sir Robin Ibbs and his team will help clarify and improve decision-making processes here. I look forward to bringing the results to the House before Christmas.

Hon. Members will have noticed motions on the Order Paper today to implement changes recommended by the Procedure Committee about the tabling of oral questions. That will be a small but significant streamlining of procedures which should lead to considerable savings in costs. I expect that the House will have no difficulty in accepting them so that I may have an early opportunity of putting them to the House.

The hon. Member for Vale of Glamorgan (Mr. Smith) knows my response to his question, which he put to me some time ago. I have an emotional attachment to the banana boats from Barry, as they were features of my childhood. As he described, they have a greater relevance to the Windward Islands, which are no longer colonies. They are self-governing states within the Commonwealth but are none the less important for that. I have another concern because Geest has a depot in Lingfield in my constituency. Therefore, we join together in this respect.

The points that the hon. Gentleman raised about the status of those countries under the ACP-Lomé agreement are still under active consideration in Brussels. No decisions have yet been reached. The Community is fully aware of its commitments to the traditional suppliers under the Lomé convention. We strongly consider that these should be taken fully into account, together with other factors, in drawing up future arrangements for banana imports after 1992. I am sure that he appreciates the importance we attach to that.

My right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) raised the question of the proportion of expenditure being devoted to educational facilities under the local management of schools proposals in his county. It is right to say that one feature of the LMS changes has been to focus much more attention on the distribution of resources between education and administration. The suggested formula enables resources to be allocated more openly to bring those matters into public debate.

My right hon. Friend the Secretary of State for Education and Science has made it clear that he is concerned about the amount of money that local education authorities are retaining for central management. He spoke to the Council of Local Education Authorities on 18 July and announced that he was considering reviewing the percentage limit on items exempted from delegation and on the categories of expenditure that are subject to those limits. In our different ways we are all paying attention to that important matter and I hope that the county council will respond to the observations made by hon. Members on both sides of the House.

The hon. Member for Birmingham, Perry Barr (Mr. Rooker) focused particularly on the plans for hospitals being put forward by the Birmingham regional health authority. I cannot comment in detail on those structures. However, I will ensure that the hon. Gentleman's observations are drawn to the attention of my right hon. and learned Friend the Secretary of State for Health and to the attention of the health authority.

I was not altogether impressed by the immoderation of the language with which the hon. Member for Perry Barr presented his case. He assumed certain things and then proceeded to condemn them as a disgrace. He was also less than generous about the extent to which resources for the national health service have been massively increased under this Government.

Mr. Rooker: That is not the issue.

Sir Geoffrey Howe: No, but it is a point worth making and one which should be made.

For every £1 spent on the national health service in 1979, £3 is being spent today. There has been a real increase of 40 per cent. in the total resources. That relates to the point made by the hon. Member for Walsall, North (Mr. Winnick). I am glad that the hon. Members for Walsall, North and for Copeland now use the correct nomenclature and do not any longer talk about hospitals opting out of the health service. They recognise that they are achieving self-governing status. Those hospital trusts will remain firmly within the health service. Regional health authorities will be required to consult locally on trust applications. They will seek the views of community health councils and others with interests, including health authorities, the staff concerned and GPs in the local community. The pattern of services in national health service trusts will broadly reflect the current service pattern. There will be no sudden changes.

The hon. Member for Walsall, North also referred to Iraq. No one is under any illusions about the quality of the Government in that country. We should express our thanks to President Kaunda for his part in securing the release of Mrs. Parish, although we reject his accusation that Britain is responsible for Mr. Bazoft's death and the imprisonment of Mrs. Parish.

I hope that Iraq's new attitude will also pave the way for the early release of the imprisoned British businesss man Mr. Ian Richter. I am sure that that hope is shared by all hon. Members.

My hon. Friend the Member for Poole (Mr. Ward) raised a point about the lifting bridge in his constituency. I cannot comment on that in detail. He also endorsed what I said about the importance of the Community membership being open to east European countries in the years ahead. I agree with him about that.

The hon. Member for Bristol, South (Mr. Cryer) raised questions about the non-proliferation treaty. For the foreseeable future, as he knows, United Kingdom and NATO defence will depend in part on nuclear deterrence. There will, therefore, remain a need to conduct underground nuclear tests to ensure that our weapons remain up to date. However, a comprehensive test ban remains our long-term goal. Our commitment to the nuclear disarmament process has been reflected in our support for the INF treaty and START. As a depository power of the NPT, we fully support its aims. I think that——

It being three hours after the commencement of proceedings on the motion, MR. SPEAKER *put the Question, pursuant to Standing Order No. 22 (Periodic Adjournments).*

Question agreed to.

Resolved,

That this House, at its rising on Thursday 26th July, do adjourn until Monday 15th October.

Mr. Cryer: On a brief point of order, Mr. Speaker. I made a brief contribution to the previous debate, so I emphasise that I am not grumbling on my own behalf, but several hon. Members were not able to speak. As you know, Mr. Speaker, it used to be an open-ended debate. I hope that you could perhaps use your good offices—I know that it is up to all of us, but you have more power and influence than most in this place—and bring your

[Mr. Cryer]

influence to bear on the Procedure Committee to look at this matter. The debate is important for Back-Bench Members. For many years it has been much inferior to what it was when it was an open-ended debate. More hon. Members could speak and the debate was not rapidly curtailed.

Mr. Speaker: That matter has been sent to the Procedure Committee; that is why the procedure was changed. The hon. Gentleman might again bring it to the Committee's attention. I understand that several hon. Members were not able to be called today. That is partly due to the length of some of the speeches, which meant that not all hon. Members could speak.

Orders of the Day

Consolidated Fund (Appropriation) Bill

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith pursuant to Standing Order No. 54(1) (Consolidated Fund Bills), and agreed to.*

Bill accordingly read a Second time.

Question, That the Bill be now read the Third time, *put and agreed to.*

Bill accordingly read the Third time, and passed.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

Runway Capacity (South-East England)

9.30 pm

Mr. David Wilshire (Spelthorne): I am grateful for this opportunity to raise a matter about which I feel strongly. I applied for this debate for the simple purpose of enabling the House to discuss the Civil Aviation Authority report CAP 570, which was published last Tuesday. In essence, that report says that a new runway will be needed in the south-east of England by the year 2000. It then lists eight options for such a runway, including one at London Heathrow, which is partly in my constituency. I raise this issue and discuss that report for two reasons. First, it raises important national issues, and I believe that they will benefit from an airing before the summer recess. Secondly, some local issues greatly affect my constituents, who need to know as soon as possible that their economic future is secure and their communities will not be destroyed.

Other hon. Members will want to raise many other issues, but my hon. Friend the Member for Crawley (Mr. Soames), who cannot be here tonight, sought me out to ask that I put on record that he, too, is deeply concerned by the report especially as it relates to Gatwick.

I start by explaining what I regard as the national issues involved in the report. Unless early and positive action is taken on the report, major harm will come to the United Kingdom economy. A failure to act represents a serious threat to the United Kingdom aviation industry. There is a real prospect that, after the year 2000, some United Kingdom residents will find it impossible to get flights when they want them. Those threats, which are national, extend also to London Heathrow. I make it clear that, if action is not taken at a national level, London Heathrow could find itself losing major routes and losing much of its role as a hub in the European network of routes. Large reductions of that sort are not in the interests of my constituents. I fully accept that London Heathrow must prosper, and that means that London Heathrow cannot stand still. Therefore, action simply must be taken to implement the report.

There is some urgency in addressing those national issues. Any solution has a very long lead time and the CAA requires a great deal of time to do its planning and make its preparation to bring a new runway into use.

Sir Alan Glyn (Windsor and Maidenhead): Does my hon. Friend agree that it would be almost impossible to increase runway capacity at Heathrow, simply because of

the bottlenecks on the roads, particularly Cromwell road? Even with a rail link, that additional route cannot cope with more traffic.

Mr. Wilshire: I agree with my hon. Friend that it is worth considering whether existing runways can cope with any extra capacity and, in due course, I shall argue why an additional runway would be unacceptable at Heathrow.

An urgent decision is needed on the CAA report because, once that decision is taken, five years will be needed in which to design and build the runway, wherever it is to be situated. The year 2000 is not far away. In reply to the national issues that I have raised, I hope that the Minister will say that a runway must be built somewhere and that the working group must be given a deadline to work towards to ensure that we meet the deadline of 2000.

It is also important to spell out the local issues that concern me and my constituents. Those who live near Heathrow are threatened, as a result of the report, by about 500 extra flights a day, 36 million extra passengers a year and at least two extra terminals, over and above the possibility of terminal 5. That all adds up to a great deal of demolition, acres of concrete and tarmac, many additional large buildings in various communities, a vast amount of disruption to millions of people and huge increases in noise, pollution and the traffic to which my hon. Friend the Member for Windsor and Maidenhead (Sir A. Glyn) has already referred. I believe that that is totally unacceptable in the Heathrow area.

There are always those who will say that here is yet another hon. Member standing up, advancing yet another NIMBY, "not in my back yard", argument. This is not another example of NIMBY, but a case of "not everything in my back yard". Heathrow already deals with 1,000 flights a day, 40 million passengers a year and has four terminals and every service associated with them. I am not pleading that nothing should happen at Heathrow, but we already have the lion's share.

As with the national issues, there is some urgency that a decision is arrived at on the local issues. People whose homes are threatened and who are trying to plan their future must be put out of the misery created by the report as quickly as possible. I hope that the Minister will say that his Department, in answer to the local issues that I have raised, will withdraw the Heathrow option from the list of the working group.

Mr. Bowen Wells (Hertford and Stortford): Hear, hear.

Mr. Alan Haselhurst (Saffron Walden): Certainly not.

Mr. Wilshire: It is vital to consider this issue in the context of the CAA report. That report makes it clear that we can cope with projected air traffic movements until 2000, but after that it says that demand will exceed capacity. We need to be clear about how great that extra demand will be. The report suggests that by 2005 there will be a 100 per cent. increase in passengers from 100 million today to about 200 million and the number of flights will increase by between 30 and 50 per cent. That percentage variation is based on the assumption that aircraft will get bigger.

When confronted with such statistics, the obvious first step is to try to make better use of existing facilities. Clearly there is some scope for making better use of regional airports. I know that some of my hon. Friends might mutter that Heathrow should take more passengers, and even I accept that it might be possible to make better use of existing facilities at Heathrow. The report suggests that there is scope for an extra 30,000 air traffic movements a year.

My hon. Friend the Member for Hertford and Stortford (Mr. Wells) has been saying, "Hear, hear." He might not say, "Hear, hear" to the third possibility. I believe that we should make full use of the existing potential at Stansted. I am prepared to accept that we should make some improvements at Heathrow, so I am prepared to accept that we should also make some improvements elsewhere.

We must do what we can with the existing infrastructure to try to meet some of the extra demand. But the report makes it clear that making better use of existing capacity will not be enough and that further action will have to be taken. There are only two possible practical responses to that extra demand. The first is demand management—in a word, rationing. The second is to provide extra capacity—in other words, a runway.

I am absolutely against demand management, whether it involves banning small aircraft from London, Stansted and Gatwick or pricing for the use of the London traffic management area. Either method of trying to manage demand will produce the same result. There will be less competition and that will favour the few big carriers, which will lead to higher, rather than lower fares and to less choice and less opportunity to travel. I do not believe that demand management would drive traffic to the regions. It would drive traffic abroad and that would hurt all the airports in the south-east. As I said, that would mean that people in Britain would be unable to get flights when they wanted them to destinations to which they wanted to travel.

I have said that I am against demand management, but I think that we must be clear that if there is no new runway, rationing will become inevitable, with all the harm that will flow from it. Because of that, I have to accept that a new runway in the south-east is essential—unpalatable but inevitable.

Mr. Peter Snape (West Bromwich, East): But not at Heathrow?

Mr. Wells: Would my hon. Friend the Member for Spelthorne (Mr. Wilshire) care to reflect on the fact that we are having this debate basically because of the failure to expand Heathrow in accordance with the original plan put forward way back in 1946, 1947 and 1948, when I lived under the approach to London airport's No. 1 runway. The failure to develop that airport has meant that we have had to develop Gatwick and Stansted. Of course, we cannot satisfy the interlining demands of a first-rate national airport at Stansted or Gatwick. That has to be done in one place—Heathrow.

Mr. Wilshire: That is an interesting train of thought, but what might have been and what is are two entirely separate issues.

Mr. Snape: Where would the hon. Gentleman put the runway?

Mr. Wilshire: I shall come to that and try to explain why it cannot be at Heathrow. I shall not join the argument whether we could have done but, as I shall now seek to show, the reality is that we now cannot. The hon.

[Mr. Wilshire]

Member for West Bromwich, East (Mr. Snape) is eagerly awaiting my answer to the question, "Where do we put the new runway?"

Mr. Snape: Exactly.

Mr. Wilshire: But before I answer it—I must keep the hon. Gentleman in suspense for a little longer—let me ensure that the House is clear about how the eight options emerged, because that tells us something about where we should look for the answer.

The Secretary of State started by asking the Civil Aviation Authority for a range of options—not for a preferred solution. At the moment, there is no preferred solution. The Secretary of State fixed precise terms of reference for the report—safety, airspace management and air traffic control should be considered, as should the economic interests of passengers. Then the Secretary of State gave the CAA specific guidance to the effect that no green-field sites should be involved and that the options must encourage competition.

It is important also to note what is missing from the terms of reference and the guidance. There is not a word about environmental or employment issues and not a word about local infrastructure, which was referred to by my hon. Friend the Member for Windsor and Maidenhead. It is clear that those are issues that the working group must address because they have not been addressed so far.

Where should we put the new runway? The hon. Member for West Bromwich, East anticipated me by saying, "Not at Heathrow." Of course it must not go to Heathrow, although I accept that that is the first choice of the passengers and the airlines. Using Heathrow for a third runway is no longer a realistic or acceptable option for those of us who represent the area and live in it. It is not realistic because of the construction work that would be involved.

The scenario runs as follows: the first step would be to demolish Harlington. The second would be to demolish Harmondsworth. Step three would be to put a pair of traffic lights on the M25 so that jumbos can trundle across it. Step four would be to organise a taxiway across the A4. The fifth step would be to organise a taxiway across two live runways so that the aircraft can get to terminal 4—all this using the most expensive land of the eight options.

The engineering problems and the difficulties that I have just listed make the whole idea of the third runway at Heathrow utterly unrealistic. It would also result in enormous environmental damage affecting more people than any of the other seven options. The employment problems that it would cause would be insurmountable, and it would spectacularly damage the local infrastructure and its ability to cope. On top of all that there are the security and safety aspects.

The environmental impact on Heathrow would be unacceptable. There would be the noise and fumes of about 185,000 additional flights. There would be the traffic and parking problems generated by 36 million more people. That sheer number of people would also have an adverse impact on the area, to judge from the 40 million people who swill round at the moment—and I have not even mentioned new terminals and car parks.

The Secretary of State has said that the working group must also consider the employment situation which at Heathrow is already almost impossible. Fifty thousand people work at the airport and, as the need to improve security and employ more staff has shown, it is becoming ever more difficult to find additional employees. It is proving equally impossible to import them because the housing needs of people brought into the community are insoluble.

The infrastructure problems at Heathrow are grim. The M4 and the M25 are already overloaded, despite the money being spent on them. I fail to see where there is scope for additional railway lines. There are already not enough hotels and we are fast running out of space in which to build more. There is virtually no space for more housing, which would be necessary if more people worked at the airport. The local infrastructure is already overstretched and there is no scope for upgrading it.

Then there are safety and security issues, both of which underline Heathrow's unacceptability as an option. Security at Heathrow has hit the headlines more often than I care to recall. Already, 50,000 people work at the airport and 100,000 people pass through it every day. There are nine and a half miles of fencing. So the security problem is already almost unmanageable, and further upgrading it will result in massive delays. I fear that if more and more people work at and use the airport the risk of more mishaps in security will become ever greater.

The same applies to safety. More people live close to Heathrow airport than to any of the other options, so it follows that the risk of the unthinkable happening—a plane crashing on my constituents or on people living in neighbouring constituencies—will become ever greater if the airport is expanded.

Such an argument from a local Member of Parliament might sound like special pleading. In case some hon. Members are tempted to dismiss it as such I shall advance one more argument to take us back to national issues. Anyone who reads the report in detail will see that it says that a further runway at Heathrow would not solve the problems that the authors of the report were asked to address. It would be anti-competitive in the short term—and the report spells out why—and in the medium term it would fill up so quickly that we would all be back where we started. One of the key requirements set down by the Secretary of State was that the solution should boost competition, and on that ground alone the Heathrow option fails and should be removed from the list.

Where do we go from here? I should like the Minister to do two things. I hope that he will manage to accommodate my requests and those of my hon. Friends which, I suspect, are mutually exclusive. I would like him to confirm that there is a need for a new runway and that it must be met. He should remove Heathrow from the list of options. If he says that there must be and will be another runway, the working group will know exactly where it stands. It will be asked to say where the runway should go and not whether we should have one.

If the Minister spells out that there will be a new runway, that will remove the threat to the national economy, to our aviation industry and to the secure economic future of my constituents. If he deletes Heathrow from the list of options, my constituents, despite the noise of some of the night flights, will be able to sleep better because they will know that they can sell their houses and will be able to plan for a better rather than a worse future.

Any debate on where to put a new airport or which airport to expand is inevitably emotive. However much we might take a light-hearted view of the difficulties of colleagues in such debates, it presents all of us with a difficult task. That is how we balance the national and the local interests that we are here to serve. That is why I have mentioned both national and local issues and have sought to explain why both national and local interests are at stake.

In launching the debate I hope that I have demonstrated that national and local considerations point towards the creation of a new runway. I hope that I have also demonstrated that local considerations, which are obvious, and national considerations, point towards deleting Heathrow from the list of options. I urge the Minister to put it on record that he agrees with those arguments. I hope that before the end of the debate he will say that there must be a new runway and will put it on record for the sake of my constituents and many other people who live near Heathrow that a new runway at that airport is a non-starter and will be deleted from the list of options.

9.53 pm

Mr. Bowen Wells (Hertford and Stortford): I fully understand the excellent advocacy of my hon. Friend the Member for Spelthorne (Mr. Wilshire) of a solution that suits his constituents and will solve the air traffic control problems at Heathrow. What he has said does not add up to a national policy that can properly be advanced by the Minister for Aviation and Shipping.

Britain needs an interlining airport of national and international standards, and such an airport cannot be in two places. Gatwick was a mistake and for commercial reasons the third option, Stansted, was an even greater mistake. For people who wish to change from an incoming flight to a flight to another part of the world, Europe, and in particular Britain, is well placed to provide that interlining headquarters. It will not be such a headquarters, because there are competitors on the continent, if the interlining capacity for both cargo and passengers is spread among three airports instead of one. Therefore, Heathrow must be the national flagship for interlining.

If Heathrow is to be that flagship, it must provide the facilities necessary for access by smaller airlines and feeder airlines. They must be able to come into Heathrow, interline and go out with both cargo and passengers. In that way, Heathrow would fulfil its function as an international airport.

Mr. Toby Jessel (Twickenham): Would my hon. Friend then close Gatwick?

Mr. Wells: Indeed, ideally Gatwick would be closed. It should never have been built.

The other unthinkable alternative is to close Heathrow. If Heathrow has the difficulty that my hon. Friend the Member for Spelthorne described, and if his constituents are suffering so badly, the real answer to the problems of both Gatwick and Heathrow is to close both and build an airport that can serve the country properly.

Mr. Wilshire: Exactly.

Mr. Wells: That is a possibility and it is one which, of course, I shall oppose.

Mr. Wilshire: Surprise, surprise.

Mr. Wells: I understand why my hon. Friend is not surprised at that. We might consider the type of solution that was advocated in *The Sunday Times* last weekend. We should then throw away the major investment that has been put into Heathrow and Gatwick, but particularly Heathrow.

The terminals at Heathrow have aging plant. Terminal 4 is pretty near a disaster in modern terminal design. Terminals 1, 2 and 3, even in their refurbished form, need replacement. They are a disgrace to our nation. Passengers are not treated to the proper standard to which international passengers are accustomed. Terminals 1, 2 and 3 need to be replaced and rebuilt. From that argument, it follows that we should have a minimum terminal capacity of five terminals, so that we can relieve terminals 1, 2 and 3 while in turn they are rebuilt.

Feeder airlines will also need to come into Heathrow to feed the hub of Heathrow into Europe. That is the commercial and sensible way to proceed. There is no need to do the dramatic things that my hon. Friend the Member for Spelthorne suggested. He suggested that we would need traffic lights on the M25 and that jumbos would have to be trundled over the M25.

There is an alternative solution. A shorter runway could be built to provide for smaller aircraft coming in from the provincial airports. In order to expand, the provincial airports require access to Heathrow. Indeed, Stansted requires access to Heathrow. The provision of a shorter runway would allow the major runways at Heathrow to be utilised more efficiently.

Mr. Wilshire: I am aware that the report suggested the alternative of a shorter runway. To set the record straight, although that would not involve the demolition of Harmondsworth and Harlington, it would involve the demolition of Sipson. Aircraft would have to take off and land through the arches of the M4-M25 junction, which would be an entertaining activity.

Mr. Wells: There is no need for such amusing and entertaining solutions to the problem. They are irrelevant, because a shorter runway could be located at Heathrow. It would involve some demolition. It would require returning to the original plan for Heathrow, to which I referred in an intervention. My hon. Friend's predecessor argued against it—hence the problems that we are in.

The plan would involve the closure of the A4 and the development of the land between the old Heston airport and across the northern area which flows from west to east across the north of Heathrow. That was the original suggestion. That would mean pulling down the Post House to provide hard core for the runway, but that would avoid having to extract gravel from my constituency. That would seem to be a practical and sensible solution in developing Heathrow.

Another problem affecting the development of the south-east's airport strategy is air traffic control. We are advised that, in respect of the 8 million passengers already authorised, Stansted airport will have difficulty in operating efficiently because of the necessary restrictions imposed on it by current air traffic control movements. The Civil Aviation Authority suggests that the real problem in the peak periods is providing sufficient capacity

[Mr. Wells]

in the air to allow traffic to fly south to the Mediterranean countries. That is particularly so in July and August, at the height of the holiday season.

That is not the interlining capacity that Heathrow usually provides but the kind of activity that will be seen at Stansted, and at which Gatwick is pre-eminent. It should also be taking place—and is beginning to expand there—at the northern regional airports, but at greater expense at present to the passenger.

An amazing feature of the present circumstances is that it is still cheaper for a passenger to travel down the motorway to Stansted and fly out to France or the southern coast of Spain from there, rather than take a flight from Hull, Manchester, Leeds, Bradford or Edinburgh. That must be put right, and I hope that my hon. Friend the Minister will give thought to ways of encouraging the expansion of the northern regional airports.

The real problem is of providing an additional runway for peak periods south of the London terminal area. Gatwick is one possibility, but if one turns off that option, as has been done, one must look instead to Manston, Bournemouth, Eastleigh and Bristol. In my view, that is the direction in which my hon. Friend the Minister should be moving, to avoid the current and future difficulties that confront the south-east's airport strategy.

I commend consideration of the option of expanding Heathrow to provide a proper national and international interlining airport for passengers and cargo, redeveloping its terminals, and providing a shorter runway. We shall then have a national airport of which we can be proud, for which the surrounding area of west London in which I was brought up will be proud to provide services and which is already an important source of employment. Gatwick and Stansted could then provide back-up services in peak periods and for charter traffic, while putting a new runway into operation for southern-bound aircraft to take them out of the air control area around London. Heathrow should continue to develop, to provide cheaper access for people in the north to start their flights from airports nearer their homes.

10.3 pm

Mr. Patrick Ground (Feltham and Heston): I agree with my hon. Friend the Member for Spelthorne (Mr. Wilshire) that we should tackle the question of providing further runway capacity. I also agree with the conclusion drawn in the CAA's report, that a new runway is required within the next 10 to 15 years. The report contains the significant warning that we should acknowledge that the need for a new runway is not likely to be diminished by packing more and more people into bigger planes. That has sometimes seemed the easiest solution for the airline industry, and that has been rejected by people as passengers, who plainly preferred different solutions: flying in smaller planes at times which are more convenient to them. The CAA report recognises that that solution is not available, which is important.

The limitations of the CAA report must be recognised in this debate. It represents two years' work. That is a somewhat sobering thought as, on its own admission, so far the authors have only considered questions of safety, airspace management and the economic interests of passengers. The report makes it quite clear that deliberately—according to its understanding of its functions—the author did not take into account political, environmental, social or other considerations.

I welcome the comments by my right hon. Friend the Secretary of State when the report came out, pointing to those limitations, and emphasising the importance of environmental and other considerations, which are now to be tackled. I am grateful to my hon. Friend the Minister for Aviation and Shipping for sending a letter to hon. Members who are interested in such matters emphasising that point, because it is of considerable interest and significance to those likely to be affected by the proposals.

It is difficult to know where a study on further runway capacity should start. In humility, one must recognise that it has to start somewhere. I would have wished the report to start with a broader base, and for early recognition that airports, like many other buildings and developments, have a human capacity, as well as runway and technical capacities. All over the world it is a recognised fact that airports reach an environmental capacity at which operations are simply no longer acceptable—or the extension of the airport's activities is no longer acceptable—on human grounds.

I admire the logic of my hon. Friend the Member for Hertford and Stortford (Mr. Wells). The design approach to airports that he mentioned has great logic, but he does not recognise the clear limitations on Heathrow which have been identified through experience.

When planning permission was granted for terminal 4 the Government made a clear promise that there would be no more terminals at Heathrow, recognising that in human terms expansion of Heathrow had reached its limit, and should not go any further. That was reinforced by the decision that, when terminal 4 opened, the number of air traffic movements at Heathrow should be limited to 275,000 a year. That number has been substantially exceeded. The runway proposals would increase movements substantially, far beyond what was recognised in the terminal 4 decision as the practical human limit for expansion at Heathrow.

It is not just a few people who are affected; hundreds of thousands of people in west London are affected by the operations at Heathrow. I therefore hope that there will be early consideration of the environmental considerations that are so important when an extension of runway capacity is considered.

I hope that the group that is considering the matter will bear in mind the fact that it is not just a question of providing runway capacity up to the year 2005 but that there will be a need for additional capacity after that. It is a somewhat sobering thought that the decision on the Stansted expansion—virtually a virgin airport—was made as recently as 1985 and that we are already talking about another runway for the south-east by 2000 or 2005.

When additional runways are needed, the studies should address environmental considerations. Those airports that ought not to be expanded for environmental reasons should be identified and withdrawn from consideration. Additional sites might then have to be looked at. The previous studies rejected green field solutions. If it is found that existing airports cannot be expanded without causing environmental problems, green field or other sites where the expansion of runway capacity might be possible ought to be considered.

I urge Ministers to take further urgent action along these lines, so that those who are affected by theoretical studies will not be frightened by them.

10.13 pm

Mr. Alan Haselhurst (Saffron Walden): It is a mistake to make light-hearted remarks in the House, because they come back to haunt one. In 1986, I assured the House that hon. Members had heard from me positively for the last time about Stansted airport, but here we go again. I suspect that this will be only the first of a series of debates on airports policy. In a sense, they are forced upon us. The Government of the day find it extremely difficult to draw back the curtain and reveal how they expect to cope with a clearly forecast demand in 10, 20 or 30 years time.

Governments prefer to say that that is looking too far ahead and they do not want to get involved in it. Using such a device, they confine the debate so that the spotlight turns on one point at a time, which is brought to the fore and decided, a further degree of expansion—be it terminal capacity or runway capacity—is brought about, and so we continue. That higgledy-piggledy way of progressing has brought us to our current state.

As my hon. Friend the Member for Hertford and Stortford (Mr. Wells) said, we have a three-airport solution, at least, to London's problems, which cannot be sensible, however much feeling one has for the people in the immediate vicinity of an airport.

Let us address the main question of the debate—is there a need for another runway? It is difficult to disagree with what the Civil Aviation Authority says in its report, CAP 570, and has been saying for a number of years—as would any reasonable observer of the scene—that there will be a continuing demand for air travel. No one can predict that there will be some other form of propulsion that will make airports as we know them, redundant, so we must plan for more airports to satisfy the reasonable demand of our people to travel the world. That is being brought more readily within their compass as the real cost of travel comes down and the standard of living rises. That is the problem. The Government would do a great service if they could take decisions planning for at least the middle distance, not just the near future.

It is important to analyse the need and examine what exactly it is composed of—it is not simply a question of volume. The problem is that, having made the decision to site the premier airport at Heathrow, which may not have been technically the right decision to take in the 1940s, it is that airport that competes with most of the continental interlining airports. When we speak of the competitive position of London, we do not mean the system, but principally Heathrow.

We are selling to foreign passengers the possibility of changing aeroplanes at London, Heathrow, as against Frankfurt, Schiphol or Charles de Gaulle. They will not be bussed from Gatwick to Heathrow or Stansted to Heathrow. The helicopter link between Gatwick and Heathrow, which was an attempt to marry the two airports, has been taken away, so the competitive system is at Heathrow.

If I have a criticism of the Government's position at present, it is that they pursue many reasonable civil aviation policies that simply do not fit together. I am all for competition, which is absolutely right, but it is ludicrous, in terms of scarce airport capacity, to see 10 or a dozen times a day two small to medium-sized aircraft pursuing each other from Glasgow to London, when one aircraft could provide that service with much less demand on the scarce capacity at Heathrow.

I believe in competition, which has been a great benefit to the consumer, but it adds to the problem of scarce capacity, as does our wholly admirable policy of liberalisation. If we want to encourage more airlines into the business on more routes, a proportion of those routes will be into London, and the preference of many of the airlines will be to come into Heathrow. That is the inescapable fact with which we must deal.

If British Midland or any other airline wishes to compete with British Airways, it does not want to compete with British Airways flights from London to Brussels if its flights do not go from Heathrow. The airline will say that it is not true competition when it flies from Stansted or Gatwick to a foreign destination if the airline with which it is competing is flying from Heathrow. That is the difficulty.

If that makes us think that there is an argument for further capacity at Heathrow, we cannot wipe it away and say that it is tough luck because the people around Heathrow have had a bad time and so we shall close our mind to that argument. We must find out whether there are any ways in which Heathrow's capacity can be increased or better utilised, consistent with the policies of competition and liberalisation.

If we say that there is an absolute limit on those policies and that we are bound by promises given on Gatwick and Stansted, the only credible expansion in the south-east is Luton. I am surprised that, in its report, the CAA places such emphasis on possible restrictions of military flying from Upper Heyford, if Luton airport is increased to 40 movements per hour. We are moving into a new era in the defence needs of western Europe. I should not have thought that the American need to fly out of Upper Heyford will be of the highest importance, and we could then bring into play capacity at Luton.

We must face up to the challenge of utilising the regions better. There is a bias towards the south-east, and if the Government were to make a determined effort to say that Birmingham will play a major role in its civil aviation policy, many people could turn their cars in the direction of Birmingham and have just as short a journey as they would to one of the three London airports. I hope that the Government will consider that.

I hope that the Government will also consider whether the hub and spoke system should survive for all time. We are moving into an era when smaller aircraft than jumbos can travel long distances on so-called thin routes. If the demand for civil aviation is to increase, we should think how to exploit it by having more flights from Glasgow, Birmingham, Manchester, Teesside and other airports point to point without them having to fly through London, thereby increasing the pressure on the capital's scarce airport capacity.

In that context, we should spare a thought for British Airways and its deal with Sabena and KIM. Whatever its anti-competitive aspects, it at least relieves pressure on the scarce capacity at Heathrow, and British passengers would use a partly owned British airline from Brussels instead. The Government must bear that in mind.

I cannot agree with my hon. Friend the Member for Spelthorne (Mr. Wilshire) that one of the options given by the CAA should be automatically deleted from the list at

[Mr. Alan Haselhurst]

this stage. I should be appalled if my hon. Friend the Minister were prepared to concede that. All the options must remain on the table, but I agree with my hon. and learned Friend the Member for Feltham (Mr. Ground) that the wider considerations must be brought into play, such as environmental factors. Whether someone is living in packed rows of houses in an urban environment around Heathrow or delightful villages around Stansted, the environment must be taken into account.

Mr. Jessel: Or the leafy suburbs.

Mr. Haselhurst: Or the leafy suburbs.

The employment factor must be taken into account. There is full employment around each of the three principal airports. In addition, the infrastructure must be tolerable for people who live in those areas. Those are the wider issues that must be considered, and no premature decision must be taken tonight on the future options.

10.22 pm

Mr. Toby Jessel (Twickenham): On one point I can concur with my hon. Friend the Member for Saffron Walden (Mr. Haselhurst)—that we must do more to utilise the regions in terms of airport capacity.

My hon. Friend mentioned Birmingham, but more often even than Birmingham is mentioned Manchester, and the performance of Manchester airport in recent years has been most impressive. Its traffic and number of flights have doubled in the past six or seven years. It shows every sign of increasing. It has long-distance flights such as transatlantic ones and it has numerous European destinations. There is scope for interlining there, and there is scope for interlining in other places as well. It is not essential for all the interlining to take place through one airport, as was suggested earlier in the debate.

I congratulate my hon. Friend the Member for Spelthorne (Mr. Wilshire) on his success in winning the ballot for this first Consolidated Fund debate on runway capacity in the south-east. Someone has to stand up for people living under the flight paths, and my hon. Friend has done so. My hon. and learned Friend the Member for Feltham (Mr. Ground) has also done so, I am doing so, and I see my hon. Friend the Member for Windsor and Eton (Sir A. Glyn) in his place, but many other constituencies are affected, too, including Putney, Richmond and Barnes, Wandsworth, Brentford and Isleworth, Fulham, Beaconsfield, and Esher.

People living under the flight paths continue to find aircraft noise a major nuisance. It spoils the quiet enjoyment of their homes and gardens. It interrupts the work of offices, schools, hospitals and churches. As my hon. Friend the Member for Spelthorne said, a thousand aeroplanes a day pass through Heathrow. It must be wrong to try to cram more and more flights through that one airport, regardless of the comfort, convenience enjoyment, peace and quiet, and health of the people living underneath. It must be said that some people do not mind very much, but many mind desperately, and they can look only to Parliament and the Government for protection.

Of course, the airlines have every right to put their point of view. Aviation interests, airlines, the British Airports Authority, the Civil Aviation Authority, aircraft manufacturers, and aero-engine manufacturers have the right to put their points of view, but in so doing they are able to hire the services of very expensive accountants, lawyers, public relations men and high-powered executives to put their views to the media, Members of Parliament, civil servants and those responsible for taking decisions. The many people who live under the flight paths are scattered and live individually in their houses. They can form residents' associations, look to their local authorities and ask local newspapers such as the *Richmond and Twickenham Times* to publicise their views, but in the end it is for Parliament, and the Government, who answer to Parliament, to decide.

Only through Members of Parliament and the Government can those people be protected. In the Civil Aviation Act 1982, Parliament deliberately decided to remove the right of those people to sue aircraft owners for noise nuisance, so there is no protection other than the Government and Parliament. There is a great need for Ministers to bear that fact constantly in mind, and to be aware of it when they receive glossy literature from the aviation authority and face its blandishments. The authority has every right to put its point of view, but its view should not be expected to prevail. Parliament has an important role. My hon. Friend the Under-Secretary of State must answer to Parliament and I hope that his reply will reflect the fact that he has taken that emphasis on board.

The Government's record so far is rather good. No Minister has a better record in protecting the environment of my constituents than my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley) who, as Secretary of State for Transport, decided to refuse planning permission for the fifth terminal at Heathrow when a public inquiry inspector had recommended that it should go ahead. He also decided to impose strict restraints on the number of night flights, a decision subsequently enforced by my right hon. Friend the Member for Southend, West (Mr. Channon) when he was Secretary of State and last autumn by my right hon. Friend the Member for Hertsmere (Mr. Parkinson). Both were merely repeating the decision already taken by my right hon. Friend the Member for Cirencester and Tewkesbury, who also decided to stop the Heathrow to Gatwick helicopter link. That was when the M25 was completed, making the road journey between the two places 35 to 40 minutes on a good day.

I hope that my hon. Friend the Under-Secretary for State will make it clear that Ministers intend to be no less vigilant than my right hon. Friend the Member for Cirencester and Tewkesbury was in protecting the environmental interests of the people living near airports. I should be grateful if my hon. Friend would give an assurance to that effect.

If you will kindly allow me two more minutes, Mr. Speaker, I wish to make one more important point. It is that the time scale of 15 years in airport planning reflected in the current Civil Aviation Authority document and in the commercial policies of the British Airports Authority and the airlines ought not to be the only time scale under which the Government consider this matter. It is understandable that those aviation interests look at a time scale of 15 years for commercial reasons—accounting reasons, planning reasons, and so on—but the Government ought to look at a much longer time scale and to make it clear that they are prepared to do so.

My reason for saying that is obvious. If we go on cramming more and more aircraft through Heathrow, the time will come when it just cannot take any more, even if there is a third runway, or a sixth terminal as well as a fifth terminal. It cannot be enlarged indefinitely. The time will come when to anticipate a continuing growth in the demand for aviation must mean expansion of another major airport, so why not anticipate now? Why not plan now for that time, and look at a time scale of 20, 25, 30 or 40 years ahead rather than just the 15 years that suits the aviation industry from the commercial point of view? As there will eventually have to be expansion of other airports such as Stansted and Luton, it must make sense to anticipate that now, and not just apply a 15-year time scale which might lead one to cram more and more through Heathrow.

I should like my hon. Friend the Parliamentary Under-Secretary to confirm that he has taken note of that point, and to let me have a full and detailed written reply to it because it is a point that I wish to press and to continue pressing in the interests of my consituents and of everyone else who lives around Heathrow.

10.31 pm

Mr. Keith Mans (Wyre): I shall be brief. I hope that I can bring two qualifications to the debate. First, my interest in aviation goes back many years, if not decades; secondly, I have no personal constituency interest to declare, unlike many earlier speakers.

Reference has been made to regional airports. There is little doubt that in future such airports will play an increasing role, in this country and throughout Europe. The "spoke-to-spoke" operations mentioned by my hon. Friend the Member for Saffron Walden (Mr. Haselhurst) will probably form a much higher percentage of the total number of air movements as we proceed into the next century. I envisage a great role for Manchester, Birmingham and, increasingly, Liverpool, now that that airport is about to be privatised. North of the border, Glasgow too will have a role to play.

Let me make two points. First, I can at present see no likelihood of a regional airport policy—a policy of moving everything out to the regions—taking the place of the need for extra airport and runway capacity in the south-east. In the United States, the hubs are still there and are increasing in size, but the regional airports are growing, too. I do not envisage regional and hub airports as two separate operations; both will expand.

My second point should perhaps be directed at my hon. Friend the Member for Twickenham (Mr. Jessel). We talk blithely about moving more flights out to the regions—to Birmingham and Manchester—but I must tell my hon. Friend and everyone else that exactly the same environmental problems that now exist in the south-east will increasing affect those airports. Such problems will be encountered wherever a new runway is built or airport capacity increased. There is no panacea; we cannot simply say, "We will put the extra capacity at Manchester or Birmingham." We shall still run into those environmental problems.

The main question is: do we want the extra runway capacity in the south-east to be in this country or on the other side of the channel? London's fourth airport—its fifth runway—is not in Birmingham or Manchester; it is Schiphol in Holland, and in the next century it may be Charles de Gaulle. We can make a decision now and say that because of environmental considerations and because we cannot see a way of getting over the hostility of our constituents, we are prepared to see the next London airport developed on the other side of the Channel. That may well be the right solution. I am not denying that many people in the Chamber tonight would secretly like that to happen. I am not one of them. I believe that if we are to increase this country's opportunities in Europe and if we are to make certain that Heathrow remains the premier hub in Europe and remains the premier system in terms of air routes into Europe, we must look at the problem in this country. If we do not want to lose that ground to Charles de Gaulle in about 2003, by the latest calculations, we must build another runway in the south-east.

There is an interim solution and that is simply to develop Luton. I was surprised that the document we have been discussing did not give that enough attention. I shall not dwell on this point but I agree with the points made earlier. The arguments associated with TACAN holds and other technical matters associated with Upper Heyford do not hold much water. I believe that there is the possibility of developing Luton further.

Having said that we need a new runway, the big decision about where it should be has to be left to the users —the airlines and the passengers. Things may change in the next 10 or 15 years, but, at the moment, it is clear that the demand exists at Heathrow. It may be that in another five or 10 years there will be a shift towards one of the other airports in the London area, but that is not so now. Because in many ways the environmental arguments cancel each other out again and again, we have to look at what is most sensible for the users in terms of the infrastructure that already exists and the importance of making certain that the premier hub in Europe is in this country and not on the other side of the channel.

I believe in backing winners. In the air transport industry in this country we have a winner. We must not cut off its development by saying that the next decision is too difficult. We must take that decision soon.

10.37 pm

Mr. Peter Snape (West Bromwich, East): Airport capacity and the provision of new runways are contentious subject anywhere in the world. In Japan riots have taken place, in Australia at least one ministerial career has been ruined by the prospect of a new runway and, even in this normally placid Chamber, the odd eyebrow is raised from time to time at a colleague's speech. As the hon. Member for Wyre (Mr. Mans) said, these decisions, hard though they may be, have to be taken and it is better to take them sooner rather than later.

I can confidently prophesy that the one certain outcome of the debate is that the decision on extra capacity will not be taken this side of the next general election. I hope that I do not sound unduly cynical when I say that. The further delay in the decision has come at a convenient time for the Government. Having sent the CAA packing with a flea in its ear because, as has been correctly pointed out, it failed to discuss or look in detail at the environmental aspects of the decision—again being cynical, it no doubt deliberately overlooked the political aspects of the decision, too—the Secretary of State's only recourse is to set up another inquiry, which I estimate will not report for about two years.

The Government's dilemma is that the pressure for extra runway capacity in the south rises year by year and will continue to do so. Hon. Members who represent constituencies around existing airports will, for very good reasons, continue to oppose expansion in their areas. The other leg of the triangle that has not been mentioned tonight is the fact that in the south of England the principal airport operator is the BAA which, alongside the Department of Transport, will be most anxious not to take a short-term decision because it wants to maximise the use of its existing assets. We do not envy the Minister who is to reply to this debate, no doubt as adroitly as ever. Nor do we envy his boss, the Secretary of State for Transport, who at least will be held accountable for failing to take the decision this side of a general election.

Another aspect of aviation policy that has not been mentioned in the debate is the contribution that the Government and their policies have made to congestion in the south and the likely worsening of that congestion over the next decade. The Government have made great play about their policy of deregulation in connection with Europe. The present Secretary of State for Transport, like some of his predecessors, lectures the rest of Europe about the desirability of freedom in the air and how that freedom will lead to reduced costs for passengers and will also be enormously beneficial for the aviation industry. One of the obvious consequences of that freedom in the air is that there will be even more pressure on airports, particularly in the south of England. If we consider examples from elsewhere in the world, it is clear that there will be even more aeroplanes in the short term many of which will be smaller planes operating feeder routes, a point which was made by the hon. Member for Hertford and Stortford (Mr. Wells).

Many of the smaller planes will be anxious to connect with international flights from Heathrow. An inevitable consequence of a relaxation of aviation regulations, particularly in the short term if the American experience is anything to go by, is that there will be more pressure on airports, particularly in the south, and especially for those anxious to interline from Heathrow.

Other transport aspects of the decision have not been referred to and the Government should consider them. I raise those matters now to help the Government in their dilemma. The great problem in our aviation industry, as in others, is that we look at the industry in isolation. We do not look at the overall transport picture in this country. Reference has been made to Charles de Gaulle airport and its success in the 1990s and into the next century. No small part of that success stems from the fact that it will soon be part of the French railway network, the SNCF, and will soon have high-speed trains picking up and delivering passengers at the airport.

In the United Kingdom, particularly under this Government, we plan our transport systems in isolation. We are now belatedly proposing a rail link to Heathrow which will be built by the BAA and operated by British Rail. I believe that that is exactly the wrong way to do it. It will run only from Heathrow to Paddington and, to put it at its mildest, that is not likely to reduce congestion at Heathrow, by any stretch of the imagination. However, we appear to be some way off taking a decision to build cross-London rail links that would at least connect airports such as Heathrow with airports like Stansted.

We have belatedly given the go-ahead for a rail link to Manchester airport. That link will serve only the north of England. It will not connect Manchester airport with the InterCity rail network. The only major regional airport that is directly connected to Britain's already inadequate InterCity railway route is Birmingham international airport.

Unless we draw together all those various transport strands, pressure, in particular for flights within the United Kingdom and in the south of England, will grow enormously in the 1990s. Again, belatedly, the Government have recognised the problems that their gateway policy has caused over the years with flights from regional airports to the United States. They have lifted their requirement, and there will be flights from Birmingham and an increased number of flights from Manchester to the United States. That will do something, but only a small amount, to relieve congestion at Heathrow. It is too little and it is probably too late.

Even at this stage, bearing in mind that the Minister must satisfy his hon. Friends' conflicting views, I hope that he will take back the message that some concerted Government action is needed.

I hesitate to use the word "integration" because it has been done to death, especially by my own political party. There certainly must be some way of co-ordinating transport requirements in the United Kingdom if we are to get away from the nonsense of flying passengers from our regional airports into the busiest international airport in the world simply because, for understandable reasons, a combination of airlines and Governments are not prepared to sanction direct flights from our regional airports.

I do not share the gloomy view of the prospects of our regional airports that the hon. Member for Wyre (Mr. Mans) took. There must be greater involvement of other transport modes. Again, an example was set in West Germany, where Lufthansa operates high-speed trains between German airports because of the problems of interlining and congestion that have already been mentioned.

I do not envy the Minister. He would not expect me to proffer——

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): The hon. Gentleman does not have any answers.

Mr. Snape: The Minister says that I do not have any answer. Like the Irishman who was asked for directions, I would not have started from here. We have had 11 years of Conservative aviation policy. I remind Conservative Members that the fact that, after all those years, we are in this mess reflects directly on the policies that successive Conservative Secretaries of State have followed. You will have to forgive me, Mr. Speaker, for concluding my remarks by saying I told you so.

10.47 pm

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): I almost feel like starting by saying, "I surrender," having listened to my hon. Friends' comments. We have to try to strike a tricky balance. I was interested by the comment of the Opposition spokesman, the hon. Member for West Bromwich, East (Mr. Snape), who said that he would not start from here. In the unlikely event of his party forming a Government, he would have to start from somewhere. We heard nothing from the hon. Gentleman about what a Labour Government would propose or do, but we should not be surprised at his attitude.

I congratulate my hon. Friend the Member for Spelthorne (Mr. Wilshire) on his success in the ballot. I previously thought that he had secured a peak hour slot. I did not realise that we would have three statements, which meant that my hon. Friend did not get the peak hour slot. However, this is a difficult and sensitive topic and it is vital to all my hon. Friends who have spoken and many others.

I was struck by the words of my hon. Friend the Member for Wyre (Mr. Mans), who said, "I wholly agree with all those hon. Members who spoke about the great importance of our regional airports in providing capacity. I do not understand why people from the very north of the United Kingdom must come to London when such flights should be available from their own areas." I agree with my hon. Friend that, were we to suggest developing the strengths of the regional airports, we would hear similar arguments to those expressed by my hon. Friends for Spelthorne (Mr. Wilshire) and for Hertford and Stortford (Mr. Wells).

Hon. Members have focused their remarks on the Civil Aviation Authority's advice in its report on long-term airport needs—CAP 570—delivered to my right hon. Friend the Secretary of State last week, and on the statement that my right hon. Friend made on receipt of it. It is important to put that report in context.

The Government's airport policy was last set out in full in the 1985 White Paper of that name. It described how the developments then in hand or planned should provide sufficient capacity to meet demand in the south-east into the mid-1990s. In particular, the White Paper looked to Stansted to take its place as London's third main airport. Hon. Members who have visited Stansted will know that the new terminal now nearing completion is superb. When it opens next March it will certainly put Stansted firmly on the international airports map.

Forecasts of growth in air travel remain very buoyant, and the lead times for airport development are notoriously long—Stansted's new terminal will open its doors 10 years after the public inquiry got under way. It became clear that there was a need to roll forward the strategy outlined in the 1985 White Paper, in the light of developments in the industry—notably pressure on airspace, the approaching advent of the channel tunnel, the gathering pace of aviation liberalisation, and the privatisation of the former British Airports Authority as BAA plc. In July 1988, therefore, my right hon. Friend the Member for Southend, West (Mr. Channon), then Secretary of State for Transport, commissioned the CAA to advise on the adequacy of United Kingdom airport capacity in the longer term, through to 2005.

By 1988 it had already become clear that the immediate problem was pressure on air traffic control capacity. This is not something peculiar to the United Kingdom. In commissioning advice from the authority, the Government therefore asked it to take account of runway, terminal and airspace constraints, and at ways in which those could be tackled.

We also asked that the authority's advice should take the form of a report on possible responses to forecast demand, expressed as a range of options, so that we could then take account of the wider implications. I should perhaps stress that point, because some of the press reports have expressed surprise that the CAA has not come forward with a single option. I stress that that was never the intention, as was clear from the start and despite what the hon. Member for West Bromwich, East said.

The CAA's work has taken two years, during which time it has consulted widely. When the authority offered its advice last July on London traffic distribution, it also reported on larger airport capacity. In CAP 548 it identified the need for new runway capacity to serve the south-east, and it explained in its progress report that an important part of its continuing work was a complex analysis, with computers, of the airspace and air traffic control implications of possible locations for runway capacity. That was clearly sensible—if considerations of airspace management ruled out the provision of runway capacity in an area, there would clearly be no point in looking at that area any further.

Again, I should underline this aspect of the CAA's work because, despite what the CAA said last July, it seems not to have been appreciated in some quarters. The CAA was never intended to examine the wider implications of the different locations at which it was looking—it has focused on the critical air traffic control aspect.

The CAA advised last July that its own experience suggested that the development of a major airport on a completely new site in the south-east was unlikely to be either a realistic or an acceptable option. We agreed with that view, and so did not ask the authority to extend its airspace studies to cover this.

In CAP 570, delivered to my right hon. Friend the Secretary of State last week, the CAA has refined its estimates of when additional runway capacity to serve the south-east will be needed, and puts the date at about 2005. I hope that that answers the question posed by my hon. Friend the Member for Spelthorne—yes, the CAA has said that we shall need a new runway around 2005. It is notoriously difficult to forecast just how air traffic will grow and distribute itself, and so it became necessary to best estimate.

My hon. Friend may ask, "Why do we not plan that much further ahead?" It is very difficult to plan further

[Mr. Patrick McLoughlin]

than 15 years ahead for what might happen in air traffic movements and air traffic capacity. It would be difficult to try to give guesstimates for 25 years hence, for example.

The CAA has looked carefully at the contribution to be expected of regional airports. That is right——

Mr. Jessel: Will my hon. Friend give way?

Mr. McLoughlin: I would rather not because of the pressure of time.

That is an important aspect. All too often, the regional airports are dismissed as though they were a minor factor in the debate. That is quite wrong; on that, I agree with all those hon. Members who have spoken today. To take the most obvious example, Manchester airport is a major world airport by any standards. Birmingham and Glasgow are internationally significant airports. I entirely agree that Birmingham has tremendous infrastructure capabilities, and it has been developed using private capital, which I wholly welcome. I wish that Manchester would follow the same route.

We should not play down the importance of regional airports. The Government are keen to see them prosper, and they will prosper all the more when they try to attract private capital into the facilities that they offer the public. I am encouraged by the way in which they are responding to demand—which, it has to be said, is increasing partly as a result of the liberalisation that the Opposition so despise. Much development is in hand at Manchester and Birmingham and at Glasgow—an airport run by the British Airports Authority. My Department forecasts that the regional airports' share of all traffic will increase significantly in the coming years—faster than that of the London airports. I welcome that, because I welcome the opportunity to travel from my own regional airport to the destinations that I want to visit rather than having to come to London first. There is no difference between us on the importance of regional airports.

The CAA's traffic modelling shows that once the existing runway capacity of the south-east has been used up, the number of passengers lost—those who will not fly —will rise sharply, even if capacity is assumed to be available at regional airports. The CAA concludes that providing extra capacity at the regional airports would not, therefore, be an effective substitute for additional capacity in the south-east. That is an important judgment and it will be right to have it fully tested, as we certainly hope to do.

The CAA's examination of the air traffic control arrangements has led it to identify eight possible options for the provision of the runway capacity needed to meet our future needs. It has also given its advice on the options most likely to be attractive to passengers and in terms of airlines competition. But the air traffic control and aviation aspects are only part of the jigsaw, albeit an important part. The CAA chairman, Sir Christopher Tugendhat, recognised this in his covering letter to my right hon. Friend the Secretary of State, in which he observed that wider factors will now have to be considered. Hon. Members have highlighted the importance of those considerations—if, indeed, they needed highlighting.

I am afraid that I cannot say to my hon. Friend the Member for Spelthorne, who so ably introduced the debate, that I can wholly rule out Heathrow. If I did that, my hon. Friends who have spoken on behalf of other areas would ask me wholly to rule out their airports as well. That is not the way forward. The way forward is to do as the Government have done—to set up a working group. *[Laughter.]* It is easy for Opposition Members to mock —we are used to that, but they never come forward with any constructive suggestions.

I will now say something about United Kingdom airports in general. In recent months, there have been some comments about the dire consequences that would result if the United Kingdom lost its prominent position in European civil aviation through the inadequacy of the airports infrastructure. Such talk is unnecessarily gloomy. I have observed on several occasions that plans are fine —briefly—but that bricks and mortar are better.

It is not surprising that some of our European partners should be making efforts to catch up, but the United Kingdom can point to new developments now in place or soon to be made. A new terminal opened at Heathrow in 1986; London City airport opened 1987; a new terminal opened at Gatwick in 1988; a completely redeveloped Heathrow terminal 3 was opened by my right hon. Friend the Secretary of State two months ago. A fine new terminal will open at Stansted, in March; another is due to enter service at Birmingham in 1991; and another at Manchester in 1993. By any standards, that is an excellent record of achievement. While others talk, we get on with the job.

There is no question of any complacency in the Government, but rather every sign of rising to the challenge, and that challenge continues. It is evident that any responsible Government must address the issues that this brings, difficult though they certainly are. And that is what we are doing, first in commissioning advice from the CAA, now in making plans to take that advice forward.

I think that I have said everything about our approach to this important and difficult matter. It is important, clearly, because international aviation has come to play a central role in all countries' economic fortunes——

In accordance with MR. SPEAKER'S *ruling—[Official Report,* 31 January 1983; Vol. 36, c. 19]*—the debate was concluded.*

Crime Figures

11 pm

Mr. Peter Archer (Warley, West): I greatly regret that it has fallen to me to initiate this debate. You, Mr. Speaker, will recollect that the name that emerged from the original ballot was that of my former hon. Friend, the late Member for Bootle (Mr. Carr). We would have listened to him with the attention that we had all hoped his contributions to our debates would have commanded for many years to come. His tragic death has deprived us of that opportunity. As it happens, I had made an application for a debate on the same topic, and I am most grateful to you, Mr. Speaker, for permitting the ballot to be taken again.

I invite the House to consider the crime statistics published by the Home Office at the end of June. In the first quarter of this year, the number of crimes recorded by the police was 1,081,000—the highest quarterly figure ever recorded. Theft had increased since the previous quarter by 16 per cent., burglary by 18 per cent., violence against the person by 4 per cent., robbery by 2 per cent.

The Home Office statistical department made the point —not surprisingly—that quarterly figures are subject to wide variations. Better, it said, to look at the annual figures. Let us do so. In the 12 months to the end of March 1990, 4 million crimes were recorded—an increase of 9 per cent. on the previous 12 months. Burglaries were up by 8 per cent., criminal damage by 8 per cent., thefts of motor vehicles by 16 per cent., thefts from motor vehicles by 7 per cent., violence against the person by 10 per cent., sexual offences by 8 per cent., and robberies by 5 per cent. In the past 10 years, crime levels have risen by 50 per cent.

These are truly appalling figures in terms of the suffering, the inconvenience and sometimes the downright misery of human beings which they represent. They tell a tragic story. The increase in crime is a cause of fear and anxiety, even among people who have not yet been its victims. A recent poll in the *Observer* showed that the single most important issue which concerns the public is the breakdown of law and order.

In the area I represent, which will be known to you, Madam Deputy Speaker, women and elderly people are afraid to go out of doors at night. The Minister may explain to them that statistically they are less at risk than certain other groups. Elderly people, he may say, are not very likely to be attacked on the streets or to find their houses burgled when they return to them, but while violence and burglary are manifestly on the increase, statistical explanations are no substitute for a beat policeman. They expect the Government to do something about it.

In 1979, the Conservative party paraded itself as the party of law and order. When the Labour Government were in power, the Conservatives did not hesitate to lay at their door responsibility for crime. In practice, they have presided over a massive increase in criminal offences. I suspect that later this year the Conservative party conference will be told that the Government propose to deal with crime by introducing further deterrent sentences. As the Minister of State knows, I am always willing to discuss penal policy and wish that we had more opportunities to discuss it in the House. But that is not my purpose in this debate.

The British people are not concerned to see more criminals serving longer sentences: they want fewer crimes to be committed. There is ample scope for a debate on the increase in opportunities for fraud and other economic crimes, but in the limited time that is available, I shall suggest just two steps that would make our streets and homes safer. The first is to make more police available to combat crime. Year by year, we hear of police authorities requesting authorisation for increases in strength and consistently receiving it for fewer officers than they asked for. As you know, Madam Deputy Speaker, that pattern is constantly reiterated in the west midlands.

In 1988-89, the West Midlands police authority sought an increase of 350 officers; it was given 70. In 1989-90, it sought 350 and was given 62. In 1990-91, it again requested an increase of 350, and was given 63. Anyone looking at those figures might think that the police authorities were drawing up vacancies for officers who had no functions to perform and that the additional strength would sit about in police canteens. Those requests are made after careful calculation of the work to be done and the manning levels required to do it. Again and again, the Home Office ignore the police authorities and authorise additions substantially lower than the number requested.

When the Minister replies, he will no doubt be armed with a departmental brief on the numbers of police officers who have in fact been authorised. Those who are hungry for bread are grateful for a small proportion of a loaf, but I hope that the Minister, with his usual fairness, will set those instances against two other sets of figures.

Mr. Keith Vaz (Leicester, East): My right hon. and learned Friend is damning the Minister's career.

Mr. Archer: My hon. Friend questions the Minister's sense of fairness. I do not wish to quarrel with the Minister: I am trying to persuade him because, in the past, he has been open to persuasion.

I hope that the Minister will set against the increases two sets of figures. The first is the reduction that most authorities have had to impose on police overtime. Increases in staffing are of little value if they are paid for by reductions in overtime. Secondly, they need to be set against the increase in the number of jobs that the police are now required to carry out, some of which are welcome. The increased requirements in the Police and Criminal Evidence Act 1984 are very much in the interests of justice. However, they make additional demands on police time. The work carried out by the police in neighbourhood community relations, in visiting schools and attending liaison committees is an important step in improving relations with the public. But such work cannot be done on the cheap; it requires additional police manpower.

We all support schemes in which the police and the public work together to combat crime. Neighbourhood watch schemes have helped to prevent even higher crime figures, but we are told by Crime Concern that the limiting factor on the expansion of those schemes is resources.

New circumstances and new perceptions have evoked the need for additional duties. Special units are rightly being established to cope with child abuse. Police are becoming more involved in support work with victims. But all those new activities take up the time of police officers. Some jobs have been created unnecessarily by the Government. They provoked an ambulance strike, during which the police had to carry out duties that did not fall

[Mr. Archer]

within their normal work. *[Interruption.]* If my hon. Friend the Member for Huddersfield (Mr. Sheerman), had wished to intervene, I should have given way.

Many police were deflected from their normal duties by problems in the prison service. The public want to see an increase in the number of police officers on the beat, on the streets where they can keep an eye on potential crime before it is committed. The public instinct is right about that. That would probably be the most important single factor in reducing crime.

The other way in which the Government could make a real difference is by activating and co-ordinating programmes of crime prevention among local authorities. They might include a programme to improve street lighting, to improve the design and layout of local estates, to provide security watch on shopping precincts and public recreation areas. That would transform our towns. They would be and would be perceived to be places where people could go out, even at night, with confidence.

Such matters are surely best left to the elected representatives. They know the areas. They are familiar with what is happening there. They know what people have to say about those matters day in, day out. But the Government's contribution is progressively to deprive local authorities of a greater proportion of their resources. Local authorities have lost £20 billion as a result of changes in rate support grant. Even a proportion of that could have transformed law and order. The Prime Minister's obsessive feud with local authorities is more important to her than safety on the streets.

My party proposes to make it an obligation to include crime prevention in local authority development plans and the criteria for planning decisions. A partnership between local councils, community groups and the police could create a wholly different environment. In my constituency, many elderly people still live in blocks of flats which do not have security doors to prevent all and sundry from using the hallway as a short cut. Windows and doors are still without burglar-proof locks. A little expenditure on those items would prove an important investment in reducing crime.

If to all that, we could add a youth programme which would provide for many of our young people an alternative to wandering around the streets with virtually nothing to do, we could break through the circle in which crime is taken for granted by both those who see themselves as potential victims and those who see crime as the way of life of their peer group. If young people could be persuaded that there are better ways of spending their time, the crime figures would look very different.

I am not crying for the moon. I do not believe that we can abolish crime. There will remain a nucleus of hard professional criminals. There will always be family quarrels. There will be those who are mentally disturbed in ways that lead them to commit offences. There is no single reason why people commit crimes. There is no single way of deterring them or preventing them. But there are some sensible ways which would add up to a safer and happier life for thousands of people. I believe that they would be willing to pay for it.

11.13 pm

Mr. David Tredinnick (Bosworth): I welcome this opportunity to discuss crime figures, and as a Member representing a Leicestershire constituency, I intend to draw on some of that county's experiences. First, perhaps I may tell my right hon. Friend the Minister how welcome is the increased manpower of 53 police posts for Leicestershire announced late last year.

The Minister of State, Home Office (Mr. John Patten): I am much obliged.

Mr. Tredinnick: Ninety per cent. of all the posts approved across the country are for operational duties, and the same applies to Leicestershire. It is a great credit to the county's police that they have successfully undertaken the civilianisation programme, which enabled my right hon. and learned Friend the Home Secretary and my right hon. Friend the Minister to view favourably the county's application.

Leicestershire police have faced considerable problems over the past few months. They include three major murder inquiries and a terrorist bomb explosion in Leicester. They have diverted police manpower from ordinary crimes—if one can call them that—and made their task more difficult. Despite those increased commitments, the number of arrests increased during the first quarter of 1990 compared with the same period last year. That is reflected in the increase of 971 detected crimes—a 21·6 per cent. increase over the first quarter of 1989.

In addition, a further 1,338 offences were admitted, and that is reflected in the improvement in the number of detected crimes after the offenders were sentenced. They numbered 335—or 30 per cent. more than during the same period last year.

Although detection rates increased, so was there a general rise in crime, which is extremely worrying. By comparison with the same quarter last year, the crime rate has risen by 34 per cent. However, if one compares that with the previous quarter of October to December 1989, the increase is only 10·4 per cent.

Rural areas, such as large parts of my own constituency of Bosworth, which covers the rural hinterland to the north of Hinckley, around Coalville, and Melton and in Rutland generally there has been an increase in crime of under 20 per cent. over the past 12 months. However, of all the problems that confront the police, perhaps the most difficult for them, and among the most disturbing for the public, is the tremendous increase in auto crime. The explosion in that type of offence has, I believe, distorted to a large extent the increased crime that the general statistics show.

One of the reasons for that trend is that the county has no secure accommodation for juveniles. There are frequently instances of youths who have committed auto crimes being arrested but then released because they cannot be held. I refer to two accidents in particular in the county——

Mr. Barry Sheerman (Huddersfield): Will the hon. Gentleman develop that theme a little further? Can he tell the House not only about the absence in Leicestershire of secure accommodation but how many bail hostels and bail

schemes exist there? Is he telling the House that the answer to crime in his county is to lock up more children? Is that the hon. Gentleman's policy and that of his Government?

Mr. Tredinnick: The hon. Member for Huddersfield (Mr. Sheerman) will be able to make his own speech, but I am grateful to him for that intervention.

Mr. Sheerman: How many bail hostels are there in Leicestershire?

Mr. Tredinnick: What I am saying is what I am saying. The hon. Member will be able to make his own speech, but he has highlighted an important fact: why do we not have secure accommodation in Leicestershire? I assure him that I shall return to that point in a moment and I am most grateful to him for highlighting it.

Their have been two serious accidents in Leicestershire which resulted from joy-riding in cars. In April, near Melton, four people were killed in a terrible accident at Frisby—two youngsters in a hotted-up Ford and two adults in a Honda. One youth was due to appear in court but had been released. It is fair to say that very often youths who have committed 20 or 30 offences are still able to return home as they cannot be held in secure accommodation.

In the second accident at Charnwood, another youth was killed in what was obviously a serious accident. I draw those two examples to the attention of the House as an illustration of how serious accidents can occur involving youths who have committeed prior offences but are not secured.

In my constituency, we have a particular problem with joy riders who come out of the city of Leicester to villages such as Desford, Ratby, Groby and Anstey, take cars, drive them around, damage them and perhaps wreck them. It not surprisingly causes a tremendous amount of resentment in my constituency.

The hon. Member for Huddersfield referred to the reasons for the lack of secure accommodation. I am delighted to enlighten him. When the Conservatives held control of the county council, until 1981, there was an establishment called Polebrook house, at Botcheston, which had been specially fitted out as secure accommodation at considerable cost. When the Conservatives lost control of the county in 1981, the first act of the Labour and Liberal parties was to close that institution down, which not only deprived the county of Leicestershire of secure accommodation, but also broke a commitment to Derbyshire, Nottinghamshire and Lincolnshire which is quite disgraceful. I see that my hon. Friend the Member for Derby, South (Mr. Knight) who is a Whip and by convention not able to speak, is expressing his concern for his constituents.

The Labour Party is directly responsible for the increase in crime in Leicestershire because, when we lost control of the county in 1981, Labour councillors made the fatal decision to do away with the secure accommodation for the county. That is quite disgraceful. I hope that the hon. Member for Leicester, East (Mr. Vaz) will have something to say about it later when he is called to speak.

Some excellent initiatives have been taken to combat motor crime. One is the initiative taken by the police to persuade car manufacturers to make cars more secure. I understand that there is a specific problem with Ford cars —especially the XR2 and the Fiesta, which are seen as easy targets. *[Laughter.]* The hon. Member for Leicester, East may laugh, but these are the facts.

The chief constable has invited representatives of the Ford Motor Company to the county to discuss ways to make those cars more secure. Hon. Members may be aware that Vauxhall have recently made their cars more difficult to break in to, and I think that hon. Members will agree that that is a most welcome development.

The chief constable suggested recently that sports accommodation should be made available free during school holidays. The suggestion has great merit. I hope that the county councillors will consider it carefully—*[Interruption.]*—not for this year, because it would take time to implement, but for future years. *[Interruption.]*

Mr. John Patten: My hon. Friend will be aware of cries from Opposition Members, from a sedentary position, that the Government should give money. Is my hon. Friend aware that local authorities of all political colours —Avon, Staffordshire and Humberside—are doing exactly what my hon. Friend wishes his own local authority to do, that they are doing it successfully with local resources, and well done them?

Mr. Tredinnick: I am grateful for my right hon. Friend's intervention. It is a creative idea. If we can make better use of our resources, surely that is good for those who live in cities and who may not enjoy the recreational facilities that are available in rural areas. Young people are naturally effervescent and full of energy. They want exciting and interesting things to do. It would be far better to get them off the streets by encouraging them to play football and to make use of existing facilities. I very much commend the chief constable's idea. I am sure that it will be carefully considered.

Mr. Archer: Is the hon. Gentleman suggesting that local authorities should provide additional facilities from diminishing resources?

Mr. Tredinnick: The right hon. and learned Gentleman must have misheard what both my right hon. Friend the Minister and I said. We are not arguing for additional resources——

Mr. Archer: But additional resources will be needed.

Mr. Tredinnick: It is a fatal flaw in Labour's philosophy to assume that all changes require increased expenditure. It highlights the difference between the two parties. We ask that existing resources should be opened up. Perhaps they could be used by volunteers. We do not suggest that a lot more money should necessarily be made available. However, we think that resources should be better used. It is extraordinary if the right hon. and learned Gentleman is arguing against that.

Noise is a problem that has not been sufficiently addressed by my right hon. Friend and I ask him to consider it. The police are trying to stop very noisy parties, but they are faced with a major problem. I believe that the powers contained in the Public Order Act 1986 are inadequate. If there is a breach of the peace in Scotland, general powers are available to the police to enable them to apply sufficient pressure so that individuals on private premises desist from making noise. They can make arrests.

[Mr. Tredinnick]

However, in England the police are frequently laughed at by those who hold noisy parties. That is a serious flaw in the law which my right hon. Friend must address.

There are inexcusable delays in bringing cases to trial in magistrates courts. In Leicestershire on occasions youths appear in court perhaps one month after the offence has been committed. It is impossible to hold them in secure accommodation because it is not available. In the intervening period, therefore, it is possible for them to commit a wide range of offences, particularly motoring offences. That issue, together with the others I have raised, must be addressed.

Leicestershire is grateful for the increase in its police manpower. I have demonstrated that the police, working hard, have increased the detection rate but that the increase in crime means that we face a problem. That is largely due to the increase in auto crimes which are committed by youths who cannot be held in secure accommodation while they are waiting for their case to be dealt with in court. The provision of secure accommodation was sabotaged in 1981 by the incoming administration for the county when it took over from the Conservatives. It is perfectly clear to me, and I am sure to my right hon. Friend the Minister, that a large part of the problem of crime in Leicestershire can be laid fairly and squarely at the door of the Opposition parties.

11.29 pm

Mr. Keith Vaz (Leicester, East): I begin by joining in the tribute that the right hon. and learned Member for Warley, West (Mr. Archer) paid to my hon. Friend the Member for Bootle (Mr. Carr), in whose name the motion originally stood. I last saw my hon. Friend the Member for Bootle last Thursday. He spent some of his time as an hon. Member in the corridor where I work. I and other Members were shocked to hear of his death. I thank the right hon. and learned Member for Warley, West for initiating the debate and for ensuring that it remained on the Floor. Those of us who wished to participate did so because we regard the issue of the record crime figures that we have received as being of major importance. I cannot think of another issue in my constituency, apart from the cuts in the national health service, that is of more concern to the people of Leicester, East.

I pay tribute to the chief constable of Leicestershire, Michael Hirst, to his deputy, Peter Blaker, and to the assistant chief constable, Malcolm Cairns, for the excellent work that they do on behalf of the people of Leicestershire. They work under tremendously difficult conditions and I shall explain why I disagree with what the hon. Member for Bosworth (Mr. Tredinnick) said about police person power. I believe that they work with the prospect of Government policies, under the present Government, that have increased the amount of crime in Britain and Leicestershire. Those of us who live in the city of Leicester owe a debt of gratitude, not just to senior police officers, but to all the police officers working at the police stations, be they at Charles street, Syston or Uppingham road.

Those in the local community who say that morale in the police is low do not do so as a means of attacking or criticising the police, but because they are deeply concerned because morale is low and the crime figures are so high. They expect the Government and the Home Secretary to come forward with additional resources that will make their lives easier.

We live in a time of record lawlessness. It is extraordinary that a party which came to office 11 years ago as the party of law and order should be presiding over the worst crime figures that the country has ever known. According to the statistical bulletin of the Home Office, published on 28 June 1990, in the first quarter of 1990 the police recorded 1,081,000 offences—the highest crime figures ever recorded in Britain. All the panache, skill and polish of the Minister of State, Home Office, the right hon. Member for Oxford, West and Abingdon (Mr. Patten), at the Dispatch Box today cannot argue away those figures.

I am surprised that the Minister of State is in his place. After the Government reshuffle I expected that we would see a different Minister. I had heard that the Minister was regarded as such a rising star that he would now be in the Cabinet, but even with all his potential Cabinet skills he cannot argue away those disgraceful and appalling figures.

I remind the hon. Member for Bosworth that in the first quarter of 1989, 12,830 offences were notified and reported to the police in Leicestershire. In the first quarter of 1990, the figure was 17,111—an increase of 33 per cent. The number of thefts of motor vehicles have gone up by 61 per cent. The amount of theft from vehicles has gone up by 41 per cent., and criminal damage has increased by 40 per cent. We have never known such appalling figures. If one divides the number of crimes by the number of minutes in a hour to create a crime clock, one crime is committed every minute in Leicestershire. The debate has been going on for 34 minutes, and 34 crimes have been committed. That is an indictment of Government policy.

I know what the hon. Member for Bosworth said about extra police officers. I say to him, "Get off your knees." To say that the number of extra police officers has satisfied either the people of Leicestershire or its chief constable is to turn a blind eye to the truth and to fact. He knows that all-party delegations have been to see the Home Secretary. There has been a debate in the Chamber, in which hon. Members from both sides of the House took part, although I think that the hon. Member for Bosworth was not available on that date and did not take part in it.

Mr. Tredinnick *indicated dissent.*

Mr. Vaz: The hon. Gentleman did take part, so he will recall that hon. Members argued for additional police officers. Yet he is prepared to accept half the number of police officers for which hon. Members pressed the Home Secretary. I am not prepared to accept that for my constituents. We accepted the demands for additional police officers made by the chairman of the police committee, Robert Angrave, who is a member of the Conservative party. The committee had to accept less, but I want the best for my constituents.

Mr. Tredinnick: I am grateful to the hon. Gentleman for giving way, especially as he did not attempt to intervene in my speech. I have been misrepresented by what he has just said. I welcomed the increase, but I did not say that it was an ideal number. Of course one would like more officers, but my right hon. Friend the Minister of State and my right hon. and learned Friend have made a welcome increase.

Mr. Vaz: The record will show that the hon. Gentleman said that he was grateful to the Minister—that he was delighted with what he had received. He did not say that he wanted additional officers. He was prepared to accept second best for the people of Bosworth, but we are not prepared to do that.

The policing crisis in Leicestershire is demonstrated by the crime figures. Almost every day, my office in Leicester receives calls from people in Humberstone, Thurnby Lodge, Evington or Belgrave—important parts of my constituency—complaining about the lawlessness of the area, especially night crime.

My right hon. and learned Friend the Member for Warley, West rightly said that the elderly, women and, indeed, young people are afraid to go out at night for fear of being attacked. The Minister of State may smile at those figures, but elderly people are afraid to go out. My mother, who is 64, despite the fact that she is a city councillor and might therefore be expected to be slightly more aggressive than the average citizen, is afraid to go out at night in Scraptoft lane for fear of being attacked. The same applies to many elderly people. Because of the Government's policies, they have become prisoners in their own homes —afraid to answer the door, to go out and see friends and to take part in the normal social intercourse that one would expect.

The police received a call from Goodwood. Mr. Syd Rimington, chairman of the local tenants association, rang up about the number of youths who had congregated outside 17 Gamel road, the tenants association headquarters, vandalising properties and upsetting local residents. The police, because they are stretched and do not have the necessary resources, were unable to respond to the calls that were made. I make no criticism of the way in which the police operate—they cannot deal with the problem because they do not have enough officers.

What is the Government's answer? I will tell the Minister of State something that he perhaps did not know. Two weeks ago, the Home Secretary escaped from London and ended up at Leicester university. He came to address the Crime Concern conference. I declare an interest as a member of the national board of that organisation and I, too, spoke at the conference. The Home Secretary arrived, puffing at his cigar and drank a glass of sherry. He told the assembled journalists what he regarded as the cause of crime.

According to the headlines in the *Leicester Mercury*, the right hon. and learned Gentleman told us that there was more to steal. He said that we had to put up with the increasing level of crime—*[Interruption.]* The Minister of State nods. The right hon. and learned Gentleman said that we had to put up with the increasing level of crime because the Prime Minister had made us more prosperous, that because we live in a more prosperous society we have to accept that there will be more crime. The right hon. and learned Gentleman was therefore condemning us all to a life of poverty if we want to get away from the record figures that the Government have produced. That is what the Home Secretary told astonished journalists, who could not believe that someone of such seniority could make such statements.

I greeted the Home Secretary as I greet all Home Secretaries when they come to Leicester—with a warm handshake and a petition. The petition was signed by 250 members of the public and collected in just 30 minutes by people who wanted more police officers and wanted the Government to take action to limit crime.

I agree with the support that the hon. Member for Bosworth has given to the chief constable's scheme to cut youth crime by means of free sport and leisure initiatives. That is the correct approach. We need to ensure that the local authority's facilities are made available for young people so that they occupy their time in that way instead of vandalising cars and so on, but such schemes cannot be paid for without the Government's support. I am all for allowing young, middle-aged and old people to use the leisure facilities in my city, but the city council cannot afford to pay for that. I am sure that the council will go aong with the scheme and support the chief constable, provided that the Minister of State backs the proposal. The Minister said in an intervention that he supported it. I hope that he can say that he is prepared to have a word with the Chancellor, or with the Secretary of State for the Environment, about providing the resources needed to pay for the scheme.

The people of Leicester have to put up with a poll tax of £405 because the local authority has to ensure that the spending commitments that it has agreed and on which it was elected are paid for. Unless the hon. Member for Bosworth is suggesting that the poll tax should be even higher, I believe that the only way that the money can be obtained is through Government assistance.

New and modern police stations are needed in Leicester and Leicestershire. Last week, I had a meeting with Earl Ferrers to discuss the position of Hamilton police station in Leicester. A new township has been built in the eastern part of the city. It was proposed that the divisional headquarters of the Leicestershire police, eastern region, should be moved from Syston, where it is now based in unsuitable accommodation, to the new site of Hamilton. The local authority has made a three-acre site available and is ready and willing to allow the police to occupy it. Although Earl Ferrers gave permission a couple of years ago for the establishment of the police station, this year he announced that he could not put the bid for the new Hamilton police station into the allocation for 1992-93. When I saw him last week, he said that it was unlikely that the funds would be allocated for 1993-94 and that we would have to wait for 1995-96 for any prospect of the new police station.

If we are to ensure that the police are near the people, it is vital that the new police station at Hamilton should be built. If the Minister can tell me that there is a prospect of that happening, I make this appeal to him—will he support, in the interim, the opening of the Uppingham road police station, which now services the eastern part of the city, on a full-time basis? The chief constable has said that it cannot be opened on such a basis, because the Hamilton station is to be built, but as we have been informed that it will not be built until at least 1995, may we have an assurance that the Minister will support our request to the chief constable for those additional hours for the Uppingham road station? If we are serious about decentralisation, we should remember that that is one way in which it can be achieved.

We must enter an era in which a partnership against crime will be allowed—a partnership between central Government, local government and the people. At present, local authorities are eager to enter into a dialogue with the

[Mr. Vaz]

people and the local police force to ensure that the crime figures are reduced—the missing factor is political commitment from the Government.

I hope that when the Minister of State replies—I am sure that, as in the past, he will cast aside his Home Office brief and approach the Dispatch Box without notes in his usual confident way—he can give us the good news that the Government will provide the money for the new police station and will give Leicestershire the extra resources that we need to defeat the evil of crime.

11.46 pm

Mr. Barry Sheerman (Huddersfield): First, I add my voice to the tributes paid to Mike Carr, the Member of Parliament for Bootle, who so sadly died last week. I, too, spoke to him on Thursday evening about this debate. He had decided to make home affairs his speciality, and was very concerned about the way in which crime affected his constituents. That is why he had chosen this subject for today's debate. One of the saddest aspects is that we all feel that here was a man with great potential and promise, never to be realised in the House. He would have made a fine mark and a great contribution, and it was with great sadness that we learned that his life had been cut short at such an early age. [HON. MEMBERS: "Hear, hear."]

This debate is very important and very relevant. I intend to take the opportunity to do a forensic job on the Government's policy, or lack of it. Opposition Members take no joy or satisfaction from the enormous increase in crime rates. I say that with great sincerity. We learned with horror not only that crime had risen inexorably by 50 per cent. since 1979, but that in the first quarter of the year —the most recent quarter—it had risen by 15 per cent. across the board.

As my right hon. and learned Friend the Member for Warley, West (Mr. Archer) pointed out, this is the first time that more than 1 million crimes have been recorded in one quarter. Even burglary—a problem with which the Government were boasting some success as recently as the previous quarter—is up by that astonishing amount.

Those appalling figures look even worse when we consider that they have risen during the reign of the so-called party of law and order. Most people now talk almost jokingly of how the Conservative party, of all parties, went to the polls in 1979 declaiming that it was the party of law and order. The British public have learnt a valuable lesson about such claims over the past 11 years.

The Opposition take crime figures more seriously than the Government do. The Minister is a geographer by profession. He therefore knows, and I am sure that he will acknowledge, that our electoral support is based more in the urban areas than in the country and the leafy suburbs. He knows that it is in the towns and cities that people are far more vulnerable to crime. Crime is serious wherever it is committed, but we take it even more seriously because so many of our constituents are at risk.

Hon. Members of all parties acknowledge the primary need of our society to be safe. We do not often talk about it, but safety is something that we all value. It is implicit in our complaints and grumbles. It is a demand by our citizens, whether explicitly or implicitly expressed, that they have a right to be safe. I believe that the House must conclude today that the Government have failed to deliver on that commitment to their citizens.

Mr. Tredinnick: I have been following the hon. Gentleman's train of thought with interest. I am slightly surprised that he has not referred to the record increase in police manpower since the Conservative Administration took office. If I recall correctly, it was the last Labour Government who failed to implement the Edmund-Davies report, leading to the flight of police officers, and were thus directly responsible for the crisis in police manpower that we inherited when we took office.

Mr. Sheerman: The hon. Gentleman's intervention is even more confused than his original speech. The Edmund-Davies proposals, which gave the police a good deal, were initiated and introduced by the Labour Government. They were implemented in 1979 after the Conservative Government took office. The hon. Gentleman must get his facts right. The police are still grateful for the foundation that we gave police pay through the Edmund-Davies inquiry. I will go further and say that the recent reneging on that deal, for the first time in 11 years, has dispirited and undermined the morale of the police more than anything else and will be one of the factors leading to even greater despair in the police force in the coming weeks and months.

We must put more resources into our towns and cities where crime is more prevalent. The Government are in terrible difficulties in coming to terms with the reality of rising crime rates. They find themselves incapable of doing what any decent Government should do and finding a rational response. By "rational response", I mean one based on the facts. Crime has risen and is continuing to rise, and there is a crisis. The analysis of why crime is rising is important. It must be based on a pragmatic analysis of the facts rather than ideologically based answers. The mind set of the Government excludes so many of the underlying reasons for the increase in crime.

The Government discount the notion of a relationship between criminality and the prevailing values of society. The Prime Minister's policies and values have led to a get-rich-quick, materialistic, smash-and-grab society. The Government have presided over a society which emphasises the individual's right to grab anything going and says that mammon is the only thing to worship, but they will not accept that that has anything to do with rising crime rates.

The values of society have to be excluded from the Government's analysis. The Government will not believe that crime has anything to do with deprivation, unemployment, inner-city decay or the alienation of young people who have been stripped of benefit and denied homes and the opportunity to lead a full and creative life. The Government cannot believe that the rise in the crime figures can have anything to do with that, so those factors are excluded from their analysis even before it begins.

The dramatic difference that the Government cannot accept—*[Interruption.]* The Minister of State does not want to listen to this because he was once an academic and all the recent work in the United States and elsewhere by leading criminologists on the basis of evidence garnered over the years shows that pockets of great poverty in areas of affluence lead to rising crime rates. The Opposition

believe that Governments can act creatively and effectively if the analysis of the causes of crime is honest from the very beginning.

The Government cannot act effectively because they cannot accept the real causes of crime. Under this Government, there is no attempt to consider the real causes of crime—instead, the Government fiddle as crime rises inexorably. The Opposition believe that if crime is to be reduced, there must be a consensus among our citizens as to the basis of law and order, the kind of that policing we have and what we believe justice to be. We believe that that consensus can be achieved only by democratic involvement in policing and crime prevention.

With rising crime, we would still expect an honest and sensible Government to face the terrible figures and do something positive. We would expect them to examine their policies to see where they had gone wrong and then devise solutions based on the facts. The Government's attitude is dangerous because they are partaking of what most people under stress would recognise as the old tradition of scapegoating. If we cannot find the answers because we are frightened to look at the facts because they are too ghastly, we find someone to blame. This Government are good at that. They are good at finding a whipping boy or a scapegoat.

Some of the scapegoats are pretty horrible. I wish this were a joke, but the Government seem to be embracing quaint genetic theories about the symptoms of criminal behaviour and its origins. I should like to know the Minister of State's views about all this. It would be laughable but for the fact that the theories were raised at a high-level meeting of the Centre for Policy Studies—the right-wing think tank created by Lord Joseph. At that recent high-powered meeting, far-right academics from the United States talked about the genetically inherited effects of criminality. The Government cannot disavow the Minister of State, an Under-Secretary of State or a right-wing Back Bencher, because the keynote speech on that occasion was made by the chairman of the Conservative party. That is where the danger lies when we consider the kind of explanations that the Government are contemplating to explain the rise in the crime rates.

Far more serious in terms of this debate is the increasing evidence that the Government are insidiously mounting a campaign to discredit the police and to blame the rise in crime on them. Once again, the Government's propaganda machine has been cranked up to scapegoat the police, undermine their morale and dishearten hard-working police men and women throughout the country.

Mr. John Patten *indicated dissent.*

Mr. Sheerman: The Minister of State shakes his head—he disavows that remark. I draw to his attention the front page of the 7 June edition of the *Today* newspaper. We all know which party the *Today* newspaper supports. We all know that the front page of the 7 June edition of that newspaper was headed "Police in the Dock", but that is not all that is on the front page. According to the article, crime has increased to a record 4 million. Burglaries and car theft are up 14 per cent. in some towns. Rape and violence are up 12 per cent. nationwide, despite 10,000 extra officers and £4 billion.

Who gets the blame? The police get the blame. The editor or the investigative journalist cannot get the blame. Any working politician recognises that it is a leak either from the Minister of State or from a senior Home Office official. Someone is up to some pretty dirty business in trying to put the boot into the British police. It is in the article. The Minister of State can ask the Police Federation from whom it thinks the newspaper got the information. The word is out that it came from a high level in the Home Office.

Mr. Vaz: It came from him.

Mr. Sheerman: Was it him? Is the Minister responsible? There has been no disavowal of the remarks attributed to the very senior Home Office official. If it were a civil servant, there would be at least an internal inquiry.

Mr. Tredinnick: Will the hon. Gentleman give way?

Mr. Sheerman: No, I shall not give way.

If it were a civil servant, there would be a major inquiry. There has not been a major inquiry, so the comments must have been inspired by a Minister at the Home Office. If the Minister of State disavows that, he must say so today.

The hunt is on for a scapegoat. The hunt is on in the Government to blame the British police for the crime figures which are rising so fast. I ask the Minister of State—this is a serious point—whether he was responsible for those remarks on the front page of the *Today* newspaper or not. If it was a senior civil servant in the Department, will the Minister have an inquiry to find out who it was? That story must be one of the most disreputable pieces of leaking and provoking. The Minister must realise the damage done to police morale.

Opposition Members do not blame the police. We believe in putting the blame fairly and squarely where it deserves to be—at the Government's door. We believe that policies for a safer society must be based on involvement, consent, and an analysis of what is really happening in our country. Public and community involvement always ensures that there is a public and community response. It makes authorities more aware of local concerns and feelings about crime—something that the Government deride time and again. They do not like to talk about public accountability, even when chief constables say how important it is to them, and even when the chief of the inspectorate says how important it is to have accountability. Police forces cannot work without that partnership with elected authorities.

It is total nonsense and a fallacy to think that the police can tackle crime alone. No one believes that—it just cannot be done. The police can tackle crime only with the involvement of the community. Opposition Members have stated clearly that to do that we need local democracy to be involved. That means local councils—the people who are elected. The Minister of State will say, "But what about the the loony left councils?" He will find two or three Labour authorities——

Mr. Greg Knight (Derby, North): Tell us about Derbyshire county council.

Mr. Sheerman: Is the Government Whip, the hon. Member for Derby, North (Mr. Knight), to be allowed to shout at me? I will give way to him if he wishes to speak, but he wants only to shout.

Mr. Tredinnick: Will the hon. Gentleman give way?

Mr. Sheerman: I will give way to the Government Whip but not to the hon. Member for Bosworth (Mr. Tredinnick).

The Government cannot accept the fact that democratic involvement is basic to solving our crime problem. I hope that the Minister is careful in his remarks about local councils. Only last Friday, his boss the Home Secretary got his facts wrong as usual. He mentioned four councils, including Islington, which he said had not co-operated with the police, but Islington has always worked in partnership with the police on community matters, and since 1985 it has been at the forefront of such work. I have a letter confirming that. Islington council was upset that on such an important occasion as the debate on policing in London, the Home Secretary was so remiss as to get his facts wrong. I should happily give way to the Minister if he would care to comment on that.

Mr. Vaz: I was employed by Islington council from 1985 to 1987 as a solicitor and I serviced one of the committees responsible for developing the partnership between the police, the local community and the council.

Mr. Sheerman: I appreciate that information from a colleague who knows Islington well.

It is important that the Government should learn that one does not tackle crime with the police alone—they need, and have asked for, community and democratic involvement. The police are seeking a partnership.

In the Labour party policy document, "A Safer Britain", we call on the Government to recognise, even at this late stage, that the leadership on crime prevention must come from the local authorities working with the police, local community groups, neighbourhood watch schemes and private enterprise. Together they can crack crime. The police alone cannot crack crime. Nor can they do so without adequate resources. Expenditure of £250,000 to make Birmingham a safer city will mean new doors being installed in five tower blocks.

We must take crime prevention as seriously as the French. Money must be put into resources for young people. The hon. Member for Bosworth was obsessed with young people taking away cars, and I accept that that is a serious problem, but many others must also be taken into account. Unless young people are given positive opportunities for creative leisure, they will continue to commit such crime. Our society must give young people something more than they have been given in the past 11 years. We must have a society based on creative opportunities to liberate all talents.

The Government must recognise that we need overall social and economic policies to tackle decay in our inner cities, to deal with homelessness, and to help destitute young people. I invite the hon. Member for Bosworth to come with me tonight to visit one of the greatest scandals in any city in Europe—cardboard city across the river. Hundreds of young people are sleeping rough in the modern Britain governed by the Prime Minister. The divide between rich and poor—poverty amid affluence—must be brought to an end. That problem, and the danger that it poses, has been created by Government policies.

If nothing else, the Government are consistent in their ideological pursuit. If we pursue the Government's policies on crime prevention we shall end up, as we have in health and education, with services and solutions for those who can afford them and nothing for those who cannot. The House may think that that is far-fetched, but something insidious is going on in the provision of law and order in Britain. Increasingly, a private security industry offers security to those who can afford it. One can have private security guards for one's business or in one's shopping centre. One can have private guards guarding one's residential estate. One can have good security fittings, locks and alarms——

Mr. Vaz: Gates.

Mr. Sheerman: Yes, and one can also have big dogs. As I have said in the House before, what we see down the road is the mark of the rottweiler society that the Government are encouraging. There seems to be a belief that law and order cannot be provided on a community basis—that security has to be provided on a private, individual basis. That is a dangerous road to travel. There are countries in the world where security and law and order can be bought at a price but where for the ordinary citizen, it is dangerous to walk abroad. I hope that before it is too late, the Government will turn back from that road, which will lead to the ruin of this country.

12.10 am

The Minister of State, Home Office (Mr. John Patten): This has been a melancholy occasion for two reasons, the first of which is the sad loss last week of our colleague Mr. Carr; Conservative Members join the right hon. and learned Member for Warley, West (Mr. Archer) and his hon. Friends in their messages of commiseration and sadness. We can only speculate on what our late colleague would have said had he been here tonight.

The occasion has also been melancholy because, with the single exception of my hon. Friend the Member for Bosworth (Mr. Tredinnick), no hon. Member has attempted to analyse in detail any aspect of the crime figures. That has surprised me greatly. I am afraid that I found the speeches of the right hon. and learned Member for Warley, West and of the hon. Members for Leicester, East (Mr. Vaz) and for Huddersfield (Mr. Sheerman) amazingly superficial. We have heard the sort of contributions that one might have expected in a knockabout during prime parliamentary time, but for heaven's sake, here we are, after 11 o'clock at night, with the opportunity of an hour and a half's debate. As you know, Madam Deputy Speaker, all of us seek to be here for an hour and a half at this time of the night, and we could have looked at the matter seriously, as my hon. Friend the Member for Bosworth sought to do. Yet we have had nothing but the most lamentable party political hack performances from the Opposition.

I am surprised at the right hon. and learned Member for Warley, West, whom I hold in great respect. He knows that when I say that, I mean it. I am not seeking to damage him in any way; indeed, he is to retire at the end of this Parliament so there is no useful damage that I can do to him. He gave us none of the profundities that we normally hear from him. He addressed just two matters. First, he referred to police numbers and asked for more police, as though that was the magic solution to our crime problems. There is not a chief constable in the land who would say, "Give me X police and I will cut the crime rate by Y."

Moreover, the right hon. and learned Gentleman simply ignored the Government's record of repeatedly increasing police man and woman power over the past 11

years. Characteristically, the right hon. and learned Gentleman made no mention of what a Labour Government might do in terms of increasing numbers——

Mr. Archer: Will the right hon. Gentleman give way?

Mr. Patten: I hope that the right hon. and learned Gentleman will forgive me, but I shall have to go very quickly if I am to respond properly to the debate. He will probably have an opportunity for revenge. No doubt he will tie me up in knots again on some legal point during proceedings on some future criminal justice measure before he retires from this place. I do not look forward to that, although I am sure that he does.

The right hon. and learned Gentleman said that he thought that we should co-operate much more closely with local authorities. Of course the Government want to co-operate with local authorities and with businesses, commerce and local communities in trying to deal with crime. That is why we recently circulated a Home Office document—which had been requested by local authorities—to replace the circular dating back to 1984. The document, which refers to strategies for dealing with local crime prevention, has been widely welcomed by local authorities. I was surprised to hear the views adduced by the right hon. and learned Member for Warley, West. It is untrue to say that this or any other Government would not want to co-operate with anyone who hoped to deal with the crime problem.

Lastly, the right hon. and learned Gentleman said that there is no one reason why people commit crimes. I agree. I just wish that he would tell his right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley), who informs us one month that unemployment causes crime, and the next that affluence causes it. Let us compare and contrast the approach of the right hon. and learned Member for Warley, West and the much more superficial approach of the hon. Member for Huddersfield with the way in which my hon. Friend the Member for Bosworth tried to direct the attention of the House to one narrow area of the crime statistics, which are, after all, the topic of this debate.

Opposition Members have instead tried a knockabout, party-political discussion of police manpower. My hon. Friend tried to analyse one of the serious causes——

Mr. Sheerman: On a point of order, Madam Deputy Speaker. Is the Minister suggesting that we were out of order this evening and that the Chair was not governing our proceedings properly?

Madam Deputy Speaker (Miss Betty Boothroyd): Political knockabout is not a matter for the Chair; it is a matter for debate and argument.

Mr. Patten: The hon. Member for Huddersfield is clearly overtired and in need of a long summer holiday.

Madam Deputy Speaker: So am I.

Mr. Patten: I am too, Madam Deputy Speaker—much more so than the hon. Gentleman, and I shall take an early summer holiday by leaving the Chamber shortly.

I shall continue complimenting my hon. Friend the Member for Bosworth by pointing out that he dealt with one of the major causes of the inflated crime statistics: the fact that car crime is on the increase is linked to young people and joy-riding. That highly sophisticated line of argument was greeted with derision by Opposition Members——

Mr. Archer: Will the Minister give way?

Mr. Patten: Certainly not.

Mr. Archer: On a point of order, Madam Deputy Speaker. I am not given to raising points of order, but can it be in order for the right hon. Gentleman to distort what Opposition Members said? We said exactly what the hon. Member for Bosworth said: that there should be resources to provide these facilities for young people.

Madam Deputy Speaker: This debate has become like the temperature outside—rather heated. Perhaps we should cool it and get on with it.

Mr. Patten: My hon. Friend's analysis of the problem of car crime deserved a respectful hearing from the House, not the frivolous attention paid to it by Opposition Members.

I join in the welcome given by my hon. Friend the Member for Bosworth to the increased police numbers that my right hon. and learned Friend the Home Secretary has provided for Leicestershire constabulary in recent years. I also welcome that force's increased detection rates, and I congratulate it on them.

The hon. Member for Leicester, East (Mr. Vaz) was at it again, paying me compliments. I do wish that he would stop that lamentable habit, which he continues in an attempt to have it noted by the Government Whip. I very much hope that the Whips will not record the hon. Gentleman's compliments to me.

The hon. Member for Leicester, East gave us an empty analysis, reminiscent of analyses by the Leader of the Opposition. In his blanket review of the crime figures, he made no attempt to recognise the considerable differences in the figures in various parts of the country. For example, in Merseyside, a part of which was represented by our late colleague, the hon. Member for Bootle (Mr. Carr), crime figures did not increase in the last quarter.

Any serious analysis of crime figures must be carried out properly and in depth. They should not be subjected to a superficial analysis of the kind carried out by the hon. Member for Leicester, East. He called for more police, but gave no hint of a pledge that a future Labour Administration would make on police pay or numbers. I applaud his work for Crime Concern, which is an important all-party organisation. I shall certainly draw his remarks about police stations in Leicester to the attention of my noble Friend who is responsible for such matters. I am not familiar with those stations because such matters are not my ministerial responsibility.

The regular publication of crime figures is normally accompanied by extensive press and broadcast comment. If the figures are falling, as they were for a couple of years, coverage is not so prominent. When the figures go up, so does the coverage—much of which is sensational. Even in the heated atmosphere of the Chamber, to which you have drawn attention, Madam Deputy Speaker, I wish that there could be all-party agreement about the need for serious and responsible reporting of crime figures. Sensational reporting of the figures leads people to believe that they are living in a violent and dangerous country,

[Mr. Patten]

and that has been confirmed by recent independent research published by the Broadcasting Standards Council.

We know that many people are unnecessarily concerned about crime, and victims have every reason to be concerned. We also know that many people are afraid of becoming victims of crime. That fear can alter the way in which they live, and that turns the fear into reality because, if people are over-fearful, it stunts their lives. That is why so many women are worried about travelling after dark.

As the House knows, we set up a working group of the Standing Conference on Crime Prevention to look into the importance of the fear of crime. The group was ably chaired by Michael Grade and it included some journalists, including the present editor of *The Times*. Their strictures on the written and broadcast media have not been taken seriously enough. It is right for crime figures to be given regularly so that they can be open to interpretation, or misinterpretation as is sometimes the case. It is entirely wrong to use them to make news or to sensationalise it, because that unnecessarily increases the fear of crime.

One of the recommendations of Mr. Grade's working party was that we should reduce the number of times that we publish crime statistics, which are published every three months, in order to stop fuelling people's fear of crime. I do not feel able to adopt that recommendation because, having started for better or worse to publish quarterly crime figures, we had better continue. I hope that no hon. Member doubts the excellence of the series of statistics produced over many years by the Home Office. I pay tribute to the department that produces them. In the past 11 years the figures have been altered only in two minor ways which had the net effect of inflating the crime figures rather than diminishing them.

Some home affairs journalists produce excellent coverage. Greater understanding of the figures would lead to a much more intelligent debate about crime in England and Wales. The right hon. and learned Member for Warley, West (Mr. Archer) and his colleagues looked at the figures and then sprayed the Chamber with figures of billions, hundreds of thousands and millions. That is meaningless. They should look at the true crime figures for England and Wales.

For example, violent and sexual crimes are relatively rare. Such offences account for about 6 per cent. of all recorded crime. Two thirds of that six out of every 100 crimes committed are less serious offences of wounding, and are often extremely minor offences. I am not seeking to diminish the importance of homicide. Happily, we catch 90 to 95 of each alleged murderers. I am not diminishing the awful effects of rape. We catch about seven or eight of every 10 rapists and increased and improved forensic techniques may mean that by the end of the century we shall catch nine or even 10 out 10 rapists.

However, it is important for us to set the awfulness of those crimes against the relatively low incidence of violent crime in Britain compared with that in many other western European countries. We heard nothing from the Opposition about the true picture of crime in Britain, so eager were they to fall over the statistics that we heard regurgitated to us in the Chamber.

A recent international survey showed that in 1988 the victimisation rate—the percentage of people who were victims of crime—for an assault with force was 0·6 per cent. in England and Wales, 2 per cent. in the Netherlands, 1·5 per cent. in Germany, 1·2 per cent. in France, 2·3 per cent. in the United States and 3 per cent. in Australia. Compared with most other European countries we have a lower rate of victimisation for assault, robberies and sexual assaults. The figures for the United States, Canada and Australia are significantly higher for most of the offences.

The most common offences in Britain are the most avoidable offences, including minor offences of thefts from and of cars, to which my hon. Friend the Member for Bosworth drew the attention of the House, and the eminently avoidable crime of domestic burglary. In about a quarter of cases, when a thief gets into a house he or she walks in through an unlocked door or climbs in through an unlocked window.

Thefts of property, whether in domestic burglary or of cars, are eminently avoidable. The most prevalent are thefts from cars and thefts of cars. Over a quarter of the crimes committed in 1989—over 1 million—were thefts from and of cars. Even the hon. Member for Huddersfield would not suggest that when every car is parked there should be a policeman standing next to it to prevent crime.

In the 12 months that ended in March there were more than 400,000 thefts of cars and over 600,000 thefts from cars. So much can be done by better design, by insurance companies and, above all, by the individuals who own cars to take better care of their property. That is where we face the British disease. The incidence of thefts from and of cars is higher in Britain than in any other country in western Europe except Spain. Almost all the rise in crime in the 1980s can be laid at the door of an increase in car crime. The idea that that can be solved simply by putting more policemen on the beat is fallacious. Car crime wastes an enormous amount of the time and money of the police force, apart from anything else. The police spend a great deal of time recording and investigating crimes that are eminently preventable.

I agree with one thing that the hon. Member for Huddersfield said. We are all responsible for playing our part in dealing with crime, whether car crime or any other crime. The hon. Gentleman also talked about safety and said that safety was a pretty good theme. That was one of the few passages in his speech when he was not shouting at me and the Government Whip, my hon. Friend the Member for Derby, North (Mr. Knight) who, as the House will have noticed, fled from the Chamber immediately afterwards, so awful was the verbal assault. I had to get down below the Dispatch Box, it was so violent, Madam Deputy Speaker. You should defend junior Ministers when they are in trouble in that way.

Madam Deputy Speaker: It is Deputy Speakers who need defending.

Mr. Patten: No, Ma'am, never you.

How on earth does the hon. Member for Huddersfield think that the Labour party's new plans for elected police authorities will help public safety in this country? The hon. Gentleman is fond of challenging Ministers to deny things, so perhaps I shall challenge him to deny that it is Labour policy to have elected police authorities with operational control over police forces——

Mr. Sheerman *rose*——

Mr. Patten: Here he comes—in effect to have politically elected police authorities.

Mr. Sheerman *rose*——

Mr. Patten: I think that I shall not give way because it would spoil the grand finale of my speech. It is to say that the Labour party's plans for revised policing will cause a major constitutional——

Mr. Sheerman: On a point of order, Madam Deputy Speaker. The Minister begged me to intervene to put the record straight. The Labour party has no such plans as those that the Minister——

Madam Deputy Speaker: Order. The hon. Member knows that is not a point of order for the Chair.

Mr. Sheerman: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. The hon. Member cannot raise a matter further to a point of order when there was no point of order in the first place.

Mr. Patten: I always accept your rulings, Madam Deputy Speaker, and would not dream of contesting them under any circumstances.

Madam Deputy Speaker: Order.

Insurance Industry (Security)

12.30 am

Mr. Jack Aspinwall (Wansdyke): I am pleased to have won an early place in the ballot for the Consolidated Fund debate, particularly to discuss the regulation of the insurance industry. I express my thanks to the hon. Member for Bristol, South (Ms. Primarolo), and to my hon. Friends the Member for Kingswood (Mr. Hayward), for Bristol, East (Mr. Sayeed), and for Bristol, North-West (Mr. Stern), whose constituents have been involved in the matter that I bring to the attention of the House tonight.

I emphasise the extreme distress caused to many of my constituents and those of other hon. Members serving the Avon area who were victims of serious and substantial fraud perpetrated by a former Bristol investment adviser, Martyn Foster, who was recently brought to trial and sentenced to six years in prison. The sum in question was said to be in the region of £2·4 million, and more than 100 victims are thought to have been involved—most of whom are former employees of Avon companies. The sums in all cases represented their life savings, redundancy payments, or pension commutations. Their number included retired members of Avon and Somerset constabulary.

All the moneys were without exception invested in major insurance companies, spread over investment bonds and endowment policies during the mid 1980s, when the intermediary was employed by a leading firm of Bristol investment brokers.

During 1986, Foster left that firm to form his own business, and he capitalised on the good will and trust that he had nurtured with clients while with his former employer. He subsequently persuaded large numbers of them to transfer to his new brief. One strange feature of the scenario was the reluctance of his former employer to combat that apparent poaching of its business, when all that was required at the time was to inform its clients of the circumstances surrounding Foster's dubious departure. The firm seemed prepared to see all its business decanted without a fight, when a viable solution was available.

Further redundancies became known, and the fraudulent broker was passed from one new client to another in the development of his business. During 1987, clients were told that an application for authorisation under the Financial Services Act 1986 was being made, but that lapsed because of non-payment of dues.

In mid-1988, the Securities and Investments Board was alerted by a firm of insurance brokers to whom someone had complained. The SIB promptly contacted the police and an arrest took place during September, after which bail conditions were broken and the broker was later re-arrested in a London casino with considerable sums of money in cash on his person. He has now been sentenced on a number of specimen charges.

Then effect of those events on the lives of many of my constituents has been dramatic, and is reflected in a considerable change in their life style. I shall highlight a few examples.

Mrs. Ivy Hamilton's husband died on 1 March 1988, at the height of the period when it is known that funds were being illegally withdrawn. She believed that her financial position was secure, due to the considerable amount of their investments and the life policy on Mr. Hamilton. Later, it was discovered that all their moneys had been withdrawn. The policy on Mr. Hamilton had been allowed

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to lapse and the initial premium withdrawn. Had the policy been kept up to date, it would have yielded a claim in the region of £30,000. A further policy on Mrs. Hamilton with Scottish Widows was withdrawn on the day of her husband's death, using her husband's forged signature. Its surrender value was made payable to the intermediary at an accommodation address.

Then there was the case of Mr. and Mrs. K. Spicer, who had invested in bonds with Trident Life to the value of £21,000 and drew a monthly income of £180, which ceased in August 1988. Everything has gone—both capital and income. They now exist on state pensions and a small company pension. Mrs. Spicer found a small part-time job, but had to give up because of ill health.

Another case is that of Mr. and Mrs. Marsh, who had recently invested £52,000 with Scottish Equitable, Norwich Union and Trident Life. They sold their home in Keynsham, which is in my constituency of Wansdyke, for £52,000 and were persuaded to mortgage their new house in Cornwall and reinvest the balance of the money—after the deposit was paid, along with the other money—in an unknown insurance company. When Mr. Marsh died in February 1989, it was discovered that all their investments had been withdrawn.

Mr. and Mrs. Kirby are another example. Mr. Kirby was a departmental manager with British Aerospace, who took early retirement and a lump sum, of which £28,000 was invested with Scottish Widows and provided him and his wife with a monthly income. On advice, the sum was transferred to Sentinel Life, and a smaller sum to Abbey Life. Mrs. Kirby authorised withdrawal of the Abbey Life policy, with the intention of transferring it to a new Guardian Royal exchange policy. That was the last that they saw of any of their money, as it has been dissipated, together with money belonging to many other people, by forgery.

As a result of their loss, the Kirbys' world has changed dramatically. Mr. Kirby has had to find work to eke out his moderate works pension and at the age of 58 has found it impossible to obtain the type of work to which he was accustomed; he is currently employed as a factory labourer, part of whose duties is cleaning toilets.

Some other constituents, Mr. and Mrs. John Clothier, retired together in July 1985. Mr. Clothier is also a former Cadbury Schweppes employee, with about 42 years service since leaving school—30 years as a production manager.

The Cadbury modernisation programme brought many changes, including the offer of early retirement to Mr. Clothier in July 1985. He accepted it, along with many other colleagues in a similar age group. The terms agreed with Mr. Clothier were for a substantial redundancy payment, also commuting a lump sum from the Cadbury pension scheme. The total was £53,000 plus a monthly pension. Cadbury initiated an intensive programme of advice at retirement seminars and included financial advice from an independent firm of investment advisers. The help from them included the opportunity to manage former employees' investments.

Mr. Clothier also sought advice from various other sources before committing himself to a Bristol company, Redcliffe Associates. That company already had a number of ex-colleagues on its books and, before finally committing himself, he sought the benefit of their experience and satisfaction, and the apparent success of their investment portfolios, and the additional services that the company had on offer. The representative of the company who dealt with them was a man called Martyn Foster.

At this stage, hon. Members should appreciate that this was a group of people, employed by a large company, who were being offered early retirement, with—to them—large sums of money for the first time in their lives: sums greater than they could have dreamed of, when previously the most that they would have had would be a modest building society account or a Post Office savings bank account. Despite the advice on offer, they knew absolutely nothing of the workings of the great financial institution , and were vulnerable to any predator approach.

Mr. Clothier became happy with the services provided by Foster on behalf of Messrs. Redcliffe Associates. They included a spread of investments over four major insurance companies: Norwich Union, Scottish Equitable, Scottish Mutual and Scottish Widows. These bonds attracted a high interest rate. A further service relating to income tax was available. As a result of Mr. Foster's actions, an overpayment of £4,000 in tax was recovered on behalf of Mr. Clothier.

In circumstances such as these, the element of trust as between intermediary and client is fortified. Any credibility doubts are quickly banished. General satisfaction over the bonds' performance activated further investments, with the addition of Mrs. Clothier's savings, culminating in a grand total of £63,000.

In February 1986, Foster told everyone that he was leaving Redcliffe Associates to form his own company in brokerage, to be called Foster and Company. As a result of the flair and the apparent success of the relationship with clients that he had established, large numbers of my constituents, including Mr. and Mrs. Clothier, transferred their bonds and their new business to that man. At the same time, they all genuinely believed that they had the protection of the insurance companies around them because that was where their money had been placed.

In the meantime, Mr. and Mrs. Clothier began to draw income from the profits on their investments from August 1986. It was paid into their bank account by Norwich Union Insurance. At that time Mr. and Mrs. Clothier believed that they had security for the rest of their lives. All their confidence was shattered during August 1988, when Mr. Clothier was told of the arrest of Foster on suspicion of defrauding clients of their money. It all culminated in the investigation, trial and conviction of the criminal.

Since the trial, Mr. Clothier has obtained Foster's files and documents and has carried out his own research into investment transfers, supposed to have been made by Foster on his behalf. He discovered that an application form for placing money in a Guardian Royal Exchange investment bond in May 1987 for a total of £46,500, signed by him—Mr. Clothier—and his wife, had never been deposited with Guardian Royal Exchange. Another form issued by Guardian Royal Exchange, signed in February 1988 for the transfer of the previous bond to the Rosary managed fund, had also not transpired.

This all points to the fact that Mr. Foster was using Guardian Royal Exchange application forms for his own evil purpose and deceiving people into believing that true transactions were taking place, when he was misappropriating the money for his own purposes. Mr. Clothier also discovered that Foster was authorised to use Guardian

Royal Exchange investment documentation by virtue of an agreement between GRE and himself, drawn up and countersigned by GRE on 3 March 1987. Under the provision, he had established this so-called Rosary fund with the full co-operation of the company concerned. A copy of that document is available.

There is certainly room for a thorough investigation here. An explanation is required to judge whether the document has the effect of transferring this company's role from that of an intermediary to that of an agent.

I turn now to the case of Councillor and Mrs. Roy stone, who live in Cadbury Heath in my constituency. As with many other investors, they were former Cadbury employees who took it upon themselves to leave the company in 1964 to start their own business. However, they retained many social links with former working colleagues. To that extent, they opted during October 1986 to withdraw their building society savings and place them in Scottish Equitable investment bonds, with Foster acting as intermediary. The money remained there for only a short while. They agreed to it being transferred to Sentinel Life in June 1987, and put into a new investment bond of some £44,000. On 3 March 1988, the bond was surrendered and encashed by the intermediary on a forged signature—an act completely unknown to Mr. and Mrs. Stone until the fraud was uncovered by the police later that year.

When the incident became reported in the media, the Stones wrote to Sentinel Life in an effort to discover where their money had gone or if it was still intact. They asked for copies of encashment forms relevant to the matter. Almost by return of post came copies of the various documents, confirming their fears that the money had been dissipated along with all the rest, and in similar circumstances, at a surrender value of £30,402. It should be remembered that the effect of the crash in 1987 would have been taken into account when that figure was considered.

The photo-documents released by Sentinel Life also revealed, as with many other cases, that the theft had been successfully concealed for several months because the insurance company involved had glibly accepted the withdrawal instructions of the intermediary to send both the payment, payable to the intermediary, and all the customary advice notes to the policyholder to a special accommodation address nominated by the intermediary, when, in reality, say the Stones, the insurance company required their permission, not the intermediary's, to mail any correspondence addressed to them to any address other than their own. They state that, if that simple common practice had been followed, in their case at least the theft could not have taken place because they would have been forewarned that the withdrawal was taking place and would have taken quicker steps to countermand the illegal instructions.

The Stones are naturally bitter about the affair and say that it could have been avoided if the insurance company had built some basic security arrangements into its encashment operation. They say that they played no part in the withdrawal, so the policy still stands and should be treated as such.

I now come to perhaps the most important part of my speech—to consider the insurance companies' role in the story. When full investigations were made, what was discovered reads like a horror story. It is evident that the insurance industry needs to carry out a special investigation into its security arrangements as they apply to the payment of funds. In this case, a crude, systematic stealing of funds was made easy by a withdrawals procedure that appears to be little more than a clerical exercise performed on a visual display unit.

I understand, for example, that, once new policies are authorised and logged into the software, most companies dispose of the original documents, rendering any future checks on authenticity extremely difficult. What happened in the vast majority of the cases was that letters of confirmation of withdrawal to the policyholder were actually posted, not to the policyholder, but to a special accommodation address on the instructions of the intermediary on the application for withdrawal. As a part of the theft, that effectively ensured that the policyholder would not be aware of what was going on. Had the notes been sent to the proper address, as written on the policy, the majority of the fraud could not have taken place, and the instructions would have been countermanded in time to prevent it.

Such sloppy practice cannot be justified in any shape or form, and requires some explanation from the appropriate source. Representatives of the Association of British Insurers, have criticised the failure of investors to check intermediary authorisation. The House may need to be reminded that all these events took place before the implementation of the Financial Services Act 1986. To a degree, the criticism is accepted. However, one would have thought that the insurance companies, with their expertise and experience, would also have some responsibility in the same direction.

It has been discovered that, in early 1987, Guardian Royal Exchange authorised Foster to manage a new investment brief entitled the Rosary fund. Under its arrangements, he was to act on behalf of that company and had sole control over its investment policy, despite the known fact that he was not authorised, that his application had lapsed and that he was stealing large sums of money from policies.

We need to remind ourselves that the Financial Services Act was already on the statute book and only a few weeks away from implementation. At least one company was not taking the new Act too seriously or ensuring staff training in its new provisions. The Association of British Insurers' code of practice gives guidance to intermediaries on dealing with clients and establishing new clients, but nowhere does it give guidance to clients on authorisation, or deal with the procedures for withdrawal. In the absence of such guidance, surely the common principles of fair play and practice should apply.

In fairness, however, not all the cases that have been brought to my attention are by any means entirely the fault of the insurance companies. Some people were unfortunately naive, and probably contributed to their own problems, but one must appreciate the trust and bond that most people of this age group traditionally have from a lifetime's experience of the insurance industry. They undoubtedly belong to a special social group, weaned on the proverbial penny policy which was brought into their weekly lives with a knock on the door by the insurance man. They have been conditioned to trust the insurance man who has always been the friend of the family and they would not distinguish between an insurance agent and broker. For that reason, much of that trust would have been transmitted to this man, who came into their lives for

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only one purpose. Indeed, for those reasons, it is possible that several of them signed documents without being aware of, or properly advised about, what they were doing.

There are many such examples of my constituents and those of my hon. Friends—ordinary people who have suffered catastrophe in their lives, causing much hardship to them and their families. Following advice given to them, they ultimately trusted the insurance companies concerned and were entitled, as the real customers, to a reasonable standard of service and administration, in an atmosphere of good faith and integrity. There are good reasons to believe that there has been a serious default in the performance of those standards, which helped fraud to succeed and my constituents to be disadvantaged.

I have seen case after case where policies have been surrendered at a fraction of the value of moneys paid in premiums on the request of a fraudulent intermediary to send payment to an accommodation address. There was no response from the insurance companies concerned, other than to send the cheque as requested with no notification to the customer, who after all is the policyholder. No suspicion was aroused, and there was no investigation. Original policy documents and original signatures are kept only in some cases on microfilm. In one case, an insurance company learned of a fraud only from a newspaper about eight months after the event.

There are many examples of poor service and muddled administration enabling fraud to take place, as in this case, in which more than £2 million was taken from ordinary people who had faith and who believed that they had the strength of the insurance companies around them.

The insurance industry makes a vital contribution to our national and international life, financing industry and commerce and enabling people to invest in their country's future. The people involved in this case are just ordinary folk, and I feel that this powerful industry and national institution should start an immediate inquiry into how to solve my constituents' problems. I am pleased to say that already one major company—Abbey Life—has settled with its customers. I thank it for doing so. It has honoured its legal and moral obligations, and I hope that the lead that it has shown will be a path for others to follow. A number of people will no doubt have a just legal claim against insurance companies, but for others there will be nothing more than a moral obligation on the companies concerned.

I hope that all parties or their representatives can get together and arrive at some settlement. This situation has gone on long enough, as more than 18 months passed between the commission of the offences and the trial. During that time, three of the policyholders died, and there is still little progress. At my instigation, the Association of British Insurers met representatives of the group of policyholders. An offer has been made to investigate each case. This might be a way forward, if firm resolve is shown by the member companies. This morning, I received a letter from the ABI outlining its position. The letter was helpful, and I hope that it or the insurance ombudsman will show another path by which my constituents might receive satisfaction.

There are almost daily instances of investment fraud. There have been other instances in my constituency—the Barlow Clowes affair, to name but one. I congratulate the Government on the Financial Services Act 1986 and the fine work of the Securities and Investment Board, with its substantial regulatory powers and the self-regulatory bodies, all contributing to a high level of investor protection. This includes the ABI.

Is it not time for the insurance companies involved—Trident Life, Sentinel Life, Scottish Widows Fund and Life Assurance Society, Scottish Mutual Assurance Society, Standard Life Assurance, Norwich Union Insurance, Crown Life, Guardian Royal Exchange and Abbey Life, which has already settled—to look back with concern at the difficulties experienced by their customers, the policyholders, who were victims of a fraudulent intermediary, who acted in the names of the insurance companies? A negotiated settlement without a lot of delay and hassle would help many families to reconstruct their ruined lives and to enjoy a peaceful and well-deserved retirement.

12.56 am

Ms. Majorie Mowlam (Redcar): I thank the hon. Member for Wansdyke (Mr. Aspinwall) at a simple level for not talking for so long that others could not participate and also for outlining so graphically and clearly the problems suffered by his constituents and others in Bristol as a result of Martyn Foster's fraud. One sad aspect of a Member of Parliament's job is that one receives letters from so many people who have suffered as a result of the activities of various organisations, whether it be Dunsdale, Barlow Clowes or the one to which the hon. Gentleman referred. In a sense, the difficulty is not so much in convincing people how those activities have so badly affected their lives as in getting the Government to acknowledge what has happened and do something. I hope that the hon. Gentleman, as a Conservative Member, will have better luck than some of us have had in getting the Government to wake up and act responsibly.

I am pleased that the hon. Gentleman has had a positive response from the Association of British Insurers and Abbey Life. Let us hope that the other insurance companies follow. The Department of Trade and Industry recently carried out investigations, so perhaps there could be an investigation into how fraud of such depth could occur for so many years and whether there is a need for a review of security arrangements in the insurance industry. Will the Minister at least consider such a review, or will we hear a definite no from him?

The Financial Services Act and the investor compensation scheme were not in place when many of Martyn Foster's frauds took place. Many people, particularly in the wake of Barlow Clowes, are beginning to believe that they are entitled to compensation. Many of those involved in the Dunsdale Securities affair feel that, if the people involved in Barlow Clowes were compensated, the same should apply to them. I think that the same will also be true of many people who have suffered at the hands of Martyn Foster. The feeling is that a compensation scheme exists and should pay out. By paying compensation following the Kingfisher-Dixon fiasco, the Department of Trade and Industry has created a precedent, suggesting that either the Department itself or the investor compensation scheme should continue to pay compensation in such cases.

As we know, the investor compensation scheme is limited, in regard to both the amount involved and the

criteria of applicability. I do not ask the Government to do a "savings and loan" and offer compensation across the board. We all know about the political and economic problems that that involves. Obviously, investment involves risk. What is necessary, however, is for the Government to make the present system work more efficiently.

Is the Minister considering any changes in the investment compensation scheme, in the wake of Martyn Foster, Dunsdale and Barlow Clowes? Should the maximum amount available be increased, for instance? Mr. and Mrs. Marsh, whom the hon. Member for Wansdyke mentioned, would clearly not be covered sufficiently by the scheme. If the Minister thinks that the scheme is not quite working, has he thought about that aspect?

As the hon. Member for Wansdyke pointed out, the information provided for investors is not always the kind that people read. It is no good the Minister saying that if they intend to invest their money they should read the information. Under the current Financial Services Act, about 4½lb a year of material about one investment can go through a person's door. Many people will not read that amount of information.

As the Government embark on a wider and deeper share ownership scheme, they should acknowledge the truth of what I have said. They should look long and hard at the nature and format of the information that the FSA recommends and decide whether a review is necessary. As the hon. Member for Wansdyke pointed out, if people trust someone they do not always bother to read the small print. Has the Minister reviewed the insurance indemnity introduced last year by FIMBRA, the Financial Intermediaries, Managers and Brokers Regulatory Association? Should that not be an option?

The present Secretary of State for Transport introduced the Financial Services Act 1986 in a hurry. The Minister looks doubtful, but most people would agree that it was not given time to bed down, and that as a result there are still many rough edges and many elements which do not work. In my view, it is over-bureaucratic, inefficient and top-heavy. It not only fails to protect the investor as it set out to do, but makes it difficult for those in the City to work. Given the number of disasters that have taken place, I should be interested to know what changes the Minister is considering.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): Will the hon. Lady tell us which bits of the structure and which bits of the rules she would get rid of?

Ms. Mowlam: I will certainly do that on 15 October, when we shall have a whole day to debate the Financial Services Act and the single market. I have no intention of going into such detail tonight.

The Minister looked doubtful when I mentioned the speed with which the FSA was introduced. There seems to be no doubt about that among the people to whom I have talked in the City, but on 15 October I will treat the Minister to a breakdown of the changes that I would make if I were in his position. Today, however, we are here to debate the position of the constituents of the hon. Member for Wansdyke.

Let us consider the problems faced by the compensation scheme, given that consumer protection is not working under the FSA. It is essential that we sort this out. In 1992, consumer protection will become more difficult and more complicated, and we have to be sure that our present system is working efficiently.

As we know, since 1979 a life office in one country has been able to open a branch in another. The second life directive covering the controversial area of freedom of service may be more difficult in terms of consumer protection and may worsen some of the problems that we have already seen. As the Minister knows, it will mean that French residents can take out a Dutch policy, written in Dutch rules. That represents a major change in principle in terms of each country protecting its own residents through its own regulatory regimes.

The third directive may be even more problematic, but my point is that that will have a great impact in terms of consumer protection and it is essential that our own system is working more efficiently than it is at present before we can be sure that we can compete on favourable terms in Europe.

Consumer protection is important in its own right and if United Kingdom insurance companies are to compete successfully in 1992. If insurance companies are to gain market share, they must do so on the back of a good record of consumer choice and protection. Our competitive advantage in the eyes of non-United Kingdom customers will be reflected in the diversity and choice of products and services as well as in a competitive cost position and a favourable regulatory regime in which consumers are protected. We should remember that in life insurance our European competitors are much more guarded about protecting their consumer interests. That will be one of the selling points with which we shall be forced to compete. Therefore, it is essential that we make our present position clear and ensure that the system is working more efficiently.

The hon. Member for Wansdyke outlined how Martyn Foster had been able to get away with his fraud by being passed from one company to another, with the companies being pleased to see the back of a bad egg rather than having to deal with the problem directly. The problem has gone on and on. I complain every time it happens and I am told that there is a system of checks. I received a letter from the Minister only a week or so ago saying that there is a system under the FSA to deal with that. If that is so, that is another part of the FSA which is not working successfully. We see in this case, as we have on other occasions, that individuals are able to get away by moving from company to company without a clear recommendation and simply taking the problems with them. They obtain other jobs as a result of having worked for another company. It would be useful to know what efforts are being made to deal with that degree of incompetence.

It would be useful to know what efforts are being made in relation to competence. The McDonald report on training and competence in the financial services industry was published by the Securities and Investments Board in May this year. She outlines clearly the need for training, and I support that report. No one can dispute the need for training. There is a clear shortage of graduates entering the industry. With increased competition in the industry, the need for higher quality staff as well as an added safeguard against fraud are all reasons for increased training resources and a move towards common standards and

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comparative qualifications. I am interested in the Minister's response in relation to incompetence and what is being done to achieve greater competence.

I intended to raise some proposals for specific changes in the regulatory system, but I should hate to worry the Minister with the details of that when we can deal with them on 15 October. However, when we have duplication of the functions between the Life Assurance and Unit Trust Regulatory Organisation and FIMBRA there is a case for a merger such as that under discussion between the Association of Futures Brokers and Dealers and the Securities Association. Such a merger between LAUTRO and FIMBRA would be sensible in terms of cost and efficiency. It would benefit consumer protection and would bring about greater uniformity of standards across the industry, which would also benefit the consumer. Without going into the details, that is a clear example that would help.

In response to the case made clearly and graphically by the hon. Member for Wansdyke, what particular concerns does the Minister have about consumer protection and what action does he propose to take? I am worried that, as usual, the Department of Trade and Industry will do nothing. That would not benefit consumers and, sadly, it would not benefit the industry in Britain or in the single market as we move to 1992. It would benefit the competitiveness of the industry if there were a cleaner, better protected industry than we have at present.

1.10 am

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): I am grateful to my hon. Friend the Member for Wansdyke (Mr. Aspinwall) for bringing this important matter to the attention of the House. I am grateful to him and to my hon. Friends the Members for Kingswood (Mr. Hayward), for Bristol, East (Mr. Sayeed) and for Bristol, North-West (Mr. Stern), and to the hon. Member for Bristol, South (Ms. Primarolo), for all the work that they have done to put together the dossier and for talking to their constituents to chronicle this sad tale.

Tonight's story was sad. It was a story of ordinary investors defrauded by a dishonest insurance intermediary. Like other hon. Members in the House tonight, I am extremely sorry to hear of the problems that those people experienced.

As my hon. Friend the Member for Wansdyke told the House, the man who perpetrated the fraud has been gaoled for six years. That is small comfort to those who lost money through dealings with him but it is a sign, contrary to the allegations made by the hon. Member for Redcar (Ms. Mowlam), that malpractices and wrongdoings are followed up vigorously by the prosecuting authorities. Investigations are carried out and necessary action is taken.

My hon. Friend the Member for Wansdyke concentrated on the responsibilities—legal and moral—of the insurance companies concerned. The cases of Mrs. Hamilton, Mr. and Mrs. Spicer, Mr. and Mrs. Marsh, Mr. and Mrs. Kirby, Mr. and Mrs. Clothier and Mr. and Mrs. Stone are harrowing. I am glad that the Association of British Insurers has agreed to use its good offices to ensure that each individual case is considered in the companies concerned at the highest level.

Since April 1988, as my hon. Friend implied, all investment advisers, such as Mr. Foster, have had to be authorised or exempt under the Financial Services Act 1986. That new regulatory regime has made a great deal of difference to the way in which those matters are handled. Almost all investment advisers will have joined one of the self-regulating organisations and in order to do so, they will have had to pass a "fit and proper" test designed to assess their competence, honesty and their solvency in appropriate cases. Once admitted to membership, they will have had to operate within a framework of rules and regulations designed to protect their clients.

The overall regulatory standards are overseen by the Securities and Investments Board. The detailed rules and regulations are agreed by the individual SROs drawing on the practical experience of their members.

The system draws on the involvement of practitioners for just the sort of reasons that my hon. Friend brought out so clearly tonight. Practitioners should understand what goes on in real life, where the pitfalls may be—such as surrendering policies direct to intermediaries with no reference to the policyholder—and how best to make sure that investors avoid falling into such pits. The Financial Services Act regulators are particularly concerned where investment advisers wish to hold client money since, as my hon. Friend has shown us tonight, the potential for abuse in that area is higher.

I welcome my hon. Friend's endorsement of the Financial Service Act 1986 and his endorsement of the efforts of SIB and the self-regulating organisations. Establishing the new regulatory system has been a major achievement. It was far from rushed. There was extensive consultation and lengthy debate in the House. It took many months to implement all the parts of the system into law and regulation in this country.

Unfortunately for those about whom my hon. Friend spoke tonight, the much broader coverage of the Financial Services Act, with its more substantial powers to identify and act on abuses, was not in place when most of the events that my hon. Friend described took place.

This case resulted in action being taken once the new system came in. An investor called one of the insurance companies, which informed the SIB, which then took action. Within a few months of the new system being introduced, Mr. Foster's business activities were discovered. Within five months of the new regime, he had been arrested.

Under the new system, if someone is authorised by FIMBRA, their clients are eligible for money from the SIB compensation scheme. If they are not authorised, compliance action should follow when their misdeeds become apparent. Unfortunately, Mr. Foster was never authorised under the Financial Services Act 1986, so no compensation is payable. As Mr. Foster persuaded most of his clients to give him full powers to look after their financial affairs, the insurance companies made payments in good faith.

I note that one insurance company has been sympathetic in its consideration of this matter, as my hon. Friend the Member for Wansdyke says, and I hope that other companies, when looking at cases at a senior level, will consider very carefully whether they too should be

sympathetic. Under the financial services arrangements now in place, insurance companies should check that someone is authorised if they do business with him.

The regulation of insurance in the United Kingdom is based on the prudential control of solvency, which is the responsibility of my Department, assisted by the Government Actuary's department, and conduct of business rules, which are the responsibility of the Securities and Investments Board and LAUTRO. The aim of the system is to limit the number of companies that go bankrupt and to control marketing and sales techniques so that the public are not unduly pressured.

That system of regulation has given our industry considerable freedom to compete and innovate, which has benefited the consumer. The products of the United Kingdom life insurance industry are probably the best value in Europe.

Freedom to compete, of course, brings with it the risk of failure, but the rate of failure of insurance companies has been acceptably low. Private policyholders with United Kingdom policies are protected by the Policyholders Protection Act 1975. So far, the Policyholders Protection Board, since its inception in 1975, has found it necessary to raise only two levies on the industry, one in 1976 and another this year, totalling some £2·5 million.

Insurance regulation is being improved all the time by the Department. We have decided to secure private sector expertise, and the first private sector recruit from the industry is already working for us. We are planning a major upgrading of our computer system to help us to detect any potential problems as early as possible so that we can take action in good time to protect policyholders. We have recently put proposals to the industry for strengthening the appointed actuary system. That system is a very important safeguard for ensuring that life funds are properly managed and not exposed to undue risk.

We are currently considering the generally favourable response from the industry and the professions to those proposals. We are also giving considerable thought as to whether there should be professional opinions on the adequacy of reserves for non-life companies. Once we have reached some provisional conclusions on those ideas, we shall issue a consultation paper. All that is part of an active and vigorous regulatory role by the Department as the House would expect.

The hon. Member for Redcar claims that there is nothing going on in the Department and that cases such as the Barlow Clowes case and the Foster fraud show negligence by the Government. How wrong she is. The Barlow Clowes case is a case in point. Because the ombudsman found that the Government had been guilty of maladministration in the past, the Government provided compensation for the victims of Barlow Clowes. It would be nice to hear some comments by the hon. Lady in support of that. Many people are grateful for that compensation money. In the case of the Foster fraud, we have already heard this evening that action was taken to deal with the criminal deeds that were revealed.

The idea that the compensation arrangements are inadequate is also based upon a misunderstanding of what is actually taking place. Compensation is not an entitlement in the way in which the hon. Lady seemed to suggest. In the case of Barlow Clowes, the compensation arrangements arose out of the extreme circumstances of the case, as the Government explained at the time of the announcement. In other cases, they have to be those of the SIB compensation scheme. If the hon. Lady has criticisms of that scheme, she should route them direct to the SIB, because it is charged with its administration and working out the details of its limits, the amounts involved and so forth.

The hon. Lady said that people need less information when investing. I shall be interested to hear her views when she finally gets to the point in October when she can give us the necessary detail about what information the investor does not need which he currently receives. I agree with her intention that investors need the right amount of high quality information that they are likely to read and understand and which gives them sufficient information on which to base a realistic judgment. We must await the formation of the hon. Lady's criticisms in more detail.

The hon. Lady also suggested that the Financial Services Act 1986 is over-bureaucratic, inefficient and top heavy as a result of the structure that it introduced. However, when I asked what she would get rid of, she failed to mention a single item. She merely went on to say that she would welcome a report that imposed extensive new training obligations on all those involved in the financial services industry. I therefore feel that she has not done her homework on the how the legislation, the system and the structure operate in the interests of the customer —financial services businesses.

The hon. Lady also spoke about the common market in insurance that the British Government are working to achieve with our partners in Europe. She is right to think that insurance regulation here must be seen as part of a wider European Community market. It is our aim to ensure that every Community consumer can buy whatever insurance policy he likes from any authorised Community insurer. In principle it should be as simple to buy a British or Dutch insurance in Paris or Milan as to buy a French or Italian car in London or Amsterdam. That is why I welcome the Commission's decision to propose a single licence system for insurance, which does not allow Governments to meddle with tariffs or policy conditions.

Insurance companies should be free to compete, and policyholders free to shop around with the advice of intermediaries to find out what suits them best. The single licence system has already been agreed for banking and is under discussion for investment services. There is no reason why insurance should be different. Similar regimes should be adopted for those financial sectors which are in competition with each other—for instance, life insurance and investment services.

The proposed non-life directive to which the right hon. Lady referred and which the Commission has just put to the Council is very important, and my Department will be consulting widely on it. I hope that consumers particularly will take an interest in those proposals since the main benefits should accrue to them. Freer competition produces keener prices and forces companies to become more responsive to customer needs in the design of their policies. The proposed directive satisfies this criterion while laying down a firm basis for prudential supervision, which is at the core of our own system.

The hon. Lady suggested that our system was inadequate or pathetic in contrast with others in the Community, but that is far from true. There is much in our system that is admired by those on the continent, particularly financial services regulation. Many of them

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are studying what we do as part of their preparation for the wider market in investment services and insurance as the Community wide regime is developed.

In this brief but important debate, I have outlined the range of measures the Government took when introducing the Financial Services Act 1986 and the regulatory structure beneath it. I have sketched the regulatory system for the insurance industry as well and explained the compensation arrangements in place for the users of the services of those great industries.

I recognise that a healthy insurance industry provides security for the many millions of commercial and private customers. The availability of insurance is a prerequisite to private sector investment. Life insurance and pensions are central to personal savings in the United Kingdom.

The total volume of annual business transacted by United Kingdom insurers is estimated at nearly £95 billion. The insurance industry is a major employer—more than a third of a million people are employed directly by it and some 80,000 more by insurance intermediaries. More than half that total employment is based outside London, with many working in the north of England and in Scotland.

Above all, insurance is a major earner of foreign exchange. In 1988, the net overseas earnings of the London market, including the substantial contribution from Lloyd's was £3·77 billion. That amounted to more than half the United Kingdom's total invisible earnings from the financial services sector. A healthy and competitive insurance industry lies at the hub of the City.

I am glad to have had this opportunity to pay tribute to the insurance industry and to the numerous people who work in it, who make such a central contribution to our national economy. I am sad about the fate that has befallen my hon. Friend's constituents and I wish him every success in pursuing the campaign that he has made known to the House tonight. I am sure that many in the insurance industry will read the accounts of this debate in the newspapers and in *Hansard* in the days to come, and I am grateful to my hon. Friend for bringing the matter to our attention.

Electoral Registration

1.25 am

Mr. Jeff Rooker (Birmingham, Perry Barr): In discussing electoral registration, I should first make it clear that we in Britain have a right to vote but that that right is heavily qualified by the need to register. I think that it is generally accepted that about 7 per cent. of those eligible to be registered to vote are not registered. That may not sound very many, but in fact 2 million potential voters are missing from the register. In addition, the bureaucratic barriers erected when people move mean that a further substantial number are effectively ruled out and cannot exercise their right to vote.

I shall concentrate not so much on that aspect as on registration itself. I shall refer to some of the problems of electoral registration in the hope that a more positive attitude can be taken—not so much by the Home Office as by the electoral registration officers and the local authorities whose responsibility electoral registration is.

It is in the interest of our democracy that we should take a positive attitude to voter registration. It is a political as well as an administrative exercise. That point cannot be reinforced too strongly. As I have said, registration is carried out by local government and it seems that some areas of the country are still in the age of the quill pen in this respect, as an electoral registration officer who has moved out of the age of the quill pen pointed out to me.

The record on electoral registration is in contrast to the efforts put in by local and central government in respect of poll tax registration. There has been a massive investment in computers, staff training and grading, and resources generally. The exercise has been seen as a political activity simply because central Government grant to local authorities depends on the numbers on the register. More people on the register equals more Government grant equals less poll tax. That gives local authorities a great incentive to register as many people as possible. As a result, in many local authority areas, substantially more people are registered for poll tax than are registered to vote. The most famous case—if famous is the right word—is the city of Leeds, where I understand there are 20,000 more people on the poll tax register than on the electoral register.

The electoral register which is to come into force in February 1991, and which will reflect registration at 10 October this year, will be the most important electoral register for a decade. It will almost certainly be the register on which the next general election is fought and—in some ways, more important—it is the register upon which the next parliamentary boundary review will be based. Anyone who is aware of the fact that since the date of the last register, on which the present boundaries are based, 2·7 million more electors have registered in the English shire counties and 2·7 million fewer in the urban areas will understand how crucial the electoral register that is to be put together this October will be.

Some extensive and impressive research has been carried out over the years by the social survey division of the Office of Population Censuses and Surveys. I cite in particular the work of Jean Todd in a paper produced with Bob Butcher comparing registration in 1981 with the results of the census of the same year. It was an interesting

exercise. Jean Todd carried out similar work with Jack Eldridge on the electoral registration problems in inner cities in the mid-1980s.

Research has highlighted many of the shortcomings of our electoral registration system. With poll tax registration and the introduction of the poll tax, I and others detect fertile ground for the introduction of improvements to the system. First, however, I wish to outline some of the categories of eligible people who are likely not to be on the register.

My researches of the past few days have shown that there is a difficulty with service personnel. The problem relates as much to their spouses as to them. Electoral registration officers themselves have mentioned this problem. Houses in multiple occupation are a nightmare in virtually every part of the country, although they are primarily an urban problem. In some areas, shared letter boxes are a positive disaster for registration officers, as the research shows. Any dwelling converted into flats, bedsits or rooms is more likely to be missed out than non-converted dwellings.

Lodgers or friends of the family who live in larger households are also at risk, as I know from personal constituency experience. Some of these people, having lived in such households for three or four years, can still be missed off the register and not sent a form. I know of three or four examples of that from last year.

Youngsters between the ages of 16-plus and 18 whose 18th birthday falls at the end of the registration period also risk being missed. For instance, youngsters over the age of 16 years and eight months in October this year must be entered on the register, as they will be 18 before the end of the registration period in February 1992. So an accident of birthday can lead to many youngsters being missed off the electoral roll.

Other categories of eligible people who may be missed are equally worrying. Tenants of privately rented accommodation, by contrast with tenants of local authority accommodation or owner occupiers, stand a greater chance of being missed off the register. Members of households in which the head of the household is unemployed are in the same position.

The last problem is public apathy. I recently discovered that 50 paid-up members of my local constituency Labour party were not registered, even though they had lived at their addresses for well over 12 months. I believe that that matter will be raised in detail on another occasion, so I shall not pursue it now.

Studies have shown that as many as 30 per cent. of young people aged from late 16 through to 19 can be missed off the electoral register. Many 20 to 29-year-olds are also missing. One study that the Minister will know found that more than 20 per cent. of people aged between 20 and 29 were missing from the register in four of six study areas. It is strange that people in that age range seem to have such a propensity to be missed. That same study or the inner-city study found that 20 per cent. or more of the electors in households in which the head was of working age but not working were missing from the register. More than 20 per cent. represents a substantial number of people.

In the private rented sector research has identified omissions of more than 30 per cent. There are many reasons for such omissions, such as mail being addressed to the landlord or to "The Occupier" rather than to a named person. As I have said, shared letter boxes also cause difficulties. Some of those factors, though not all, relate to inner-city areas.

Nationally, non-registration is estimated at 7 per cent., which means 2 million people. A study in inner London found that 14 per cent. of people who should have been on the electoral register were not. There is a big difference between the figures for Wales and Scotland. More than 9 per cent. are missing from the electoral register in Wales, while in Scotland the figure is 5 per cent. That is a substantial difference. In the west midlands, the average is 7 per cent., while in the east midlands it is 5 per cent. All in all, more than 2 million people are losing the right to vote. That is democratically unacceptable.

I do not have solutions for all the difficulties, but in some areas further effort and activity could improve matters. Britain is supposed to be a mature democracy but evidently we must look at voter registration and make people more conscious of it. It must be taken seriously, both politically and administratively. Those who do not consider it seriously will lose votes.

As the Minister will remind the House, most of these matters relate to the actions of electoral registration officers and the local authorities who operate the system at the point of sale. Local authorities know the date of birth of school pupils. That information could be transferred on a pupil's 16th birthday to the electoral registration officer, who could then send a letter to that pupil and to his parents informing them of the age at which people need to enrol on the electoral register. People could be told that a son or daughter needed to register at the next 10 October registration.

Drab notices on school notice boards or an announcement by the headmaster at the first assembly in the final school year are insufficient. That happens in some areas, but much more positive action is required. I was in Scotland in early 1988 to listen to the director of finance of Lothian, and the electoral registration officer who is also the poll tax registration officer—he has a different title from the one used in England. Those two officers told me that for electoral registration and poll tax purposes there is a positive attempt to transfer information about the dates of birth of school leavers. That means positive contact with young people and their families. I have not yet come across any local authorities which have taken the same positive stance in respect of electoral registration, although they may have done it for poll tax registration. Yet it can be done, and it is well within the law.

Likewise, all local authorities should have details of dwellings in multiple occupation in their locality. That information is important for many reasons—not least for housing benefit and for health and safety inspection. Local authorities should therefore know all such addresses. That information could be given to the electoral registration officer without difficulty to assist in the canvassing of electoral registration.

Details of bed-and-breakfast accommodation should also be passed to the electoral registration officer, particularly where information is known as a result of the operation of the housing benefit system. Local authorities also have information on hostels and refuges, especially for women and children who are victims of domestic violence. The problem here is that the addresses of such places are not usually advertised, mainly because the

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women—99 per cent. of cases are women—are there for safety. That should not deprive them of the right to vote, but it does.

Under poll tax law, people who are in fear of physical violence or other danger can have their names removed from the public extract of the poll tax register, but there is no such provision under electoral law. If a person is not registered by name with an address, that person is not given a vote. People who want the right to vote but at the time of registration are living in a battered wives' refuge have to consider using a false name to register. I am told that so long as they disclose the fact to the electoral registration officer, using a false name could be acceptable. I should like a response on that from the Minister because there is a particularly difficult problem here.

The House has made provision under poll tax law for people to keep their names and addresses out of the public extract so that they cannot be found. We must ensure that they do not lose the right to vote through fear of being traced. There must be a way round the problem. Electoral registration is the only chance to use one's right to vote. We must do something. Thousands of people throughout the country live in hostels on the night of registration. I have checked some addresses. I know the addresses of some such hostels—and I have found only the name of the warden in the electoral register. No other people were registered there. The idea that a husband who beat up his wife so much that she had to fling the children from their home will put her on the register at the matrimonial home is ludicrous. I do not accept that argument.

To claim that the system could be abused is no excuse for ignoring the problem. A problem has been identified. We have a high rate of family break-ups not all of which result in violence. There is massive pressure in families and there is more violence in the family than there used to be. Action must be taken to ensure that women affected by domestic violence—it is mainly women who are affected—do not lose the right to vote. Some procedure must be made available to them.

Cardboard city also needs to be registered. It cannot be ignored. Cardboard city is a reality in some cities, particularly the capital city, although it has not yet come to Birmingham. Why should people lose their right to vote? If the tents at Greenham common, a ditch used regularly by a traditional tramp, or a patch of ground occupied by a fairground on the annual visit to a locality are legally acceptable addresses from which people can be registered for electoral purposes, cardboard city must have equal treatment. It is tragic that they should be necessary, but there must be equal treatment. That may institutionalise cardboard city, but until we seriously tackle the problems of the homeless and the rootless, we cannot pass by and say of such people, "It is their fault that they are unemployed and homeless, and now it is their fault that they have no right to vote." I hope that this year those who regularly inhabit cardboard city will obtain and complete a form, and if need be will pursue their right through the courts.

I was moved to make that point by a concerned constituent. On 29 June I was visited at one of my regular Friday surgeries by Mr. Robert Forrester of Hurlingham road. I am not aware of having met him previously, but many years ago his daughter, an animal welfare campaigner, was one of my regular correspondents. Mr. Forrester contrasted the Government's efforts to register people who had gone abroad for up to 20 years—tax exiles, if you like—with the plight of the homeless. He told me, "In a democracy, it is not right that the homeless miss the chance to vote while people who have been abroad for up to 20 years do not."

In my more than 16 years as a Member of Parliament holding a constituency surgery every Friday and some Saturdays, Mr. Forrester was the first person at the head of a surgery queue to see me on a non-personal issue. As right hon. and hon. Members know, most surgery cases concern family difficulties or personal problems—the kind of things that we deal with day in and day out. Sometimes, a constituent will come into the surgery during the course of the evening and say, "I don't have a problem, but I want to bend your ear about something on which I hold strong views." Mr. Forrester had queued for about three hours, and I was both astonished and proud to receive from the first constituent in the queue representations on a fundamental democratic issue. Although I had been minded to raise the question of problems associated with election law and administration in a wider context, when I drew up the main points of my speech, those made by Mr. Forrester when he visited my surgery were among those uppermost in my mind.

As the Minister is aware—he was the Government Whip at the time—I served on the Committee which dealt with the poll tax legislation. I emphasise that maximum use must be made of the information available from the poll tax register. If there are 20,000 more on the poll tax register for Leeds than on the electoral register, I expect to see a change in electoral registration in respect of that city. The resources invested in the one must have a spin-off for the other.

It was once thought that people would lose the right to vote because they would fail to be added either to the poll tax register or to the electoral register, but it has not worked out like that. The resources and political activity devoted to poll tax registration have resulted in a situation that no one forecast when the legislation passed through the House. This may strike horror into the hearts of some electoral registration officers, but I would like to see a continuous electoral register. The poll tax register provides a daily record. It may not serve its intended purpose, because poll tax will not work, but if a person moves from one area to another the change is immediately reflected in the poll tax register.

The fact that this country does not have a fixed-term Parliament makes it even more difficult. In Europe, the Netherlands, Austria, West Germany, Switzerland, Denmark and Belgium—New Zealand has crept on to my list somehow—all have fixed-term Parliaments with continuously updated electoral registers. Italy, France, Finland, Portugal and Sweden have annual electoral registers and fixed-term Parliaments. We are in the minority in not having a fixed-term Parliament. The fact that we do not have a fixed-term Parliament, combined with our system of registration, is bound to lead to people missing out on the right to vote. I believe that it was last week that the Prime Minister said that she would call the next election only when she was certain of victory. How can one be certain of victory in a democracy?

Let us consider the barriers to registration. There are 2 million people missed off the electoral register. There are administrative and bureaucratic hurdles for people trying

to maintain the right to vote when they move around the country and do not have warning of elections. Those factors, combined with a Prime Minister who says that she will name the date only when she is certain of victory, are very worrying. I hope that the Minister will condemn that sort of attitude from a fellow Minister, albeit a senior fellow Minister, who talks about the certainty of victory.

Expenditure is not a problem. I do not know what the overall figure is, but the cost of electoral registration is infinitesimal compared with Home Office budgets and local government expenditure. There is certainly a case for upgrading staff in some areas. That is exactly what has happened with the poll tax register. Some electoral registration departments are still in the world of the quill pen—backwaters with low-grade staff. That is not conducive to an efficient up-to-date register, with a pro-active set of officers going out to ensure that everyone is registered.

There is an overwhelming case for expensive, effective publicity by local authorities and the Home Office. I do not mean the drab, public notice information with which we are so familiar. We need the slick, effective advertising associated with the Government's discredited privatisation programme. The programme may be discredited, but the advertising did the trick—it got the message across to people. Different advertising techniques have been employed by central Government for the privatisation programme, and for the Department of Trade and Industry's enterprise programme—Lord Young's legacy for 1992. That was a totally different form of central Government advertising—a heavy programme designed to put across a policy and a message, explaining to people the rights for which Parliament has legislated. That is absolutely right. I want a little of that to spin off so that voter registration is also taken seriously.

I have always told people that it is an offence not to register—this may be a learning process for all of us—but in fact it is not. It is an offence not to respond to the electoral registration officer's request for information. I do not know whether anyone takes that law seriously. I have not been able to find out whether an electoral registration officer has ever taken someone to court, or has tried to put the law into effect if people have flatly refused to return the forms after repeated invitations to do so. A breach of the law is involved, and possibly that matter will need to be looked into. It may be necessary to make examples of some people.

I make no apology for detaining the House on this issue at this time of the morning, because it is central to the core of democracy in this country. We are a democracy, and what we do not protect, we lose—it is as simple as that—so we have to look after it and nurture it. If democracy starts to wither, we have to do something about it. We keep preaching to the rest of Europe that we are the oldest sovereign Parliament in Europe—the Prime Minister keeps saying that that is what she tells her Common Market colleagues—but we have royal prerogative, Orders in Council, a Whip system, an unfair electoral system and, to boot, at least 2 million people with the right to vote are missed off the electoral register. We cannot boast about the way we run our democracy unless we are prepared to take voter registration seriously. That is why I have raised the subject.

I hope that the Minister will respond positively. I have the highest regard for him and I know that he considers this an extremely serious matter. This is not a party issue. If people do not register, they lose their right to vote. Our job as legislators is to look after our democracy and to ensure that the maximum number of people have the right to vote. I hope that the Minister and I will join together on that central issue.

1.54 am

Mr. Alistair Darling (Edinburgh, Central): My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) has raised a particularly important matter. I am sure that the House is grateful to him for having raised it, for it crosses the party divide. My hon. Friend invited the Minister to denounce the Prime Minister for having said that she would call the election only when she was confident of victory. Even though the junior ministerial reshuffle has been completed and the Minister has remained unscathed, or alternatively has been condemned to another 12 months at the Home Office, I am sure that he will not accept that invitation.

My hon. Friend made the important point that many people miss out on the right to vote. I am happy to support a number of his proposals—in particular, his proposal that there should be a continuous register. It has a great deal of merit.

I hope that the Minister will examine the different methods used by different electoral registration officers when they compile their registers. One finds different practices in different parts of the country. I believe that the Home Office is studying the different methods and is to report upon them in the fairly near future. I hope that the Minister will be able to say something about the study and about when he thinks that he will be able to report to the House. Some electoral registration officers prefer the door-to-door method; others rely on the postal return; others wait until it becomes apparent that someone is no longer on the register. All these schemes may have advantages, but there is something to be said for learning from the best practice.

My hon. Friend's remarks about the homeless are also important. I represent an area where there is a large number of homeless people. Something needs to be done about getting them registered. It is not because they are unwilling to be registered or because they do not have somewhere to live. Many of them have no fixed abode because there is no fixed abode in which they can live. Generally they live in the same area.

There is not just the one ditch to which the tramp could point in the case that my hon. Friend had in mind. These people certainly live in the same general area, but they have no one place where they can be sure that they will be able to sleep on any particular occasion, or anything else that would establish their residence at one address. The Home Office ought to address that growing problem. That does not mean that I do not urge the Minister's colleagues in other Departments to address the question of removing the problem of homelessness, which is, of course, a far greater problem, once and for all.

I agree, too, with my hon. Friend's suggestion that imaginative publicity ought to be applied to electoral registration. It is an exceptionally good suggestion. The Government are prepared to spend large sums of taxpayers' money on selling the things that they think are worth while. In particular, the privatisation programmes show that imaginative publicity has been used to convince members of the public that industries that hitherto they

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had been told were useless and inefficient are now very efficient, and that they ought to buy what they already own.

I must give the Minister and his colleagues some credit for that campaign; it had some limited success, at least at the start. It shows how imaginative publicity can be well used. As it appears from yesterday's announcement that PowerGen is to be sold privately, the money that was earmarked for that pre-sale publicity will no doubt be available for the purpose of getting people elected. That is a constructive suggestion that I am more than happy to make to the Minister.

My hon. Friend the Member for Perry Barr made an important point when he said that in many parts of the country the poll tax register has more names on it than the electoral register. That is not the case uniformly, but it is true in some parts of the country. In Scotland, where we are in the second year of the poll tax, the poll tax register is undoubtedly much longer than the electoral register in some districts.

There is undoubtedly evidence that some people have wrongly decided that they can opt out of the poll tax by opting out of the electoral register. It must be emphasised to such people that the only way to defeat the poll tax is not to remove one's name from the register, but to get on to the register so that, at the next available opportunity, it is possible to vote the Government out of office. When people come off the register, it is a gift to those who support the poll tax.

I hope that those who think that, by coming off the electoral register, they are achieving something in the battle to defeat the poll tax will realise that that tactic is misguided and they merely run the risk of ensuring that the poll tax remains in place. I hope that people who have taken that course will realise that they have made a mistake and will ensure that their names are included on the electoral register this autumn.

Another point arising from what my hon. Friend said is the need for a substantial advertising campaign. It must be not merely a few advertisements in public libraries or an advertisement in a newspaper, but a television campaign, of which the public are made aware in the run-up to October. It is not too late for the Home Office to start planning it, if it has not already done so. The need for a national advertising campaign is exceptionally important, because it is in the national interest that as many people as possible are registered to vote at any election.

The money that has been allocated to encourage those overseas to register makes it obvious that no effort had been spared by the Government. I know that there is a caveat, in that it is impossible to compare the numbers of people living in a country and the amount of money allocated in an advertising campaign, because the relative costs are different. The Home Office estimates that there are 1,500 overseas electors in Jamaica, and the sum of £15,050 has been allocated for an advertising campaign, which means that there is about £10 for every elector. Perhaps such a figure per person would be a bit ambitious in this country, but there are other examples.

The Home Office thinks that there are two people in Romania who are eligible to vote as overseas electors, yet £10 has been allocated. Even with the increased charges for British Telecom calls, I should have thought that it would be possible to telephone both those people for substantially less than £10. In Guatemala, 20 people are estimated to be eligible to vote, and £100 is being spent. I do not know the cost of advertising in the Guatemalan press or television, but I should be surprised if such expenditure per capita could be justified, especially when one considers that in Canada, where there are well over 1 million overseas electors, £45,805 has allocated.

Someone in the Home Office has consciously sat down, worked out the number of people in overseas countries and allocated specific budgets, which are not always round figures. In Australia, £32,486—a specific figure—has been allocated, although I admit that, in Angola, £30 has been allocated, which is a round sum. If such figures can be worked out for recruiting overseas electors, they can also be worked out for recruiting electors to the register in the United Kingdom.

I hope that the Minister will concede the need for a substantial national advertising campaign to get people on the register so that they may have the right to vote at the next election, whether local or general.

2.3 am

The Parliamentary Under-Secretary of State for the Home Department (Mr. Peter Lloyd): I congratulate the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on securing this debate and I am glad to have the opportunity to reply to some of the points that he and the hon. Member for Edinburgh, Central (Mr. Darling) have raised.

I know that the hon. Member for Perry Barr has taken a close and serious interest in this subject for a considerable time, not just because of his distressing experience—particularly for a Member for Parliament—of finding so many of his executive committee unregistered. I agree with a great deal of what he said—certainly his analysis of the problem and a number of his recommendations.

I share the concern expressed by the hon. Members for Perry Barr and for Edinburgh, Central about current levels of registration, which are lower than any of us would wish. For several years, increases in the number of registered electors have not kept pace with increases in the population. Figures produced by the Office of Population Censuses and Surveys suggest—in the nature of the statistical exercise, it can be no more than a suggestion—that the decline set in after 1984 and has become more marked over the past three years.

That decline should be put in perspective. The proportion registering fell from 97·7 per cent. in 1984 to 96 per cent. in 1989. My figures differ from those given by the hon. Member for Perry Barr, but I have taken mine from the OPCS report. To put it in further perspective, the hon. Gentleman rightly said that, although the percentage is small, it adds up to many people—far more than we want to see not on the register. I believe that the 1990 figures, which will be published in full by the OPCS later this month, will show that the decline is levelling off.

As the hon. Member for Perry Barr said, we do not have a national system of electoral registration in this country, nor do we have a comprehensive register of the population of voting age in any form. Electoral registration is the responsibility of electoral registration officers, who have a statutory duty to prepare and publish each year a register of parliamentary and local government

electors in the area for which they act. They do so, in the words of the Representation of the People Act 1983, by means of a

"house-to-house or other sufficient inquiry."

This leaves the choice of methodology, to which the hon. Member for Edinburgh, Central referred, very much to electoral registration officers and the strategy that they adopt. In most cases, they distribute, by post or using personal canvassers, electoral form A, which requires householders to supply details of those eligible to be electors.

The hon. Member for Perry Barr is sceptical of the quality of some EROs, or at least of the work that they do. They are almost always chief executives of their local authorities and they usually appoint their own deputies. The Home Office cannot directly intervene to maintain or improve standards, confiscate the quill pen or substitute the information technology that the hon. Gentleman would like to see. In the last analysis, electoral registration officers, although they are local authority employees, are responsible not to the Home Office or their local authority but to the law. The courts decide whether the electoral officer is fulfilling his duties properly.

The Home Office is responsible for the statutory basis on which the registration system works, and we issue guidance to and provide a code of practice for registration officers in England and Wales, about which I shall say more in a moment. We also conduct an annual advertising and publicity campaign to encourage people to complete and return the registration form.

There are several possible reasons for the relative decline in electoral registration, including some mentioned by the hon. Member for Perry Barr, such as failure to register because of apathy or hostility to the electoral system or to what is seen as authority or bureaucracy in general, or because no general election is imminent. There is also, and it is surprisingly high, simple ignorance of the system, particularly among young people, which is why it is so important to reach them in the ways suggested by the hon. Gentleman. Changes in practice by registration officers, such as quicker or more thorough removal from the register of those who have died or moved away, can also have a marked effect.

At any one time, there are people on the register who should not be. The most recent major study into levels of electoral registration, following on from the 1981 census —the study to which the hon. Gentleman referred—found that the number involved was about equal to the number of eligible people who were left off. If registration officers decide to direct their attention to weeding out ineligible or dead people from the register, without increasing the number of eligible people who are coming on, obviously the figures will decrease.

That has happened in several constituencies, where the lists have been radically checked without the additional effort needed to get people who are entitled to register to do so. Changes in legitimate dual registration, for example, by students and second home owners, can also have an effect. Often, these people are on neither register.

Some hon. Members have made much of their belief —it was conspicuous that it was not expressed as it was in debates in which I have taken part—that the introduction of the community charge is the main cause for the relative decline in levels of electoral registration. I do not for a moment doubt the sincerity of those who argue in that way —although they are usually people who never miss an opportunity to state their hostility to the idea of the community charge—and I would not deny that the introduction of the community charge may have had an effect on registration levels, due to people keeping themselves off the electoral register in the mistaken belief that, by doing so, they will avoid paying the charge. I was glad that the hon. Member for Edinburgh, Central made that point. It is a pity if people keep themselves off the register for that reason, as it removes their opportunity to vote in elections which affect what the charge level may be. The fact that they have none the less found themselves on the community charge list should have cured that misapprehension.

In practice, any such apparent "community charge effect" cannot be quantified, and there is certainly no evidence to suggest that it is a major factor. In many parts of the country it is difficult for people to avoid registration or to get off the register once they are on it. Research carried out on our behalf by the OPCS suggests that nearly 90 per cent. of local authorities in England and Wales carry names forward from one electoral register to the next, regardless of whether a response has been received from the householder, for at least one year. Around 25 per cent. carry names forward for two years or more. There will, therefore, tend to be a gap of at least one year, and sometimes longer, before the effect of any alleged disincentive to register shows up in the figures.

Looking at the trends in electoral registration with this consideration in mind, it is difficult to discern any direct correlation between decreases in registration and the introduction of the community charge in either Scotland or, a year later, in England and Wales. The downward trend clearly predates the introduction of the charge in both parts of Great Britain. As the OPCS observes in its recent publication "Population Trends 60", if the community charge has had an effect, the impact does not appear to be straightforward.

Mr. Darling: I am not sure that I am in a position to disagree with the Minister's general conclusions. I think that he would agree that it is a bit early yet, certainly in England and Wales, to conclude that people are not coming off the register because of the poll tax. There is some evidence that people are coming off the register in some parts of Scotland, which is in the second year of the poll tax. Equally, there is evidence in other areas that people are not coming off the register. At present, there is a mixed picture, although I reiterate the point that people who come off the register to avoid paying the poll tax are, first, making a mistake—because one day the authorities will catch up with them—and, secondly and more important, forfeiting the right to vote.

Mr. Lloyd: I do not have the figures written down, but I think that there has been an increase in the past year in the overall figures for Scotland. I expect that the figures for England and Wales will be published shortly. The signs are that the decline in England has dropped and in Wales the figures have increased. As the OPCS stated, if the community charge has had an effect, it is not particularly clear.

Whatever the cause of declining registration, the trend is very much a matter of concern, which is why I am grateful to the hon. Member for Perry Barr for raising this subject. The Government want the trend to be arrested and reversed. We are therefore extending and updating our

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advice to electoral registration officers with a series of practice notes. The first two, on performance indicators and publicity, have been well received.

Last year, in addition to our annual newspaper advertising campaign, we conducted a pilot television advertising campaign in Devon and Cornwall, the results of which were quite promising. Funds are not available—nor has the creative approach to these problems been sufficiently worked out—for television advertising this year. In answer to the point made by the hon. Member for Edinburgh, Central, we plan a non-television campaign for the autumn. I believe that that will be much more effective than the press campaigns that we have run in the past. Television, of course, remains a possibility for the future.

The hon. Member for Edinburgh, Central referred to overseas advertising. We are spending some £750,000 on overseas advertising directed at potential electors—people who may be eligible to go on to the register. That is not a large sum, given the long list of countries that I believe the hon. Gentleman found in an answer from the Home Secretary; and, as was shown by the examples that he gave, the sum per country is also quite small. Let me make two points, however. First, this is one off; I think that it would be very wrong—Parliament having decided that the right to vote should be extended—if we did not make some effort to inform potential electors overseas. Secondly, we are advertising in this country, and, although the sum involved is smaller—just over £500,000—every potential elector here should have the registration form through his letter box, unlike overseas electors.

The hon. Gentleman mentioned the £10 spent in Romania. I suspect that that relates not to advertising as such but to leaflets or posters. I also think that the hon. Gentleman has the argument the wrong way round. He seemed to think that the number of potential electors was put down and the money divided between them. I think that the odd sums that he gave stemmed directly from the cost of the media that we use in each country, but the cost varies from country to country. The "spend per head ratio" differs, because in each country we wanted to select at least the minimum possible media coverage in our efforts to reach people who might be eligible.

The OPCS is also carrying out, on our behalf, annual research into the methods used by registration officers. The hon. Member for Edinburgh, Central mentioned that. The results of the research will assist us in the preparation of future guidance: I cannot tell him now on what date it will be ready, but I hope that that date is not many months away.

Most important is our intention that the introduction of the community charge should actually benefit electoral registration. The hon. Members for Edinburgh, Central and for Perry Barr both remarked that the lists for the community charge were very much fuller. Our third practice note, which we expect to issue later this summer, will give registration officers guidance on how to make the most effective use of their statutory right of access to the community charge register: the hon. Member for Perry Barr was, I believe, particularly anxious for that to happen. In most cases, the community charge register will be much more accurate and up to date than the electoral register as a source of information about people who may be eligible to vote but are not registered as electors.

Far from keeping people off the register, the community charge will in the longer run prove to be the means of getting them on to it. The Leeds figures mentioned by the hon. Member for Perry Barr provide an excellent example of where such work could start.

We take every opportunity to put across the message that, by staying off the electoral register, people merely deprive themselves of the right to vote. What is more—as any who have deliberately refrained from registering for this reason are no doubt discovering—it does not, in practice, enable them to avoid having to pay the charge. However, it certainly prevents them from voting in local elections—which affect the level at which the charge is set—and in parliamentary elections, in which the future of the system is determined.

Mr. Darling: The Minister said that £760,000 has been allocated to overseas voters. In the same answer, the Home Secretary said that £334,696 has not yet been allocated. Would the Minister consider using some or all of that sum to enhance the campaign in this country? He mentioned the Devon and Cornwall experiment on television. I appreciate that £300,000 will not buy much television time, but I do not think that newspaper campaigns alone are enough.

Mr. Lloyd: We do not intend to campaign only in newspapers, but we will not be using television. The hon. Gentleman is right in saying that £300,000 or so will not go very far. I am not certain where that £300,000 was to be allocated, but I suspect that it has already been allocated. When the question was answered, it probably had not been dedicated to any particular medium in any particular country. However, I will let the hon. Gentleman know.

The hon. Member for Perry Barr asked about several specific points and I shall deal with them in turn. He mentioned the registration of spouses of service men. I know from my constituency that there is occasionally a difficulty about the registration of service men, and they do not always get themselves registered. However, I was not aware of the difficulties involving their spouses, as they can register in the normal way in the area in which they live. If the hon. Gentleman can follow that up, I shall look into it further.

The hon. Gentleman mentioned multi-occupancy. I agree that that is a real problem, particularly as the residents in large multi-occupied dwellings are often young. They tend to be mobile and are just the sort of people who do not register. Things are made worse by shared letter boxes and registration forms getting lost. However, as he said, I suspect that the best way of tackling the problem must be locally, by those with some local knowledge. Thought needs to be given to it, because I suspect that many people would be happy to be on the register—some are not—if the form turned up.

The problem of bed and breakfast is similar to that which I have already mentioned, and I have partly dealt with the problem of young people. The hon. Member for Perry Barr mentioned the 1981 study, which showed that a large proportion of young people do not come on to the register. Electoral registration officers are aware of that. Many of them are making efforts through the schools—I believe that that is the case in Birmingham—with some

good results. Leaflets are available for use in schools if electoral registration officers wish to use them. The form that goes to every household emphasises the need to put 16 and 17-year-olds on the register. The advertising we will be introducing particularly addresses the young. I was interested in the hon. Gentleman's idea for a letter to every schoolchild or every household—I am not sure which. Experiments such as that, conducted by electoral registration officers, could prove valuable, especially if the results could be made generally known.

Mr. Rooker: The local authorities know the age of pupils coming up to school leaving age. The crucial time for registration is about 16 years and seven or eight months, depending on the date of birth. The electoral registration officer could write to the family and the 16-year-old and say, "If your date of birth means that you are 16 years and eight months you need to be on this year's register when it comes." It is a proactive campaign to get to the young, rather than having to rely on the head of a school.

I know what happens in schools. A drab notice that nobody reads will go up or in September at the first assembly for the final year and the head may say, "By the way, some of you may need to get yourselves on the electoral register." If that was announced in the first assembly for the final year, together with everything else, it would go in one ear and out the other. There must be a more proactive approach, and the mechanism already exists for such an approach.

Mr. Lloyd: I understand the hon. Gentleman's point, and I should be interested to learn whether he is trying to persuade the authorities in Birmingham to use that approach.

I understood the point that the hon. Member for Perry Barr made about battered wives. I appreciate the fear felt by women who have suffered violence from their husbands or other members of their families at the prospect that they might be discovered if they have sought to escape such violence. However, there is no evidence that the register is used to pursue people. It is difficult to look through registers to find a name that one recognises. However, I understand that the fear exists and I would be interested to hear from the hon. Gentleman if he has an example of the register being used in that way.

Mr. Rooker: I will not go into the details now. However, I have learnt from the electoral registration officer in Birmingham and from discussions with EROs elsewhere that, because the poll tax allows women the right not to be named on that register, those women want to know why they cannot have the same right with respect to the electoral register. They are losing their rights to vote because they do not register as they are afraid of being found.

If someone knows roughly the area in which someone else moves around, it is quite easy to trawl through the electoral register. It is not as difficult as we might imagine. It is different if someone is moving from one authority to another, but within small areas, people can have a rough idea where other people may have gone. The poll tax operation is causing women in hostels to ask why, as they can be missed off that register, they cannot be missed off the electoral roll, as that would protect their right to vote. Those women are losing the right to vote. The Minister can check that by getting his staff to visit some refuges and battered wives hostels. He should check how many of those names appear on the electoral registers. He can bet his bottom dollar that those people were living in those places on 10 October last year.

Mr. Lloyd: Well, as I have said, we have no evidence of that. If the hon. Gentleman can supply some, I should be interested to see it. I understand that the fear exists, and I can understand why those wives would want to know why they should be visible on the electoral register when they do not have to be so on the community charge register. However, the two documents have different purposes. The electoral register is a public document showing all those who may vote. It is easier to pursue someone if that person's name is visible on the community charge register, because that register is set out in a different way. I understand the hon. Gentleman's point, but I am afraid that there is no easy solution to that problem.

I noted the hon. Gentleman's point about the adoption of other names for the register. He asked whether that was legal. It would not be illegal to use a maiden name, but the hon. Gentleman and the woman concerned would not consider that a particularly good cover. I am pretty certain that it is not lawful to register under a false name by which the individual is never otherwise known. There is a problem there. However, I would be interested in any evidence that the hon. Gentleman can supply about that. I have no such evidence, but I have heard the point made many times without the evidence.

The hon. Gentleman also referred to homelessness, to Mr. Forrester and cardboard city, and he said that being homeless should not preclude registration. Well, it does not. The courts are the final authority in the matter. They require some degree of permanence, and that degree is for the courts to determine. Greenham Common, to which the hon. Gentleman referred, is an example where permanence was sufficient for those people to come on to the register. In the first place, it is for the ERO to judge. However, if an indvidual believes that he or she should be on the register, that person should apply to be on it. If that is refused, the final judge is not the ERO or me; it is the courts.

The hon. Gentleman made two more points, one of which was about the rolling register. It is an attractive idea. He will understand that, like the EROs whom he mentioned, I remain sceptical of its practicability. There are several problems. First, it would make the individual rather than the ERO responsible for getting on to the register. The hon. Gentleman might think that that was a small shift in responsibility that was more theoretical than real, but it would be a substantial change in the way in which the law is organised. Secondly—the Home Affairs Select Committee had this point in mind when it rejected the idea at some time in the mid 1980s—it might tempt some people to register in a marginal constituency shortly before an election in order to influence the result. It is an interesting idea.

With the development of the community charge register and with local experience of keeping it running, attitudes to the practicability of the rolling register may change. It certainly would be an additional expense, and it would certainly be administratively difficult. We would have to keep the two registers separate, because the duty to pay the community charge and the right to vote are not synonymous, and that distinction needs to be kept. There is a real and particular problem in pursuing such an idea

[Mr. Lloyd]

now, but of course something may be learned over the next few years in keeping registers that may be to the hon. Gentleman's advantage—or rather, to the advantage of his idea.

Mr. Rooker: I am grateful for the way in which the Minister is responding to that point. He must appreciate that it is more important in a country that does not have a fixed-term Parliament to have a mechanism whereby the register is as up to date as possible, as opposed to the system in countries in which there are fixed-term Parliaments. The whole democratic and political process is geared to those dates. In Germany, a register is available for the 15th or 20th day for a final check before the election. When there is not a fixed-term Parliament, the idea is more attractive. The poll tax operation begins to make it look like a practical proposition. That is why it is a fertile time to put that view forward.

Mr. Lloyd: It may be a fertile time or a good time to signal additional interest. It is not a practical possibility for the near future, but I can see the advantages that the hon. Gentleman paints for such a scheme if it proved to be practical. Administratively, it would be considerable. I have often heard from the Opposition how impossible it is to keep up the community charge list. Perhaps it is not as difficult as all that, but it is quite an exercise for local authorities, as they are not slow to remind us.

The hon. Gentleman asked about the law. It is an offence not to fill in and return the form, and the penalty is £400. I am not sure whether some prosecutions to make an example of somebody who does not fill in the form would be a useful way of persuading people that it was sensible and right and a public duty to vote. Indeed, I suspect——

Mr. Rooker: It is a public duty to register.

Mr. Lloyd: It is a public duty to register. I know that the hon. Gentleman was not suggesting it, but, while I have been taking an interest in these subjects, it has stuck in my mind that some of those who do not register believe that it is their right, or should be their right, not to register, and certainly their right to vote for nobody at all if they wish.

Tibet

2.33 am

Sir Bernard Braine (Castle Point): Two weeks ago an international conference on self-determination for Tibet was held at the London business school. It was sponsored by the all-party human rights group and the all-party Tibet group of both Houses of Parliament and the United States congressional human rights foundation. It drew together 126 parliamentarians and experts in international law and human rights from 41 countries to look at nothing else than the worst case of genocide and violation of human rights against a people and their homeland since the second world war.

I have never attended a conference at which there was such great strength of feeling and concern. It was the third international conference on Tibet to be held in just over a year. The first was in Delhi, which I attended, and the second in Japan where messages of support were received from the Japanese Prime Minister. All three conferences brought together a unique fund of parliamentary, diplomatic and legal experience to bear on the critical and tragic situation in Tibet.

Fourteen international lawyers or professors of international law participated, including the Attorney-General of Australia who is also chairman of the Australian section of the International Commission of Jurists, two Australian judges, both members of the International Commission of Jurists—one of whom, Mr. Justice Kirby, is chairman of the UNESCO expert group on the rights of peoples. The French professor of international law acted as the group's rapporteur. The head of the international affairs department of the Jawaharlal Nehru university in Delhi, a former United States Attorney-General, and the Minister of Justice of Zimbabwe also participated. Jointly, they made it clear that international jurists recognise that there is simply no legal validity to China's claims to Tibet—we have passed beyond the stage of legal arguments. There is no room for debate—Tibet should be free.

Representatives from the Baltic states drew attention to the parallel between their situation and that of Tibet, having no doubt of Tibet's right to independence. They were well represented with a member of the Lithuanian Supreme Council and foreign relations committee attending with the Deputy Chairman of the Latvian Supreme Council and the Chairman of the Congress of Estonia. Of particular significance was the presence of two founders of the Mongolian Democratic Union who made quite clear their commitment to Tibetan independence.

President Vaclav Havel, who, soon after taking office, invited His Holiness the Dalai Lama to visit Czechoslovakia, was represented at the conference by his brother. The Federal Republic of Germany, Austria, Costa Rica, the Netherlands and India all sent representatives from their embassies in London. The Icelandic Prime Minister attended in person. Alas, the British Government declined to be represented, even by an observer. Was this out of concern at possible Chinese reaction? I can think of no other reason.

The world was rightly shocked by the events in Tiananmen square, but so muted was Government responses to a dress rehearsal in Lhasa, when a non-violent demonstration by Tibetans was put down with the same mass brutality and martial law was declared in Tibet, three

months prior to its introduction in Peking that, inevitably, the Chinese must have been encouraged to think they could weather the outcry over Tiananmen square.

Now is the time for the civilised world to take its stand on Tibet. The charge of genocide is not arrived at lightly, but the evidence is clear.

The number of persons who perished in Tibet between 1959 and 1979 by execution or as a direct result of imprisonment and torture, or being consigned to a forced labour camp, or from the wide-scale famine engendered by the policies of the People's Republic of China, is in the region of 1 million—about one sixth of the total population. True, this includes the period of the cultural revolution in China itself, but that destruction of human life and onslaught on a distinct culture is not, as the Chinese suggest, part of the cultural revolution.

One in every 10 Tibetans have been held in prisons or forced labour camps for periods of 10 to 28 years. All the 75 Tibetans now living in this country have tragic tales to tell of what has befallen their families. At our conference a young monk of 24, born and brought up under the Chinese regime, spoke of his experiences. The Institute for the Victims of Torture says that his is the worst case that it has encountered. He has severe damage to his ribs, spine and throat. His crime was the writing of slogans calling for Tibetan independence.

Racial discrimination and segregation are widespread, and frequently openly practised. Long-standing Chinese officials manifest all the worst attributes of colonialism, regarding themselves as having to work in an inhospitable land, governing a people who cannot be trusted and whom they regard as barbarous, stupid and superstitious.

The policy of taking Tibetan children to China, ostensibly for education, continues with no choice being given but with the evident object of ensuring that the young are assimilated.

Despite official encouragement, few Chinese in Tibet bother to learn Tibetan, and although it is meant to be a second language in schools, Tibetan students must speak Chinese to be able to achieve anything.

It is that attitude of racial superiority which prevails among the field workers in the family planning units in Tibet, resulting in the brutal implementation of a programme of compulsory abortion and the sterilisation of women. According to the Chinese, this is part of a general family planning drive, but it is particularly offensive to Tibetans who are Buddhists and are reluctant to have abortions, and it appears much more as part of the effort quickly to assimilate the race.

The Chinese authorities admit to forced sterilisations. They say that the practice ended with the cultural revolution in 1979, but there is ample evidence that it continues. On 29 May, the Chinese authorities said that 18,000 women in central Tibet had volunteered for sterilisation—out of 600,000 of child-bearing age. I am advised that the attitude of the Chinese medical personnel towards the Tibetans results in forced abortions at any time during pregnancy, and there have also been cases of infanticide.

I need hardly draw attention to the parallels with Nazi methods and the Nazis' attitude towards people whom they considered inferior. Indeed, the similarities are even more disturbing in the light of the increasing official interest in eugenics and official statements that there should be "qualitative control" of minority peoples. *China Population News* published an article a few months ago stating that it is much more common to find persons who are mentally retarded or short of stature among the minority nationalities than among the Han Chinese. The implication is that such characteristics justify the need to take family planning firmly in hand.

In a particularly perverse twist, forced family planning is being publicised as an example of preferential treatment for people of ethnic minority nationalities, 100,000 of whom are cited as being handicapped. I need hardly tell the House that such trends were not noticed by those who spent many years in Tibet prior to the occupation and are certainly not apparent among the Tibetan refugee population in India.

There can be no doubt of the long-term policy of the Chinese leadership for the assimilation, as they term it, of China's national minorities, particularly through settlement by the Chinese. For example, Mongolians in inner Mongolia are now a minority in their own land.

Tibet was self-supporting before the Chinese invasion. The country has known famine only since Chinese occupation, by an army of 300,000 and since the steady influx of settlers, whose numbers are dramatically increasing. In all major Tibetan cities, the preponderance of Chinese is evident, with the Tibetans increasingly forming a poor quarter. Some 30,000 Tibetans in the Lhasa valley have lost their jobs to Chinese settlers, who are given financial incentives to settle and provided with superior services.

Forcible movement of children, a high death toll, enforced sterilisation and population transfer all add up to genocide. Let me demonstrate what this means in individual terms. If I held up the Tibetan flag in Lhasa today, I would be liable to be shot dead, or at least arrested and tortured in an attempt to persuade me to inform on others whom I might know shared my sentiments. I would be a counter-revolutionary seeking to split the motherland. I would be guilty of treason if I held up the flag of the Tibetan people. At a recent demonstration, a monk was shot in the head for holding the flag aloft. When, in turn, five Tibetans picked up the flag, they too were shot. This cannot be tolerated by the civilised world. It must be condemned.

Some 3,000 to 4,000 Tibetans are currently in prison for so-called "splittist" or counter-revolutionary activity. What sort of country is that? They have simply shouted slogans demanding independence, or have displayed the Tibetan flag.

Last April, Lhasa television announced that in the struggle against subversion the people must deal with hostile elements with an iron fist. That is the language of Stalin and Hitler.

Mr. David Atkinson (Bournemouth, East): In view of what my right hon. Friend has just told the House in his characteristically dramatic way, does he agree that the occupation and annexation of Tibet, which took place in the 1950s, was exactly the same as that which the Soviet Union perpetrated in Afghanistan in 1979, an act which the Chinese condemned as hegemony? Does my right hon. Friend regret, as I do, that the condemnation of the Soviet Union in the United Nations by the west has never been accompanied by a condemnation by the west of what China has done to Tibet?

Sir Bernard Braine: The behaviour of the Chinese in Tibet is infinitely worse than what the Russians did during their invasion of Afghanistan.

In the past few months Tibetan nuns have been expelled from their convents, as have monks from their monastery —18 of them from the ruins of Gaden monastic university.

On 18 May the executions of two political activists were announced and a third had his sentence of death suspended for two years after informing the authorities that they had all planned to escape from prison. An official announcement said that the two had written letters showing determination to continue their crime on escaping from prison. That showed that they were held on political charges.

What is meant by political activity? A law just passed by the National People's Congress in Peking states

"that Tibetans may not use religion or other activities to organise rallies, demonstrations or parades that will endanger the state's unification or destroy national unity or social stability."

Let us consider the case of Nyima Tsamchoe who escaped recently from Tibet. She is 19 and at our conference she described what happened to persons accused of being involved in a demonstration. Nyima has also given extensive evidence to the United Nations commission on torture, to Amnesty International and to other human rights organisations. In addition, evidence has been supplied to the political affairs committee of the European Parliament, which recently held an inquiry on Tibet. Nyima considers that the abuse and the torture to which she was subjected was mild compared with that inflicted on young nuns. Members may have seen the extracts on television news some months ago from a video shot by personnel of the Chinese public security bureau, showing the Chinese brutally putting down a demonstration and their subsequent treatment of those arrested. The Chinese authorities make no apologies for their use of electric batons or cattle prods.

It is easy to forget what escaping from Tibet means for people like Nyima and Nawang, the young monk. It does not mean just crossing a border. Tibetans have to have permits to move about their own country and are registered with a work unit which checks their movements. To escape, they have to cross the highest mountains in the world. Yet these are ordinary people, not professional mountaineers. It can sometimes take weeks or months to reach safety. The route to Nepal is the easiest, except that the border guards usually hand refugees back to the Chinese. One hundred and thirty thousand Tibetans have escaped since 1959, but almost as many have perished in the attempt.

In that profoundly Buddhist country, entry to the monasteries is controlled by the Chinese administration and serious study is prohibited or, at best, very limited. While most of us probably realise Tibet is the highest country in the world, perhaps not everyone realises that it is four times the size of France and is the principal watershed of the Asian continent. Almost all Asia's great rivers rise in Tibet—among them, the Indus, Ganges, Mekong, Yangtze and Salween. Ecologically, Tibet is crucial to a vast area of Asia, but something sinister is happening to its environment. The delicate environmental balance has been severely damaged, and that is already affecting neighbouring countries. The Chinese have decimated Tibet's wildlife, so that much of it has gone for ever. Vast tracts of forest in east Tibet have been felled and there is a constant flow of timber back to China.

With a great sense of urgency and responsibility, the London conference issued its declaration urging specifically the United Kingdom, the United States, India and Japan and other nations, first, to pursue the question of the rights of Tibet through the United Nations and other appropriate forums; secondly, to take account of this tragic and continuing situation in all bilateral and multilateral relations with the People's Republic of China; thirdly, to advance the just cause of Tibetan self-determination and to recognise the non-violent nature of the Tibetan struggle; fourthly, to give due recognition to the Tibetan Government in exile and to His Holiness the Dalai Lama, recipient of the Nobel peace prize and honoured wherever he goes, as the representative of the Tibetan people until such time as properly constituted elections can be held under the supervision of the United Nations.

Before it is too late, we must recognise the situation for what it is—one of the worst, if not the worst, oppression inflicted on any country since the second world war. We are witnessing the destruction of a distinct and peaceful people. China says that there are about 2·5 million Tibetans. That is because it has already absorbed a third of the country into neighbouring Chinese provinces. The policy of encouraging Chinese settlement in Tibet through subsidies and better facilities than those enjoyed by the Tibetans results in a virtual system of apartheid, as any visitor to a Tibetan town will see for himself.

In 1961, 10 years after the Chinese occupation of Tibet and following the Tibetan rebellion against the Chinese and the terrible exodus over the Himalayas of 100,000 Tibetans, the International Commission of Jurists issued a report stating that Tibet was at the very least a de facto independent state when it was occupied, and that acts of genocide and extensive violation of human rights had already take place. In the same year, a resolution was passed by the United Nations General Assembly specifically referring to the violation of Tibetans' fundamental human rights and the suppression of their culture and religion. It then

"solemnly renews its call for the cessation of practices which deprive the Tibetan people of their right to self-determination."

Fifty six countries voted in favour, the then eastern bloc of 10 countries voted against, and 29 countries abstained. A further resolution was passed in 1965. I am glad to say that our country was among those which voted for that resolution.

The situation is now critical, with Tibet having perhaps five years before it disappears effectively as a separate people and culture. Tibetans are about to become a minority in their own homeland, and their rich culture will become a mere facade for tourists bringing vital foreign exchange for China.

For those seeking to avoid the Tibetan issue by citing uncertainty over its status, the message from the international lawyers at the London conference could not have been clearer. It endorsed the view of the legal inquiry committee of the International Commission of Jurists that at the very least Tibet was a de facto independent state when its representatives were forced in Peking to agree to the occupation in 1950. The committee stated that the repudiation of the agreement by the Tibetan Government

in 1959 was fully justified. In examining the evidence, the committee took account of events in Tibet as related in authoritative accounts by officials and scholars at first hand with the recent history of Tibet and official documents which have been published. These show that from 1913 to 1950 Tibet demonstrated the conditions of statehood as generally accepted under international law. In 1950 there was a people, a territory and a Government functioning in that territory and conducting their own domestic affairs free from any outside authority.

In short, after 1950 Tibet's status was such as to make the Tibetan question of legitimate concern to the United Nations, even on the restrictive interpretation of matters "essentially within the domestic jurisdiction" of a state, as is strongly argued by China. That was the view of the committee of the International Commission of Jurists. It should be added that, although there had been incursions prior to the Chinese occupation, Tibet had never been occupied in its 2,000-year history. Even the British expeditionary force which went into Tibet in 1904 stayed for only a few months. A leading authority on Tibet with a distinguished diplomatic record in the British Foreign Service has said:

"when the British ruled India, their primary interest in Tibet was to avoid influence in Tibet being obtained by any other state that might use it to disturb India's Himalayan frontier."

The British accepted the Chinese myth of the Middle Kingdom, that Tibet was part of their sphere of influence to discourage the Russian Tsars who sought to establish a position in Tibet. Indeed it was direct contact between the then Dalai Lama and the Russians which caused the British military expedition to take place in 1904. Even so, Britain treated Tibet right up to 1947 as a de facto state with which it was in treaty and had diplomatic relations.

Britain still has a vital role to play in relation to Tibet, as the London conference recognised. Indeed, the term "suzerainty", which has caused Tibet so many problems, was conceived by the British, drawn from European feudal law in the middle ages, relating to personal relationships between sovereign princes as, for example, in connection with the sultan of Turkey and the khedive of Egypt and areas which had been part of the Ottoman empire but which the sultan no longer controlled. It can have no significance whatever in the modern world.

Anthony Eden, when Foreign Secretary, spelled out to the Chinese in 1943 that Tibet had enjoyed de facto independence and that Britain was in treaty relations with her. Ingeniously, he suggested that Britain was nevertheless willing to accept that China had suzerainty over Tibet, but on the understanding that it accepted Tibet's autonomy which, it was made clear, equated with de facto independence.

I repeat that throughout the first half of this century the interpretation of Tibet's status was perfectly clear. Britain saw it as covering Tibet's complete internal freedom, its right to conduct its own external affairs without reference to China, its right to conclude treaties, and its right to receive diplomatic agents. In short, the offer made to the Chinese by Anthony Eden was to recognise nominal Chinese suzerainty on condition that China accepted it as nominal—an offer which, I must agree, China rejected.

Britain's view was inevitably influenced by the handover of power to India and was guided henceforth by the wishes of India, which was desperate for good relations with China. Ironic, was it not, when China stabbed India in the back, breaking Mr. Nehru's heart? In 1948, however, a Tibetan delegation travelling on Tibetan passports was received by Prime Minister Attlee. In 1950, with the Chinese invasion of Tibet, an Under-Secretary of State recalled in this House the assurances given to the Tibetan Government in 1947 about Tibet's autonomy, which he described as amounting to de facto independence. When the Indian Government, anxious to pursue good relations with China, tried to persuade the Tibetan Government against bringing the matter up at the United Nations, however, the British representative supported his Indian colleague, saying that Tibet's legal position was not clear.

China has latched on to that ever since, and Britain has been virtually hoist by its own petard—fearing now, as the Government have made clear, repercussions on Hong Kong. Yet is this not, as our colleagues in another place said in their recent debate, no less than appeasement—the turning of a blind eye to a massive crime against a defenceless people?

Last November another international consultation was convened at UNESCO headquarters to review the notion of the rights of peoples in international law. The participants were of the highest calibre; they were drawn from every corner of the world and represented a wide variety of cultures. They examined the United Nations charter, the international human rights covenants, and the developing customary law of nations. They concluded unanimously that people have such rights—that such rights are recognised in international law, and most especially the right of a people to self-determination.

A people for this purpose can be easily identified by race and language, history and religion, by numbers sufficiently large to provide cohesion and, above all, the will to be identified as a nation. The Tibetans qualify as a subject of international law on each and every one of those grounds. They are therefore entitled to exercise the right of self-determination, and the denial of that right is a breach of international law.

Alas, no international sheriff can be sent to enforce the rule of international law, but there is the force of international public opinion, which can be expressed around the world by Governments and by free Parliaments. That is all that Tibet has. Can we really stand aside when the Tibetans alone in the world have turned away from the use of arms?

I was present in Oslo last year when His Holiness the Dalai Lama received the Nobel peace prize. In his acceptance speech, he said:

"During this time"—

he was speaking of the past 40 years—

"over a million of our people perished and more than six thousand monasteries—the seat of our peaceful culture—were destroyed. There is not a single family, either in Tibet or among the refugees abroad, which has gone unscathed. Yet, our people's determination and commitment to spiritual values and the practice of non-violence remain unshaken. The demonstrations which have rocked Tibet for the past two years continue to be non-violent despite brutal suppression."

Speaking of the cruel and inhumane treatment of his people, His Holiness warned that they

"are facing the real possibility of elimination as a people and a nation. The government of the People's Republic of China is practising a form of genocide".

Surely it is time for the international community to return to first principles. China may be a mighty power, and its aggressive style of diplomacy may have cowed other nations into accepting human rights behaviour in China and Tibet that has long been regarded as

[Sir Bernard Braine]

unacceptable in the Soviet Union, South Africa, and elsewhere. History and common sense show, however, that in the long run it will be to China's benefit, and to that of everyone else, if it is reminded that if it wants to be a respected member of the international community it must accept international norms of behaviour. The world is too interdependent for civilised countries to stand aside and show indifference or funk, whichever term one cares to choose, in the face of the deliberate destruction of a unique people and a unique culture.

We are growing accustomed to conferences on the disappearance of species of whales and other endangered wildlife. Hardly a day passes without articles on that subject appearing in our newspapers or a television programme on the same topic—and rightly so. We should be made aware of what is happening to our environment and to life on this planet. I have no criticisms to make of that—I should like to see more of it. The media also constantly remind us of the man-made destruction of the rain forests and of the loss for ever of rare flora and fauna. Today, however, here in the British Parliament, I am talking about the systematic destruction of a whole race of human beings.

I ask my hon. Friend the Minister this simple question: Is the perceived self-interest of our country so short term that we can afford to continue to ignore the plight of Tibet and its people? That question must be addressed, and it must be addressed urgently.

3.3 am

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): The Father of the House deserves the congratulations of us all, not only on obtaining this debate but on his persistence with this and many other matters in which the violation of human rights is a central issue. He demonstrates a powerful and influential interest, as does my noble Friend Lord Ennals and my hon. Friend the Member for Sunderland, South (Mr. Mullin), who apologises for being unable to be with us today.

The right hon. Member for Castle Point (Sir B. Braine) deserves congratulations also for the powerful and convincing case that he has put to the House this morning. It is the retiring—or should I say promoted—Under-Secretary of State's duty to be with us this morning and to make his pre-penultimate speech on behalf of the Foreign Office. It is his unfortunate duty to answer on behalf of the Government—in all courtesy, perhaps I should congratulate the Minister on his promotion, and I think that his new post will offer him a more interesting and amenable opportunity for his talents—while the Minister of State, now the Financial Secretary to the Treasury, I think, who would have normally dealt with the matter, is on a somewhat misguided, and now abortive, mission to China and Hong Kong.

I am sure that the Father of the House would agree that the Minister's visit to China is in clear breach of the Madrid declaration. In a written reply to me on 27 June, the Minister confirmed that, in Peking, he would be discussing not merely practical issues in relation to Hong Kong—which is understandable—but also other issues of common interest. At this stage, that is certainly not understandable.

We very much hope that the Minister of State's visit to China will not be viewed in any way or by anyone as an act of forgiveness, or as a sign that we have forgotten the horrors of Tiananmen square or the human rights violations in Tibet. Indeed, I hope that the Minister will tell the Chinese Government what he said on BBC radio yesterday, and will express the great concern of the British people at the continuing repression in China, and that he will add our concern about the continuing violations of human rights in Tibet.

The right hon. Member for Castle Point has outlined in great detail, powerfully and convincingly, the brutality of the Chinese authorities in Tibet. I shall develop that by comparing what we hear about the situation—what we know about it—and what the Chinese people are told is happening there. For example, the *Financial Times* of 23 May reported that:

"Up to 2,000 people were executed, and many more tortured, during the six months before China lifted martial law in Lhasa . . . Human rights groups and dissidents have told of a concerted and brutal attempt by Chinese soldiers to crush resistance before Peking moved to end 14 months of martial law . . . on 1 May."

That is the reality that we hear.

Meanwhile, a headline in the *Beijing Review* one month earlier said:

"Stability is Order of the Day".

The article continued:

"the situation in Lhasa . . . has returned to normal since martial law was imposed on parts of the city"—

2,000 people executed in six months and they have the audacity to describe it as normal.

Like the right hon. Member for Castle Point, I know what I am inclined to believe—I know the true situation in Lhasa. Whatever one's view of Tibetan autonomy claims, and there may be differing views in the House, there can be no excuse for such repression and brutality. I hope that, at the very least, the Minister replying for the Government will make that abundantly clear this morning.

Tibet is not merely a human rights but also a political problem—as the right hon. Member for Castle Point rightly said—which seemed to be increasingly understood in Peking in the months until the beginning of 1989, as part of the increasing dialogue and openness in China. However, since the crackdown of March 1989, the prognosis has been much bleaker, and regression and repression within China, following Tiananmen square, have added to the difficulties in resolving the problem of Tibet, the basic elements of which remain exactly the same.

However, the British Government have been totally unwilling to extend the hand of friendship, or even to turn a sympathetic ear, towards Tibet, as the right hon. Member for Castle Point said, and as the Government have admitted, for fear of upsetting China and rocking the boat over Hong Kong. It shows a very warped sense of priorities for a Prime Minister who refuses even to shake hands with Nobel laureate the Dalai Lama to slink off and dine with the Chinese ambassador, even before the first anniversary of the massacre in Tiananmen square, and to repeat that dinner engagement.

The right hon. Member for Castle Point referred to the conference in London and to the many eminent legal representatives who attended it and expressed eminent legal opinions. I quote just one such opinion from the publication "International Relations" of May 1989. In a long but learned treatise on Tibet, Mr. Michael C. van Walt van Praag concluded:

"From a legal standpoint, Tibet has to this day not lost its statehood."

Equally, as the right hon. Member for Castle Point knows only too well, many of us—I am one of them—have had it made absolutely clear to us by all Chinese Government representatives—the Chinese ambassador here and all his staff and all those that I and others met in China before the massacre in Tiananmen square; no official Opposition representatives have met Chinese Government representatives since then—that they maintain their claim that, for centuries, if not millennia, Tibet has been part of China.

What is, however, indisputable is that there is a dispute over the legal position of China's sovereignty over Tibet. We believe that the dispute should be resolved peacefully and that western Governments have a responsibility, as the right hon. Member for Castle Point said, to urge that upon the Chinese Government, using every means at our disposal, in every way that we can and with all the power that we can muster. The British Government have been less than active, less than bold and less than courageous in their attempts to persuade, press and urge the Chinese Government to do that.

We should tell the Chinese Government that, if they want to gain any acceptance and legitimacy in the modern world, if they want to trade with us and if they want us to invest with them, they must respect human rights and resolve disputes in a humane, peaceful and civilised way. That is the only way in which they will be accepted into the international community.

3.12 am

The Minister for Trade (Mr. Tim Sainsbury): As usual, my right hon. Friend the Member for Castle Point (Sir B. Braine) has made a powerful and eloquent presentation of the position in Tibet. Before I respond to his speech, I hope that he will excuse me if I say what a pleasure it is to see my hon. Friend the Member for Eddisbury (Mr. Goodlad) on the Front Bench. I congratulate him on his elevation to a particularly important post. I thank also the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) for his comments about my new post, which I look forward to taking up later today.

To turn to the important subject of the debate, it may be helpful if I first remind the House of the events of the last two years. For over two years, Tibet has been the scene of sporadic outbreaks of unrest and violent demonstrations, to which my right hon. Friend referred on a number of occasions. They were led by young Buddhist monks and nuns demanding independence from China.

The first of those demonstrations was on 27 October 1987 and it was followed by further unrest that, by the Chinese reckoning, left two Tibetans and one Chinese dead. In March 1988, Amnesty International claimed that 20 people had been killed. Police opened fire on unarmed demonstrators in December 1988, killing between six and eight people. Further riots in March 1989 led to the imposition of martial law. We have had no reports of further major disturbances since that time, although, according to press reports, a number of smaller demonstrations have taken place.

Martial law was lifted in Tibet this May, but access remains restricted. Not only is Tibet a remote and isolated part of the world, as the House knows, but Chinese travel restrictions make it difficult for some travellers to reach the region. I hope that the House will understand that it is therefore difficult to gauge precisely what is happening there at any one time.

My hon. Friends the Members for Christchurch (Mr. Adley), for Harrow, East (Mr. Dykes) and for Cornwall, South-East (Mr. Hicks) were able to visit Tibet in October 1989, and a member of the British embassy in Peking was able to accompany them. But obtaining a clear picture of what is going on in all parts of Tibet is frequently complicated by information from varying, often partisan, sources that tend to exaggerate one or other of the positions and can be contradictory. I am sure that the House will understand that it is difficult to obtain an accurate picture of what is happening in all parts of Tibet because of the problems of access.

I say to the House, particularly to my right hon. Friend the Member for Castle Point, the Father of the House, that the Government are concerned at the reported cases of human rights abuses in Tibet. Tibetan sources claim that about 1,000 people were detained after each of the October 1987 and March 1988 incidents. The Chinese admit that 278 people were arrested after the March 1989 riot. We are also aware of claims that demonstrators including nuns, have been tortured. We deplore human rights abuses wherever they occur—unhappily we live in a world in which they are all too common and are not just a feature of Tibet, or any one part of the world. We take seriously the understandable public concern in this country about human rights in Tibet, which my right hon. Friend the Member for Castle Point so eloquently described to the House.

However, despite what the hon. Member for Carrick, Cumnock and Doon Valley implied, the Government have made their concern clear to the Chinese authorities both in public and in private. As hon. Members will appreciate, our major concern is to bring home to the Chinese the need for a greater respect for human rights, not only in Tibet —I emphasise this—but in China as a whole. We must recognise that, in China, as in some other parts of the world, unhappily the treatment of prisoners and demonstrators and what goes on in gaols do not conform to the standards that we would like to see, and do not show the respect for human rights that should exist. In some respects, what happens in Tibet is not necessarily that different from what happens in other parts of China. That is why we are seeking to bring home to the Chinese the need for a greater respect for human rights, not only in Tibet but throughout China.

Apart from the specific measures that we introduced in our dealings with China following the events of June 1989, we have taken a number of opportunities to make our views on the Chinese Government's human rights performance perfectly clear. The EC presidency, on behalf of the 12 members of the EC, made two statements to this year's session of the United Nations Commission on Human Rights, calling upon the Chinese authorities to guarantee full respect for human rights throughout China, including Tibet, in keeping with their international obligations. Its second statement called for the release of all political prisoners and respect for the rights of all Chinese citizens to free expression and peaceful assembly —particularly important in view of what my right hon. Friend said about what is happening, and has happened, in Tibet. The United Kingdom was a co-sponsor of a resolution on human rights in China, which unfortunately was narrowly defeated. The lifting of martial law in Tibet

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on 1 May was a positive step by the Chinese. We have been glad to see other positive steps in China recently, in particular the release of many of those detained following the events of June last year.

Those are welcome developments, but I can assure the House that the Government will continue to take every opportunity to encourage the Chinese to take further steps to strengthen the protection of the human rights of all their citizens. I have a long list of the occasions when, individually or with our partners in the European Community, we have made that position clear. I can therefore fairly reject the criticism of the hon. Member for Carrick, Cumnock and Doon Valley that the Government have been silent on the issue; we certainly have not been.

I have set out in detail our reaction to what has been happening in Tibet, but much gives cause for grave concern. We should not see every action of the Chinese in Tibet in a purely negative light. Since 1980, China has shown a much more positive approach to the region. The Chinese have acknowledged that serious mistakes were made in Tibet, particularly during the cultural revolution, and have apologised to the Tibetan people for those mistakes.

They appear to have been making an effort to show some respect for Tibetan beliefs and way of life. The Chinese Government have commissioned the restoration of more than 500 monasteries and temples that were destroyed in the cultural revolution, the authorities gave substantial aid to Tibet and they are committed to making it self-sufficient.

The member of the British embassy in Peking who accompanied my hon. Friends the Members for Christchurch, Harrow, East and Cornwall, South-East on their visit to Tibet in October 1989, when it was still under martial law, reported that, despite the heavy military presence, the economy of Lhasa and the surrounding area appeared to be thriving, and that the general atmosphere seemed relaxed.

I am aware that there are many different views of Chinese efforts to modernise and develop Tibet, to which my right hon. Friend the Member for Castle Point referred, but it should be recognised that a genuine attempt has been made to improve conditions in the region.

Reference has been made to the status of Tibet. The Government have made clear many times their policy on the status of Tibet, but I take this opportunity to reiterate our position to the House. Successive British Governments have always regarded Tibet as autonomous, while recognising the special position of the Chinese authorities there. That continues to be our view, and that was recognised by the hon. Member for Carrick, Cumnock and Doon Valley. Tibet has never been internationally recognised as an independent country, and no country regards it as independent today. We do not believe that independence for Tibet is a realistic proposal. We do not regard the situations of Tibet and the Baltic states as comparable. The Government, for example, have never recognised the legality of the incorporation of the Baltic states into the Soviet Union.

Mr. Foulkes: Will the Minister explain why, in answer to a question from the hon. Member for Staffordshire, South (Mr. Cormack), the Minister for Overseas Development said:

> "Successive British Governments have regarded Tibet as autonomous, although recognising the special position of the Chinese authorities."—*[Official Report, 19 February 1990; Vol. 167, c. 658.]*

Is that still the position of the Government? Does that equate with what the Minister has just said?

Mr. Sainsbury: It is exactly what I have just said. Successive Governments have always recognised Tibet as autonomous, while recognising the special position of the Chinese authorities there.

It would be of no service to Tibetans to encourage them to seek independence. The Chinese view is that, for many centuries, Tibet has been part of China. Their current position is that the Tibet autonomous region is an inalienable part of China, the rights, interests and religious beliefs of whose people are fully protected by China's constitution. We continue to believe that the most promising solution to the problem of Tibet, which has been highlighted by my right hon. Friend, is through dialogue between the Chinese Government and the Tibetan people, including His Holiness the Dalai Lama.

My right hon. Friend raised the subject of the conference on Tibet and in particular a recent conference held in London on Tibetan self-determination. The stated aim of the conference was to seek recognition of Tibet as a separate political entity. As I have said, the Government do not believe that Tibet's claim for independence is a realistic proposition and it would, therefore, have been inconsistent with our policy for Her Majesty's Government to be officially represented at that conference. For the same reason, we did not send a message of support.

My right hon. Friend referred to a message that Prime Minister Kaifu sent to a similar conference in Tokyo. My understanding is that it was a convention on Asian peace and that Mr. Kaifu's message made no reference to Tibet. On the other hand, the London conference was specifically billed as a consultation on self-determination for Tibet.

As the House will be aware, self-determination is an extremely difficult concept to define and there are many different interpretations of its meaning. I accept that, under the United Nations covenant, all people have the right to self-determination, but, as I have said, we do not believe that independence for Tibet is realistic; nor do we believe that United Nations' involvement would lead to a solution of the problem. Tibet has never been internationally recognised as an independant country. The most promising approach remains for consultation between the Chinese Government and the Tibetan people and we will continue to urge the Chinese Government to engage in such a dialogue and to work to resolve the problem. It offers the most promising avenue for an eventual settlement of this long and painful dispute.

The hon. Member for Carrick, Cumnock and Doon Valley referred to the visit to Peking by the former Minister of State, my hon. Friend the Member for Warwickshire, North (Mr. Maude). My hon. Friend is at present in Hong Kong and later today will fly to Peking. This visit is part of the continuing dialogue that we have maintained with the Chinese in relation to Hong Kong and it in no way undermines the agreement between EC partners on the suspension of ministerial exchanges with

China. Partners have agreed that the United Kingdom and Portugal may continue to maintain senior level contacts with the Chinese because of the special considerations of Hong Kong and Macau.

Her Majesty's Government are as concerned as my right hon. Friend the Member for Castle Point about the situation between the Chinese and the Tibetans in Tibet. We do not by any means ignore that. We have consistently advocated the need for dialogue between the parties concerned. It is clearly deplorable if events and behaviour such as that described by my right hon. Friend are going on in the region. There is no excuse for human rights violations of that nature. The Government have repeatedly made our views known on this subject, both internationally at the United Nations and bilaterally with the Chinese Government. My hon. Friend the Member for Warwickshire, North will be in Peking shortly and will reiterate our concern and that of the general public about human rights not only in Tibet but throughout China.

At the same time, it would be wrong to deny that the Chinese have tried hard in recent years to put right many of the wrongs that they had committed since 1951, and particularly since 1959. It is ironic that these improved polisies and greater relaxations have resulted in the demonstrations for even greater concessions which have occured since 1987. Those demonstrations led to the backlash and the imposition of martial law. Violence has bred violence in a classic pattern with which, unhappily, we are all familiar.

I must reiterate that, while we advocate dialogue and improved relations between Chinese and Tibetans and would like the Tibetans to play a greater role in Tibet, we do not believe that independence is a realistic option. We do not think that people in this country who promote that idea are doing the Tibetans a service. Let us instead see greater support here for that dialogue between Tibetans and Chinese which His Holiness the Dalai Lama has been trying to promote.

3.29 am

Sir Bernard Braine: I am grateful to my hon. Friend for that reply, none of which comes as any surprise to me—I think that he put up as good a defence of the attitude of successive British Governments as might have been expected.

I do not think that the question of outright independence is really the point at issue. There are many instances around the world of major powers having a particular interest and involvement in weaker states on their borders. In a civilised society, that implies responsibility for what is done in the weaker state, but I do not concede for a moment the argument that there is a case for independence. I have given historic examples showing that the British Government have taken different views at different times, and I hope that they will take a different view at some future time, even if they are not prepared to do so now. Whatever view we have taken of other peoples in the past, we live today in a world that is changing and contracting very fast.

I remember the words of an astronaut—I cannot recall whether the spacecraft was Soviet or American—who, on returning to earth, was asked what his impressions had been. He said, "On the first day, we were all excitedly pointing out our countries to one another. On the second and third days, we were pointing out our continents. After that, we were looking at a steadily diminishing earth. Two words came into my mind: commonality and interdependence."

It is extraordinary how, in the past year or so, our thoughts have turned not only to what has been happening high up in the atmosphere, or in outer space, but also to what is happening here on earth where we are destroying our environment as fast as we can. Of course we are all aware of this and steps are now being taken, but we all have a responsibility for mankind as a whole. If we do not recognise that now, we shall be forced to recognise it within the next decade. It is as plain as a pikestaff to anyone who looks at the world as it is today.

Let us consider the sudden and extraordinary happenings in Europe. Who would ever have dreamed it possible that Mr. Gorbachev would be telling Herr Honecker, "You will not use violence against demonstrators and you cannot count on Soviet troops to help you", and then tell the west? We remember what happened in Hungary in 1956, and in Czechoslovakia in 1968. Then, suddenly, we have a peaceful revolution. Things are changing very fast. We now live in one world, and we shall survive only in one world.

I am simply saying that people can argue however they like about whether Tibet has a right to total independence, or whether China has suzerainty, but those terms mean nothing if the stronger power does not accept the responsibility to behave decently towards the weaker. The Tibetans, of all people on God's earth, are opposed to violence. Their Buddhist faith leads them to think in terms of harmony with nature and they abhor violence. The Dalai Lama has repeatedly rejected violence. That was the essence of his remarkable speech accepting the Nobel peace prize, which I heard. He has not been received in this country. Why not? He is one of the great men of the world —he stands for ideals that a civilised nation should be proud to advance.

It is not sufficient to say that we take a constitutional stand, and that Tibet is China's responsibility. That is simply not good enough. One has to condemn actions such as those taking place in China and take such action as we can against those who have embarked upon a genocidal policy.

I am glad to hear that there have been some changes and even admissions that mistakes have been made, although there is not much evidence that Chinese rule in Tibet has slackened or weakened or that more consideration is being shown to the Tibetans. All the evidence reaching the west is to the contrary. The civilised world is gradually coming to realise that such behaviour is intolerable and those who perpetrate it must face the music. Sanctions could be used.

We must remember that the first victims of the aggressive Chinese policy are the Chinese themselves. One thinks of the poor students mown down in Tiananmen square—and elsewhere too in China, although we do not hear much about that. My heart goes out to the Chinese people. They are a great people, worthy of better government than they have had for centuries. We can see the success that they make of their lives outside China. Diligence, hard work, devotion and love of family characterise Chinese communities all over the world outside China.

We must remember China's desire for Taiwan to return to the land of the ancestors. A natural anxiety has been removed, for the time being, about its powerful Soviet

[Sir Bernard Braine]

neighbour on one side and its powerful Japanese neighbour on the other, but the Chinese still need the good will of the world just as we need the good will of China. It is not much to ask that they should behave themselves in Tibet.

It is unfair that my hon. Friend the Minister has been called upon to answer this debate as this is not his subject, but he has brought to it his customary courtesy and I appreciate that. Although there are not many hon. Members present in the House, I hope that my hon. Friend will take away a real feeling that Parliament is concerned. This issue concerns not only this Parliament, but leading politicians throughout the world.

The Tibetan exiles in India have shown that they flourish in a free country. I have had the privilege of meeting many of them. They are successful because they are a virtuous and hard-working people and they have faith. If they have that in exile, one can bet one's boots that they would have it in their own country.

It is not sufficient to stand on the constitutional argument that it is really China's affair because it is not. From now on, the whole world is involved in what happens to people everywhere. That is my faith and I adhere to it. We shall return to this subject time and again until the west concerns itself with one of the most monstrous crimes to be committed against a whole people since the end of the second world war. Our memories of that should make us realise what is at stake.

3.38 am

Mr. Salisbury: My right hon. Friend has made a powerful case. His words are on the record and I can assure him that they will be studied carefully.

My right hon. Friend referred to the remarkable events that are taking place in eastern Europe and the changes that have occurred in that area. Those changes have occurred as a result of dialogue and discussions between those involved. I believe that that is the way forward for Tibet.

My right hon. Friend also referred to the reception of the Dalai Lama. The Government have always recognised the Dalai Lama as a distinguished spiritual leader who commands great respect internationally for his advocacy of a peaceful solution to the problems of Tibet. The award of the Nobel peace prize to him last year reflects the recognition of his dedication to the cause of peace. The Dalai Lama is always welcome to visit this country and has already done so on several occasions.

As I said earlier, I believe that the best way forward to achieve a better respect for human rights, not just in Tibet, but throughout China, is through dialogue between the Chinese and the Tibetans and by the Chinese adhering more closely to the United Nations convention on human rights. That is something that we should like to see in many other parts of the world, too.

India and Kashmir

3.40 am

Mr. Jimmy Dunnachie (Glasgow, Pollok): I, too, offer my congratulations to the hon. Member for Eddisbury (Mr. Goodlad) on his appointment as Government Deputy Chief Whip. I wish him well and I know that he will do well in his job.

I wish today to highlight some of the problems which confront Kashmir in its struggle to attain the right to self-government. I do so in the sincere hope that, by highlighting the situation and drawing attention to the plight of the Kashmiri people, I shall persuade the Government to bring additional pressure to bear on those currently abusing the Kashmiris.

The problems facing Kashmir are not new. They stretch back to the 19th century, and in that troubled history Britain has not been blameless, having once sold the state to the autocratic maharajahs whose descendant in 1947 sought help from India when the people he governed began to ask for the right to rule themselves. As a result, India sent troops into Kashmir in October 1947 and they have remained there ever since.

At that time, Lord Mountbatten expressed the wish that as soon as law and order was restored the Kashmiris should have the right to self-determination. That sentiment was echoed by Mahatma Gandhi and by Mr. Nehru. By 1951, Mr. Nehru was still arguing that Kashmir should decide its own fate. He said:

"People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future."

By that time the Kashmiri question had already been taken to the United Nations. Three resolutions were passed acknowledging Kashmir's right to self-determination and in 1949 the promise was given that Kashmir's future would be decided

"through the democratic method of a free and impartial plebiscite."

Unfortunately, the right of self-determination was interpreted as meaning the right to decide whether to join India or Pakistan rather than the right to opt for a third alternative, that of self-government.

Eventually a cease-fire was put into effect and Kashmir was divided, two thirds going to India and one third to Pakistan, but that did not resolve the Kashmiri problem. To quote Mr. Nehru again, this time as late as 1952, in a quote which highlighted the absence of that peaceful settlement that taking the matter to the United Nations was supposed to have achieved, he said:

"We have taken the issue to the United Nations and given our word for a peaceful solution. As a great nation we cannot go back on it. We have left the final solution to the people of Kashmir and we are determined to abide by their decision."

However, India has never sought a decision from the people of Kashmir. Instead, she immediately set about regarding Kashmir as just another Indian state—and herein lies the root of the trouble that Kashmiris are experiencing today.

The people of Kashmir know that they have a right to national self-determination, they know that the United Nations upholds that right, yet whenever they have tried to express a desire to exercise that right they have been brutally and ferociously denied it by the Indian

Government. India signed the universal declaration of human rights in 1949. Among other things, under article 3, that declaration guarantees that

"Everyone has the right to life, liberty and the security of person."

Article 5 states:

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 states:

"No one shall be subjected to arbitrary arrest, detention or exile."

Article 19 states:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

In March 1990, a team of Indian Hindus visited Kashmir on a fact-finding mission which led them to collect evidence from a wide variety of sources, including eye witnesses, victims and Government officials. They reported back on indiscriminate killings, arbitrary arrests, unlawful searches, unprovoked attacks on peaceful demonstrators and the fact that a curfew was imposed for months at a time, leading to the complete destruction of any semblance of ordinary life. The conclusion of the report given by the team, representing the committee for initiative on Kashmir, said that the

"Government's plan to check terrorism in Kashmir has in practice turned out to be an exercise directed against the vast masses of Kashmiri people who are being denied the fundamental rights guaranteed under the Indian constitution and those enshrined in the universal declaration of human rights to which the Indian Government is a signatory."

To date that report is the only one that has been published on human rights in Kashmir. However, there is more than ample evidence to suggest that human rights have been violated as the Kashmiris struggle for the right to determine their own future. If I could quote but a few instances, I am sure that the House would be horrified to discover the scale on which the universal declaration of human rights has been violated in Kashmir. Paramilitary troops fired into a crowd of peaceful demonstrators who were marching in protest against illegal searches and arrests. Official sources said that, after the incident, at least 60 people were dead. We know, and we have evidence to prove it, that the figure was nearer 200 dead. That incident violated articles 3, 5, 9 and 19 of the declaration.

When others took to the streets the next day to protest at the merciless killings, they too were fired upon, and unofficial sources claim that at least a further 100 people were found dead—a breach of articles 3, 5 and 19. When local doctors sent four ambulances to collect the injured in Srinagar, where the incidents had taken place, paramilitary troops beat up the drivers so that they came back as patients. The troops inflicted that cruelty after denying the ambulance men the right to take the injured to hospital —an abuse of articles 3 and 5 of the declaration.

There have been reports of daily raids on property, assaults on peaceful demonstrators, indiscriminate arrests and reports that the security forces harass innocent citizens —an abuse of articles 3, 5, 9 and 19 of the declaration.

The common people appear to come off worst in this situation. There are reports of pregnant women and very ill people being turned away by the security forces who man the roads to the hospitals, but the height of cruelty was surely the reported incident in which paramilitary forces stopped a woman trying to take her sick child to hospital. They were reported as shouting at her, "Let the child die—there will be one less militant."

Those incidents are reminiscent of that dark period in our own history when ordinary men and women were treated as though they were of no consequence. The journalist, William Dalrymple, writing in *The Spectator* in June 1990, described the scene after troops had fired into a funeral procession in Srinagar. He said:

"The site of the massacre was still red with bloodstains, while all around were scattered pathetic piles of sandals, broken spectacles and women's headscarves, still lying where their owners fell."

That description bears an eerie resemblance to that of another massacre, as described by the radical writer, Bamford. He reported:

"All over the field were strewn caps, bonnets, hats, shawls and shoes, and other parts of male and female dress, lying where they had fallen . . . trampled, torn and bloody."

The difference between the two descriptions lies in the fact that Bamford was writing of Britain in 1819, following the massacre at Peterloo in which Government troops fired on innocent men, women and children, killing 11 and injuring several hundred. Even in those dark days, before ordinary men and women had a share in political power and, consequently, a say in their destinies, that incident was regarded as a violation of basic human rights. It went down in history as a sign that ordinary people needed a say in the government of their country if they were to have a life worth living—free from the oppression of a ruling class.

William Dalrymple was describing an almost identical scene in the modern, latter-day 20th century when the lessons of history and of man's inhumanity to man are supposed to have been learnt. He has described conditions in a country that has an overall area of 85,000 square miles and a population of about 10 million. That area is currently being denied the fundamental right of national self-determination. That is as blatant an injustice in the ever-shrinking world of the 20th century as the denial of the right of free political expression in St. Peter's field in Manchester in the early 19th century.

The Indian Government, despite all the reported evidence of cruelty and violation of basic human rights, and despite the overwhelming desire of the people of Kashmir to determine the course of their own destiny, seem to turn a blind eye to the plight of the Kashmiri people. They appear to have increased their lack of sympathy for that people's plight. That is demonstrated by the fact that India has imposed direct military rule on much of the state and set up a special court to deal with what the Indian Government describe as terrorists.

At the same time, however, popular movements in Kashmir are growing in number, cohesion and confidence. A climate of extreme tension is developing daily, but to what purpose and effect? Because of that heightened tension, defence spending in the area has increased, which must have an adverse effect on the local people. Many of them are living in dire poverty and could well benefit from that money being spent on programmes of development and social welfare that would alleviate the situation in which far too many are still dying as a result of hunger and malnutrition.

I am sure that the people of the western countries which give aid to India and Pakistan would far rather see that money spent on measures which would directly improve

[Mr. Jimmy Dunnachie]

the lives of the people rather than run the risk of its being channelled into coping with defence measures than the build-up of tension in relation to Kashmir has created.

The Kashmiri question lies at the root of the hostility between India and Pakistan. We would like that aggression to end so that the ordinary citizens of both countries might reap the benefits of stability. To date, India and Pakistan have fought two wars over Kashmir. A third must be avoided at all costs, but that will not happen so long as India continues to adopt an imperialistic stand towards Kashmir. That approach is completely out of touch with modern thinking and does no credit to a country which claims to value the freedoms for which the post-war western world has fought.

It appears that some 500 people have died in the past six months as a result of their willingness to campaign for the right to self-determination. Thousands have been injured, arrested and tortured, and women have been raped by the law enforcement agents. Foreign journalists have been banned from the state and the local press is heavily censored. It is clear that the time has come to act, and to act fast.

I believe that it is the duty of every country which professes to honour the international agreements that it signs or witnesses to stand up and be counted when those agreements are violated, especially on the scale witnessed in present-day Kashmir. I believe that it is the duty of the British Government to uphold the Kashmiris' right to national self-determination and to censure any Government who blatantly deny that right.

I ask the Government to champion the cause of the innocent victims of latter-day imperialism in Kashmir by exerting pressure on the Government of India who are denying the Kashmiris the fundamental human right to decide their own future. I call upon the Government to act to enable the current misery experienced by the Kashmiris to be ended by embarrassing their oppressors at every opportunity until justice for Kashmir is achieved.

It is with regret, therefore, that I refer to the contents of a letter sent recently by the Foreign Secretary to one of my own constituents, himself a Kashmiri. The letter refers to the fact that no mention of granting the Kashmiris the right to self-government in an independent state has ever been made officially. It is with concern that I note that the right hon. Gentleman states:

"Tensions appear now to have eased a little".

As I have explained, tensions are rife and feelings about the right of national determination—meaning the right to self-government—are running high.

In those circumstances, we must support the people of Kashmir in their struggle to attain self-government and we must never become complacent, thinking that we can salve our consciences by saying that we have done our best and that the ultimate decision must rest with India and Pakistan. The ultimate decision must rest with the Kashmiri people, and it is our duty to help them to help themselves in a Government elected and run by the Kashmiris legislating in the interests of an independent Kashmiri state. I ask the British Government to do more to bring about the recognition of that fundamental right of the Kashmiri nation.

3.56 am

Mr. Gary Waller (Keighley): In contemplating the tragic situation in Kashmir, we must ask ourselves at the outset what role Britain can play in an issue that concerns two independent states with which we enjoy friendly relations as fellow members of the Commonwealth. Perhaps it is easier to say what role Britain cannot play. I do not believe that we can act as mediators. India utterly rejects the term "mediation" in relation to this matter, which is considered a wholly internal one; and Pakistan, for its part, believes that Kashmiris in that territory occupied by India should be allowed to choose their own future. Mediation is not a term that is necessarily helpful or appropriate from either point of view.

Nevertheless, Britain is unique in enjoying a special position because of the role that we have played in the history of the sub-continent. The fact is that the time of independence failed to secure a solution for Kashmir that could be workable in the long term. The last maharajah, Hari Singh, succumbed to pressure from Nehru and Mountbatten, opting for accession to India. That led only to a succession of conflicts and wars between India and Pakistan which solved nothing but provided an excuse for the plebiscite agreed by India at partition to be indefinitely deferred. Not for nothing did President Ghulam Ishaq Khan of Pakistan refer recently to

"the unfinished agenda of partition."

The state of affairs in Jammu and Kashmir—undoubtedly one of the loveliest parts of the world—can only be described as dire. Those who have visited Jammu and Kashmir report that the country is living under a kind of siege, with a rigorously imposed curfew and with evidence of unacceptable and uncontrolled violence on the part of the Indian security forces. As many as 1,000 people have died this year in an orgy of murder, torture and oppression.

This has resulted in an upsurge of nationalist outrage which must be counterproductive to India's liberal and democratic reputation but which also is not welcome to Pakistan, because the Jammu and Kashmir Liberation Front rejects rule not only by India but by any power other than the Kashmiris themselves. The creation of a separate Kashmir would encourage similar movements in Baluchistan and Sind in Pakistan, just as it would in the Indian Punjab.

The use of force, as in so many theatres throughout the world, is squeezing the moderates and benefiting the radicals and revolutionaries, whose support has greatly increased among the people. As an Indian human rights team reported,

"the failure of the government to distinguish between masses of unarmed demonstrators on the one hand and groups of armed militants on the other has been responsible to a large extent for pushing the general public to the anti-Indian position that the militants adopt. It is the government which, ironically, has provided a handful of secessionist militants with a mass base."

India must understand that if it wants to enjoy the world's respect it must withdraw the licence to kill that its troops and paramilitary forces seem to be have been given. It must listen to those of its own people who have condemned the excesses, pointing out that they have fuelled the moves towards separation. Prime Minister V. P. Singh seemed to have learnt that lesson when he said last Friday:

"We should not club the whole people together with those forces"

—referring to the secessionists.

India must also accept that the forces that perpetuate division cannot last indefinitely. Eventually it will have to talk about self-determination in one form or another, because history teaches that, however many people may die, one can never kill the idea of nationhood. One day all the people of Kashmir will determine their own future. Meanwhile, putting an end to brutality must be the priority, not only for the sake of the people who are suffering but because it is shortsighted and mistaken to believe that driving the cork into the bottle will do anything but force the mixture inside it to boil up into an ever-more explosive brew.

It is not in the interests of India or Pakistan that Kashmir should remain the focus of repeated crises between the two countries, even though it may occasionally be a temptation for a politically beleaguered Government to build support on the strength of the need to unite against external adversaries. Neither economy is so strong that it can afford to make large commitments to a build-up of arms, as the hon. Member for Glasgow, Pollok (Mr. Dunnachie) said. Such continuing strains would also do untold damage to the Commonwealth if they persisted. That is why it must be in the interests of the Commonwealth, too, that Britain should do all in its power to show that the denial of human rights and the use of force, especially against civilians, are pointless folly.

4.2 am

Mr. Max Madden (Bradford, West): I congratulate my hon. Friend the Member for Glasgow, Pollok (Mr. Dunnachie) on introducing this important debate on Kashmir. Even at this late hour it is good that the House can debate what is happening there. I had the opportunity of visiting Azad Kashmir and Kashmir in the first week of July, and I want to report what I saw, what I was told and what I believe are gross human rights violations being perpetrated by the Indian security forces in Kashmir. It is appropriate that the debate should follow one on Tibet; we heard of gross violations of human rights there, too, and the pattern seems to be all too familiar in both countries.

While in Kashmir I received a copy of a local newspaper which reported, with names and photographs, the people who have been murdered in recent months in Kashmir. They include men, women and children. There is a report of a baby who was murdered while taking milk from his mother and one about the body of Mohammed Umar Farooq, the Muslim leader of Kashmir, who was murdered earlier this year. There are pages of photographs of the type that appear all too regularly in Kashmir. There are photographs of a group of murdered men, and it is clear that they had been severely tortured before they died. It is claimed that Indian security forces often attempt to conceal the identity of a body by gouging out the eyes and brutally disfiguring the face. However, bodies are identified. There is a picture of a murdered child who looks about three or four years old.

Some brave women in Kashmir regularly lead protest demonstrations and there are photographs of one such demonstration. The women are protesting about Indian security forces ransacking their homes and destroying or stealing valuable property. There are two photographs of women sitting in their homes surrounded by broken and damaged property.

Those newspapers report some of what is happening in Kashmir. As my hon. Friend the Member for Pollok said, the newspapers are frequently closed down and their telephone and telex lines are often cut. Local people are urged by Indian security forces not to buy or read them. I also visited one of 14 refugee camps in Azad Kashmir, where 300 families were living in tents and had no drinking water. People have to walk two to three miles from the camp to Muzaffarabad to get supplies. At dusk I was introduced to a man who showed us graphically how Indian security forces had chopped off his right foot. We were told of people who had had their feet, arms or hands chopped off.

I was shown a mother and a baby boy of about one year old, both of whom had serious burn marks across the stomach. I was told that they had suffered the burns under interrogation by Indian security forces. A boy of about 15 showed me marks on his face and neck which were caused, he said, by electrodes placed there by Indian security forces. He also showed me marks on his back which he said had been caused by these security forces running red-hot irons across his back. I understand that that is a familiar torture carried out by Indian security forces on Kashmiris in Kashmir.

I met a teacher who told me that he had fled Kashmir after a colleague who was walking with him was arrested by Indian security forces. He watched while his colleague was assaulted and killed by those forces and then thrown in the river. That experience so terrified him that next day he and his family of nine fled Kashmir and joined the thousands of refugees in Azad Kashmir.

The Kashmiris walk across mountains just like the Tibetans walk across mountains to flee Tibet. Many are ill, many are injured, many die on the way and many die soon after they arrive in Azad Kashmir. Others survive in poor conditions. I urge the Governments of Pakistan and Azad Kashmir and the people of Britain to do as much as they can to relieve the suffering and hardship of the refugees who have fled Kashmir and live in poor conditions in Azad Kashmir.

On the day that I visited a refugee camp I was told that another dead body had been taken from the river that runs along the side of the camp. That was the 43rd dead body to be taken from the river since January this year.

All that I have mentioned constitutes to my mind, and to that of any fair-minded person, a worrying pattern of brutal repression that is being perpetrated by Indian security forces in Kashmir. It is systematic, it is serious and it represents a pattern of serious human rights violations which is a serious indictment of the world's largest democracy—which India claims to be.

My hon. Friend the Member for Pollok referred to curfew. When I was in Kashmir, the curfew was supposed to run from 7 pm until 8 am. In fact it ran from 7 pm on Friday right until Saturday afternoon, when I left Kashmir. In April, there were three weeks of permanent curfew in Kashmir when the dead were not allowed to be buried, women were not allowed to leave their homes to have babies, the sick were not allowed to obtain treatment and no one was allowed out to buy food or get water. In those intolerable circumstances, is it any wonder that there is mounting opposition to the occupation of Kashmir by India and mounting support for those who are engaged in armed struggle?

I have referred to the systematic house searches that take place constantly. Indeed, the day that I spent in

[Mr. Max Madden]

Kashmir house searches were under way on an enormous scale. There is constant harassment and intimidation, particularly of young men, which again causes considerable resentment and hostility among all civilians in Kashmir.

Martial law was introduced on the day that I arrived in Kashmir. It gives authority to constables and junior police officers to shoot on sight. In effect, it legitimises the right to shoot to kill.

We do not know how many political prisoners have been taken into detention in Kashmir in the past two years or so. The best estimates are between 10,000 and 15,000. Many of them have been moved from Kashmir to the hottest northern states of India. There are worrying reports about the conditions in which the prisoners are detained and their treatment.

As the right hon. Member for Castle Point (Sir B. Braine), the Father of the House, asked the Minister earlier to recognise that what was happening in Tibet was a struggle for self-determination, I ask the Minister to accept and understand that what is happening in Kashmir is a genuine struggle for self-determination. It is comparable to other struggles for self-determination of the past and present.

The men, women and young people of Kashmir want an opportunity to decide their futures and to determine the destiny of Kashmir. As my hon. Friend the Member for Pollok said, more than 40 years ago, the people of Kashmir were promised a plebiscite to decide their future. Traditionally, the choice has always been between remaining part of India and becoming part of Pakistan. There should now be a third option of independence, for which the people of Kashmir can also vote in deciding their future.

During my brief visit to Kashmir, I met a very impressive young man of 16, Mohammed Umar Farooq, who is the son of the murdered Muslim leader that I mentioned earlier. Incidentally, at Mohammed Farooq's funeral, 50 mourners were murdered and many hundreds were seriously injured when they were attacked by Indian security forces.

Mohammed Umar Farooq told me in the clearest possible terms that the people of Kashmir should be directly represented in any dialogue or meeting between India and Pakistan on the country's future. He assured me that the events in Kashmir reflected a struggle for self-determination and the right of the people of Kashmir to decide their own future. I hope that Mohammed Umar Farooq, the spiritual leader of Kashmiri Muslims in Kashmir, will take up my suggestion that he should visit Britain, America, Canada and Europe to explain himself that there is in Kashmir a popular uprising, supported by the majority of its people, in favour of self-determination. Mohammed Umar Farooq told me that he could not leave his people at this time of great hardship, but I hope nevertheless that he will reconsider. I believe that that young man would make the most impressive ambassador for the people of Kashmir at this difficult time, and could persuade the international community that what is happening in Kashmir is nothing less than a struggle for self-determination.

I hope that the House, Britain, and the international community will understand that the events in Kashmir do not reflect a fundamentalist conspiracy to establish an Islamic state. I had several meetings with Amanullah Khan, chief spokesperson for the Jammu and Kashmir provisional Government in exile. He told me that those who support him and his provisional Government want a secular Kashmir. That provisional Government comprises Muslims, Hindus and Sikhs—and at the time that I met Mr. Khan, he was about to appoint to it a buddhist.

The House, the British public and the international community must also understand that this is not an internal matter for India alone. What is happening in Kashmir is of concern to the whole world, as is what is happening in Tibet—as we have been told tonight by the Father of the House.

What is happening in Tibet is comparable with what is happening in Kashmir. Events in the west bank, eastern Europe, South Africa and central and south America are comparable to events in Kashmir. They are genuine struggles for self-determination by courageous men and women who want nothing less than the opportunity to decide their own affairs—the right of so many other people in independent countries.

I hope that the Minister will be able to go much further than he did when he replied to a debate that I initiated in March this year, which was concerned with events in the Punjab and Kashmir. The pattern of human rights violations in both places is identical. In both cases the Indian security forces are implementing state terrorism. Yes, it is in response to individual terrorism, but we know that whenever state terrorism is implemented in response to individual terrorism there is an escalation of violence, and there is no end to the escalation unless and until political action is taken to resolve matters.

In Kashmir and in the Punjab the Indian Government think that they can resolve such issues by military means. In my view, that is impossible because in both Kashmir and the Punjab, those engaged in armed struggle have the mass, popular support of the people, who have been totally alienated by the brutal repression used by the Indian security forces against their aspirations.

I hope that the Minister will be able to say tonight that the Indian Government have confirmed the invitation to Amnesty International so that it can visit Kashmir and the Punjab thoroughly and independently to investigate the allegations of human rights violations in both states.

When I was in India, I was shocked to hear Rajiv Gandhi make a speech to his party's youth conference saying that, in his view, Amnesty International was a front organisation for the Central Intelligence Agency, which is prejudiced against India and in favour of Pakistan. He went further and urged his young party supporters to protest outside the Prime Minister's office against the invitation, and he said that if Amnesty International was allowed to visit India, the airport at Delhi should be occupied and he would be proud to join his party supporters in the sit-in to stop the organisation entering India or being able to investigate human rights violations in Kashmir or the Punjab. That is an amazing admission for a former Prime Minister of the world's largest democracy to make in 1990.

It is untenable for the Minister to repeat what he said in the debate in March—that the British Government were neutral in relation to Kashmir. In the face of a mountain of allegations about human rights violations in Kashmir, we cannot remain neutral. The Minister cannot dispute the scale of the human rights violations, in view of the

authenticated reports of the numbers of people who have been murdered, seriously injured, tortured, detained, raped, harassed and intimidated daily by Indian security forces whose numbers we do not know—the minimum estimate is 150,000 and some estimates put it as high as 400,000 or 500,000 of every variety in Kashmir.

Therefore, I urge the Minister and Her Majesty's Government to take action and put pressure on the Indian Government to allow the people of Kashmir to hold a referendum and decide their own future and the destiny of their country. The time has come, not for gestures but for the British Government to make clear their condemnation of the human rights violations in Kashmir.

I urge the British Government to ban the export of military equipment to India. That equipment could be used for the repression of the people in Kashmir and the Punjab. I call on the British Government to withdraw Indian military and police personnel who are undertaking training in the United Kingdom and to ban them from undergoing future training in this country. The British Government should also withhold aid to India. Earlier this year we were told by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) that not a penny of British aid to India is spent in either Kashmir or the Punjab. Therefore, it would be perfectly proper for the British Government to withhold aid from India.

I urge the British Government to allow children and students from Kashmir who are in the United Kingdom to attend United Kingdom schools and colleges. At least 30 children from Kashmir are seeking Home Office permission to remain here and undertake the education that they are denied in Kashmir. Nearly all schools, colleges, banks and other public buildings in Kashmir are closed. Local administration is non-existent. There is, therefore, an overwhelming need for the British Government to make a modest contribution to the future of Kashmir by ensuring that children and students from Kashmir are allowed to secure an education here.

As there is a great shortage of medical supplies in Kashmir, I also urge the Kashmiri community here to do everything that it can to raise money to buy medical supplies. May I ask the British Government to make a request to the Indian Government that they should allow those supplies to enter Kashmir and that they should instruct Air India to carry them. In recent months there have been reports that Air India has refused to carry medical supplies.

It is also important that the international media, including the British media, should be able to report what is happening in Kashmir. It is vital that British Members of Parliament and politicians from the Parliaments of other countries should visit Kashmir. The Indian high commissioner in London has assured me and my colleagues on a number of occasions that India has nothing to hide or conceal in Kashmir. However, when I talk to journalists from the newspaper and broadcasting media they tell me that visas are not made available to them by the Indian high commission and that they are unable to visit Kashmir. I have been told by hon. Members that applications for visas to visit Kashmir have not been granted, even though their applications were made some time ago.

I join in congratulating the Minister on his promotion. I wish him well in his new post. He would do the House a valuable service, and the people of Kashmir an invaluable service, if he could intimate that the British Government now accept that what is happening in Kashmir is a genuine struggle for self-determination and that independence should be an option that is available to the people of Kashmir, when the opportunity arises for them to decide their own future. I hope that the Minister will state that Britain will not stand on the sidelines and maintain its neutrality in the face of the serious allegations that have been made by hon. Members from both sides of the House over several months about the extent of human rights violations in Kashmir and the extent of brutality perpetrated by Indian security forces on the people of Kashmir.

I hope that the Minister will say tonight that he believes that the people of Kashmir should be given that opportunity and that the Governments of India and Pakistan must be persuaded that the only way to resolve this problem is by a political solution. The only valid political solution that holds any promise of resolving such an enormous crime against humanity is the holding of a plebiscite or referendum to enable the people of Kashmir to decide to remain part of India, become part of Pakistan or become independent. The latter option is winning enormous popular support.

Kashmir is a beautiful country—the most beautiful that I have ever visited. It is the Switzerland of Asia. It has mineral resources, a population of 10 million people and economic viability. Above all, I believe that the people of Kashmir are entitled to the nationhood that they hold dear. It is also important to have a buffer, an independent state between India and Pakistan, which could add greatly to the stability and long-term peace of that important region.

I hope that the Minister's reply tonight will give some hope to the people of Kashmir that, in the near future, they will have the right for which they are now paying dearly and which so many other people round the world have—the right to decide freely and fairly their future, and that of their lovely country.

4.32 am

Mr. Foulkes: By leave of the House, Mr. Deputy Speaker, I commend my hon. Friend the Member for Glasgow, Pollok (Mr. Dunnachie) for his diligence in pursuing this issue at Prime Minister's Question Time and on other occasions, and on his good fortune in coming relatively high in today's order. I also congratulate my hon. Friend the Member for Bradford, West (Mr. Madden) and the hon. Member for Keighley (Mr. Waller) on showing their commitment to the issue by staying until this ungodly hour to participate in the debate. My hon. Friend the Member for Bradford, West has frequently raised the subject in various ways.

I can confirm that my right hon. and hon. Friends on the Front Bench have received many representations about this issue, as have Back Benchers. They have heard from organisations directly involved with one or other of the sides of the issue, from organisations concerned about human rights violations and, above all, from constituents, from whom a number of representations have been received.

As my hon. Friend the Member for Pollok said, it is right that the British Parliament should consider that it has a special responsibility in this as in many other problem areas around the world which are relics of our colonial past. As he rightly said, it was at the time of Indian

[Mr. Foulkes]

independence in 1947 that the seeds of this long and unhappy conflict were sown. No doubt that is something about which you, Mr. Deputy Speaker, and your colleagues are not unaware.

Now, with pressure from the three elements—those seeking continuation within India, those pressing for a move to Pakistan and the groups favouring independence—it is probably not surprising, but nonetheless regrettable, that the intensity of the conflict, the killings and the injuries have recently increased.

It is important to point out, as my hon. Friend the Member for Bradford, West rightly said, that Kashmir is a beautiful state whose economy depends to a great extent on tourism and which has been much harmed by the continuation of the dispute—a not unimportant matter when talking about the prosperity of its people.

On behalf of the Opposition, I report, without agreement or disagreement, that we have been made fully aware that the Indian Government want a political solution agreed bilaterally between India and Pakistan. They tell us that they seek to persuade Kashmiris that as the only Muslim majority state in India their interests can be accommodated within a pluralist, federal India. They tell us that they have understandable fears that an independent Kashmir might increase secessionist calls from other states and the possibility of further terrorism elsewhere on their doorstep.

Equally, the Government of Pakistan have emphasised to us in several meetings their concern that a plebiscite has not been held, as envisaged, to give the people of Kashmir a choice of remaining part of India or joining Pakistan. Neither India nor Pakistan favours the option of independence being put to the people of Kashmir, yet we all know that that is the central aim of the Jammu and Kashmir liberation front. Although such an option was not envisaged in the Simla agreement or the United Nations resolution, given the proliferation of similar demands elsewhere it is entirely understandable that many hon. Members, some of whom have spoken today, have sympathy with those aspirations.

This important issue was the subject of careful consideration and, indeed, a resolution at the recent meeting of the Socialist International in Cairo, in which the British Labour party participated and fully supported the resolution. *[Interruption.]* I see that the Minister is suffering from the vagaries of the hour, so I shall not take too long. The resolution on Kashmir at the Socialist International said:

"In Kashmir, the tension between India and Pakistan is increasing and the risk of war between the two countries is growing.

The Socialist International is concerned at the growing tension between India and Pakistan and calls on both countries to avoid any further escalation of tension and to redeploy their armed forces to peace-time locations.

The Socialist International urges the governments of India and Pakistan to open a dialogue to achieve a peaceful settlement of the Kashmir dispute in accordance with the applicable United Nations Resolutions and the spirit of the Simla Agreement.

The Socialist International requests the governments of India and Pakistan to allow it to play a conciliatory role to promote this dialogue."

As we all know, since the meeting in Cairo the Foreign Ministers of both countries met in Islamabad last week. Although the talks were deadlocked, they have agreed to reconvene on 9 August, and we urge continuing dialogue until some agreement is reached. It would be tragic for all concerned if India and Pakistan were to go to war for a third time over Kashmir. As both countries are members of the Commonwealth, we urge examination of all possible ways of mobilising the Commonwealth as an organisation to help to find a way forward. The hon. Member for Keighley emphasised that point.

Equally, this is one of regrettably far too many disputes around the world which cries out for a greater United Nations role in conflict resolution. There are people within the United Nations such as Under-Secretary-General Marrack Goulding, a former distinguished diplomat of this country, who believe that the United Nations could and should play a more active part in the resolution of disputes. That is also the view of an increasing number of politicians in an ever growing number of countries around the world. In order to do so, the United Nations would need a permanent peacekeeping force, a team of skilled negotiators working for the Secretary-General and integration with the mechanisms of the world court to make agreements legally binding.

There is, therefore, an urgent need for the United Nations to do such a job, and we should be taking action before many more thousands die in the growing number of escalating disputes around the world, of which, tragically, Kashmir is one of the most serious.

One of the many encouraging signs from the increased global co-operation between the two super-powers is the way they are using their influence to move towards the resolution of regional conflict. We hope that that will be a positive influence in the dispute in Kashmir. Regrettably, however, Amnesty International reports that many serious human rights abuses have been committed by Indian security forces. The graphic accounts of those abuses given by my hon. Friend the Member for Bradford, West moved all hon. Members who were present. As he conceded, the militant organisations campaigning to join neighbouring Pakistan or to become an independent state have also been reported to Amnesty International for human rights violations. Those human rights abuses, of whatever kind, of whatever intensity and from whatever source, must be condemned and must stop.

As in so many of these disputes, the prerequisites of a solution are an end to human rights abuses, a ceasefire, an agreement to end supplies of arms to all sides and an agreement to seek a solution through peaceful discussion with any outside help which can be mutually agreed. In saying that, we do not underestimate the sincerity or the strength of feeling on all sides and the difficulty of resolving the conflicting interests in Kashmir. Here, as elsewhere—we cannot completely ignore other parallels and precedents—a peaceful solution must be the only way forward for democracies. In India and Pakistan, we now have two of the world's largest democracies—both in the Commonwealth—which we wish to see survive and develop for a long time, peacefully, side by side. A negotiated agreement on Kashmir is, in the Opposition's view, an essential element of that aim.

4.41 am

The Minister for Trade (Mr. Tim Sainsbury): By leave of the House, I should like to speak again.

I join those who congratulated the hon. Member for Glasgow, Pollok (Mr. Dunnachie) on bringing this subject

before the House again, even if this is not the easiest of hours. I congratulate my hon. Friend the Member for Keighley (Mr. Waller) and the hon. Member for Bradford, West (Mr. Madden) on being present at a time when some people think that it is better to start the day rather than continuing what turned out to be a rather long one. I congratulate them on contributing to another interesting debate on a difficult subject.

It is interesting that the official title of the subject is

"Relations between Her Majesty's Government and India, with particular reference to Kashmir".

General relationships have not been mentioned much in this debate, but it is worth recording that our relationships with the Government of India are excellent. We have strong links and there are countless points of contact between Britain and India on many levels—historical, political, academic, cultural, commercial, sporting and, of course, personal. The state visit in April of the President of India to Britain was an important event of great value in celebrating the closeness and warmth of our links with India.

We have a substantial relationship with India—an aspect which I look forward to having more time to consider. We very much look forward to being a partner nation at the Indian engineering trade fair in New Delhi next February. More than 100 British firms have made bookings to take part in that event—a major response by British companies to a special opportunity to present themselves in the Indian market. India is an important export market. In 1989, our exports reached an all-time high of £1·4 billion. In the first four months of 1990, exports were up by over 18 per cent. on the same period in 1989.

Aid is important in our relationship because India is the largest recipient of British aid. Since 1981, more than £1 billion of British aid has been channelled there, either directly or through multilateral agencies. I do not think that a call to cut off that aid is sensible in the present circumstances. More people live in extreme poverty in India than anywhere else in the world, and much of our aid has been focused on the areas where it is most needed. In addition, the Indian authorities have a very good record of using aid effectively.

I do not propose to dwell on the long historical connections between Britain and India, some of which were mentioned by the hon. Member for Pollok. Our shared past has certainly left us with many things in common which go far beyond language. Cricket is one connection of which we are currently all too well aware, having recently suffered two defeats, by what appears to be an excellent Indian side, in the one-day matches. It leads us to look forward to the test matches that are to follow.

We have similar, democratic administrative and legal systems, and both Britain and India rely on those institutions to protect the same values, democratic rights and civil liberties. Freedom of speech and the rule of law mean the same things to both our countries. A long historical connection and our shared past give India and Britain common objectives in our shared determination to sustain democratic institutions and individual freedom under the law.

The Kashmir dispute has dominated our discussion this evening—or should I say this morning?

Mr. Foulkes: The dawn is coming up.

Mr. Sainsbury: The hon. Member for Carrick, Cumnock and Doon—or Dawn!—Valley (Mr. Foulkes) is right to draw attention to the arrival of "rosy-fingered dawn", as I believe Homer described it.

The Kashmir dispute has caused us great concern; it has given rise to tension between India and Pakistan, which are both good friends of Britain. Our longstanding position on the dispute over the status of Kashmir has been, and remains, one of neutrality: I must repeat that to the hon. Member for Bradford, West, whom I have told the same thing before. When I say that our position remains one of neutrality, I am referring to our position on the dispute over the status of Kashmir, not to our attitude to abuses of human rights in Kashmir or, indeed, anywhere else in the world; we condemn such abuses, and have no attitude of neutrality towards them.

Our neutrality in regard to the dispute is not an indication of indifference. We believe that it can be settled only through agreement between the two Governments concerned. In our discussions with representatives of both the Pakistan and the Indian Government, we have made it clear that we believe that the dispute is one to be settled between them, and we hope that they will be able to reach a peaceful settlement of the issues involved. We have encouraged both sides to avoid conflict, which we are convinced that neither wants, and have offered to try to help them to resolve their dispute; but only—this seems to me entirely sensible—if both sides would like us to do so.

As has been pointed out, there have been a number of United Nations resolutions on Kashmir. In 1948 and 1949, the issue was whether Kashmir should accede to Pakistan or to India, and not independence; that was not on the table. Self-determination was always understood to mean the freedom of the Kashmiri people to choose between India and Pakistan. Britain voted in favour of the resolutions, the texts of which represented agreement between India and Pakistan at the time.

We must recognise that a great deal has happened since then. Two wars have been fought, and an agreement was reached in 1972 governing bilateral relations between India and Pakistan. Under that agreement—the Simla agreement—both countries agreed

"to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed on between them".

Both sides also committed themselves in the Simla agreement to a

"final settlement of Jammu and Kashmir."

Our longstanding position is entirely consistent with the terms of that agreement and we are confident that real progress in settling the dispute can be made only by agreements reached between India and Pakistan. The hon. Member for Bradford, West referred to the possibility of independence. The future of Kashmir is for India and Pakistan to resolve bilaterally, but neither of those countries has seen independence as an available option.

Reference has been made to the possibility of Amnesty International being allowed to visit India. I can confirm —and welcome—the Indian Government's decision to allow Amnesty International representatives to visit the country for private purposes, to hold seminars or discussions with the Indian Government. We have noted Indian readiness to consider applications from Amnesty International and other human rights organisations to

[Mr. Sainsbury]

investigate human rights in Kashmir or elsewhere. The ball is now in Amnesty International's court and we hope that it will take advantage of the openings provided.

In the meantime, I hope that we can agree that there is no doubt that the tension between India and Pakistan has receded in recent weeks. That must be helpful in coming together peacefully. As I said, that must be the only way forward.

The hon. Member for Carrick, Cumnock and Doon Valley referred to a meeting between the Foreign Ministers of India and Pakistan. It was, in fact, a meeting between the top officials of the Ministries of Foreign Affairs of the Indian and Pakistan Governments. They met in Islamabad on 18 and 19 July to discuss ways of reducing tension over Kashmir. We have encouraged both sides to look positively at a series of confidence-building measures and are glad that they have agreed to meet again in New Delhi on 9 August to continue the discussions. That is a welcome decision. We welcome those moves and hope that they will contribute to the search for a peaceful and lasting solution to the current problems. As I have said before and must say again, it has always been our view that this issue should be dealt with bilaterally between India and Pakistan.

Not surprisingly, human rights abuses have featured in the debate. As I said in the House on 22 March, I do not think that anybody in India would claim that that country has an unblemished human rights record. The Indian Government are the first to concede that abuses have taken place. However, it is not fair to compare India with countries that systematically abuse human rights as a matter of Government policy. India is a democratic country with an independent legal system to which those who believe that they have been treated unfairly have recourse. There is a vibrantly free press in which injustices can be and are exposed. I have no doubt of the Indian Government's genuine commitment to the maintenance of political freedom and civil liberties. Of course we have seen the reports of excesses by the security forces in dealing with the disturbances in Kashmir.

We continue in our contacts with the Indian Government to make clear to them the deep concern of Ministers that human rights must be respected and to urge them to exercise the maximum restraint in their efforts to control a difficult law and order problem. At the same time, we have repeatedly made clear that the use of violence for political ends cannot be condoned.

The hon. Member for Bradford, West and others referred to several incidents. Those have not gone unnoticed in India. The Indian press and Members of the Indian Parliament severely criticised the loss of control of the central reserve police force and the tragic incidents when they opened fire on mourners after the assassination of the Muslim Maulvi Mirwaiz Farooq on 21 May. That is indicative of what I said about the free press and the opportunity for free discussion in India and the basic respect in that country for our approach to democracy and civil rights.

Reference was made to the possibility of a plebiscite. The Government of India argue that ratification of the accession in 1954 by the elected Kashmir constituents assembly fulfilled the commitment to a test of popular opinion.

Reference was also made to the position in Punjab. I suspect that it is a sad measure of the intractability of the problems in Punjab that the Government's policies have failed so far to evoke a response from political groups in the state. The sharp escalation of violence, with more than 1,400 deaths so far this year, and intimidation by terrorist groups forced the Government in May to postpone state elections with a consequent loss of momentum towards a political accommodation.

We hope that the new governor of Punjab will be able to regenerate an atmosphere in which progress towards a political settlement can be made. The House will recognise that we do not face an easy situation. As I said, we condemn abuses of human rights wherever they occur. The Government will continue to do all we can to maintain the closest friendship with India and we will look for ways of strengthening our existing co-operation in many areas.

Although we cannot disguise the deep concern felt in this country and expressed in the House today at events in Kashmir, we know that the Indian Government are aware of the need to keep their security forces under tight control, to work for a reduction in tension with Pakistan and to revive political life in Kashmir. We hope that they will be able to bring all those essential tasks to a succesful conclusion as soon as possible. As I said, we remain ready to help in such ways as we can in those important tasks.

Global Warming

4.57 am

Mr. Patrick Thompson (Norwich, North): Even at this late—or early—hour of the morning, I am grateful for the opportunity to open a short debate on global warming, a subject which has received, or is receiving, a great deal of attention at the moment.

My debate is a bit of a change of topic after nearly three hours of fascinating discussion on foreign affairs topics. My right hon. Friend the Member for Castle Point (Sir B. Braine) linked foreign affairs and the subject of my debate earlier when he referred to people in a space craft looking down on the earth and visualising the problems of the earth as a whole. I believe that there is a link between this debate and the subjects that we discussed earlier this evening.

I am also grateful to the Under-Secretary of State for the Environment, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory), for being present at some inconvenience to himself. I am grateful to him for being here to reply to the debate at this very early hour of the morning. I also welcome the presence of the Government Whip, my hon. Friend the Member for Solihull (Mr. Taylor). I fear that he may not be able to intervene, but it is good to see him here.

It is often forgotten that the greenhouse effect is basically benign. As a physics teacher before I became a Member of Parliament, I regularly used to teach about its effects. I can assure the House that I do not intend to discuss the physics of the greenhouse effect, but without it the temperature of the earth's surface would be 33 deg C cooler than it is, which would wipe out human life. On the planet Venus, where the atmosphere is almost totally made up of carbon dioxide, it is very hot—so hot that metals would melt. As a result of human activity, we have increased the amount of carbon dioxide and other greenhouse gases and also released new ones—for example, chlorofluorocarbons, which are not present in nature—into the atmosphere. The result is increased global warming and forecasts of further global warming.

It is good to welcome my hon. Friend the Member for Walthamstow (Mr. Summerson), who will refer to CFCs in particular and to the action that should be or is being taken to reduce CFC emissions into the atmosphere. I also welcome my hon. Friend the Member for Suffolk, Central (Mr. Lord), who will talk about the European approach to this matter through his experience on the Council of Europe. It is good to see my hon. Friends present at this late hour.

Predictions about future global temperature rises require the use of complex mathematical models of the climate system. Along with several of my colleagues, I recently had the opportunity to visit the climatic research unit at the university of East Anglia, where the uncertainty associated with predictions was explained. It is interesting to note that predictions about warming caused by the release of excess carbon dioxide into the atmosphere were actually made in the very first press release when the unit at the university of East Anglia was started back in 1970. The university of East Anglia has an international reputation which is second to none for the careful recording and compilation of temperature data and is working on the implications of the temperature changes currently being predicted.

Great emphasis has been placed in the local press and media, particularly in East Anglia, on sea level changes. The latest view from the team at the university, however, is that recurrent drought will be a more serious problem if global warming progresses as predicted. That point is certainly topical this week, when it is likely that new water restriction measures may come into force during the present possible drought. We may therefore soon need to design methods to move water from the western uplands of Wales and Scotland to the hotter and drier east of this country.

At a recent engineering assembly held at Surrey university, Sir John Mason, a former director-general of the Meteorological Office, said that changes to global and regional climates over the next half century will be small, slow to develop and difficult to detect among natural fluctuations in temperature and rainfall. Although Sir John counselled against drastic action, he agreed that

"it would be prudent to take practical and economically sensible measures to conserve energy, curb the rise in carbon dioxide and phase out the use of CFCs that both deplete the ozone layer and contribute to global warming."

The "best bet" forecast is that by the year 2030 the world will be about 1 to 2 deg C warmer than it is today. That leads to forecasts of sea level rises between 14 and 24 cm, coupled with increased frequency of flooding and inundation of low-lying lands such as East Anglia. Of course there are also accompanied predictions, the details of which I do not have time to discuss, of climate changes and effects on agriculture.

More detail can be found in the excellent brief that was prepared by the parliamentary office of science and technology, the acronym for which is POST. That unit was set up by the parliamentary scientific committee. I take this opportunity to pay tribute to the work of that office. The briefs that it prepares for use by Members of Parliament are well put together. In preparation for this debate, I used its brief not only on global warming but on energy efficiency.

During any discussion on global warming, we should concentrate on how quickly or drastically we should adjust our behaviour and policies to respond to the facts and predictions that have been well documented, but on which I do not have time to go into great detail.

The approach taken by peoples, nations and Governments ranges from active to passive measures. The latter mean that we sit back and let society adapt to the changes as they occur. That is a dangerous approach, however, as the capacity of nations to adapt may be insufficient if the changes occur too quickly. We must be cautious in our approach to the problem and consider more active solutions to it. I agree with professor Keith Clayton of the university of East Anglia that we should, at the very least, tackle some of the easier changes now. We would then be better placed to deal with some of the more difficult issues later on.

The Prime Minister's recent speech at the opening of the Hadley centre for climate prediction and research acknowledged the reality of the threat. My right hon. Friend set down a commitment to reduce carbon dioxide emissions by some 30 per cent. by 2005.

As always, there are those who are trying to urge us to move faster, but in the presence of my hon. Friend the Parliamentary Under-Secretary I acknowledge the real efforts that the Government are making to tackle environmental issues and pollution. No previous

[Mr. Patrick Thompson]

Government have done so much to speak about the environment and to take sensible, practical measures to deal with it. I take this opportunity to put that on the record. It is easy to say that we should move faster, but we should pay tribute to what is already being done.

I agree with the Minister who said at the engineering assembly at Surrey that environmental problems were technical problems which could be solved only with technical solutions.

We cannot stop the world and say that we want to get off as it is all getting a bit dangerous. That is not the right approach, but some of the crazier members of the green movement tend to adopt such an approach. They believe that we can go backwards, but that is not possible. The technical problems that have arisen from man-made pollution must be tackled with technical solutions. I also agreed with the Minister when he said at that assembly that poverty is the greatest pollutant of all. One need only study the pollution record of eastern Europe and the destruction of the rain forests to understand that.

Engineers have a crucial role to play in dealing with all environmental problems, particularly global warming and its associated problems. As a founder member of the all-party group for engineering development, I shall continue to campaign whenever the opportunity arises—even in the middle of the night—for ways to encourage our professional engineers. Their status in society should be increased and we should recognise the contribution that they can make in dealing with environmental problems. That has been taken on board by the Engineering Council and others at recent conferences. In future, we must ensure that engineers increasingly think in environmental terms.

A number of immediate, achievable steps could be taken to deal with global warming, reductions in carbon dioxide and other emissions. It is imperative that we reopen the debate on nuclear power, which has somehow faded from view as a result of electricity privatisation and other changes. We must start to talk about nuclear power again, as I do not need to remind the House about the dangers of emissions from fossil fuels. In 1987 Britain produced 2·8 tonnes of carbon dioxide per person, compared with 1·7 tonnes produced in France. The difference is due to the fact that France relies on nuclear power for almost all her electricity. The electric trains of France are one way in which the emission of greenhouse gases is reduced as they are run on electricity generated by nuclear power.

I hope that the Government will also do all that they can to encourage alternative sources of energy such as solar, tidal and wind energy. I see no reason to slacken our efforts in those directions.

Thirdly, we must consider combined heat and power, which I have always supported. It is interesting to note that today my hon. Friend the Member for Erewash (Mr. Rost) asked the Secretary of State for Energy

"what are the latest estimates from the Energy Technology Support Unit of the potential kilowatts that could be contributed from combined heat and power; by how much such potential would raise the overall thermal efficiency of electricity generation; and what percentage contribution this could make to a reduction in greenhouse . . . emissions."

The Minister replied:

"The latest estimate is that a potential of 25 billion kilowatt-hours annual generation from small-scale CHP, operating at an efficiency of around 80 per cent., could reduce United Kingdom carbon dioxide emissions by 4 per cent. This level of output equates to about 10 per cent. of present United Kingdom electricity demand or the output of about four large power stations."

My hon. Friend has informed me that the reply refers only to small-scale combined heat and power projects—at hotels, leisure centres, hospitals, and so on. If we took into account all the combined heat and power potential—in industries, large cities, and so on—we could increase the 4 per cent. to some 10 per cent. The potential is there, through the use of combined heat and power and through greater efficiency in the use of energy, to reduce carbon dioxide emissions by 10 per cent. I make no apology for dwelling on that.

Fourthly, we must consider energy efficiency. That is one of the easy steps which can be taken without drastic changes and the Government should be examining it more seriously. It must be right to encourage further energy conservation measures. I have seen it stated more than once that the newly privatised electricity companies may well find that they can earn more and become more profitable by encouraging people to use less electricity rather than by building massive new power stations. I have seen that argument advanced seriously in various articles and learned journals. In his discussions with his colleagues in the Department of Energy, my hon. Friend the Under-Secretary of State should do all that he can to persuade them to reopen the debate about energy efficiency and conservation. A year or so ago we had a strong energy efficiency campaign. That should be continued and not allowed just to fall away.

It can be seen that a great deal can be done now, without waiting for more drastic changes—perhaps in our transport habits—which may have to follow. If time permits, some of my hon. Friends may wish to refer in more detail to the way in which we can reduce emissions of the greenhouse gases through changes in the way in which we use the motor car and so on. Time prevents me from examining such matters in my opening speech, but that does not mean that I do not regard them as important—they are very important. It is also important to realise that the United Kingdom accounts for only 3 per cent. of the world's emissions of carbon dioxide. It is clearly vital that international agreement and action are achieved. Otherwise, anything that we may do to reduce pollution and the emission of greenhouse gases will be of no use. I stress the importance of international co-operation, which I am sure will be taken up by my hon. Friends and by the hon. Member for Stoke-in-Trent, North (Ms. Walley), who is to speak from the Opposition Front Bench.

Mr. Hugo Summerson (Walthamstow): My hon. Friend rightly stresses the importance of international agreement. In view of what he said about the pollution caused by industry in eastern Europe, does he agree that any aid that we give to eastern Europe should be tied to eastern Europe's improving all its various forms of plant, which at present emit so much pollution?

Mr. Thompson: I am grateful to my hon. Friend for that thought, with which I wholly agree.

I hope that the Minister will accept my good words for what the Government are doing and have done on the environment. I also hope that he will accept that in many areas much more can be achieved now, possibly in small

ways. I hope that he will recognise that with a suitable lead from him and his colleagues in the Government we can make progress.

The consensus among scientists and experts is that global warming is a reality and will lead to difficulties for future generations. We must adopt an active, not a passive approach. I hope that the Minister will discuss all this with his colleagues and reflect on the points that I have made. I am grateful to him for being here to answer the debate.

5.15 am

Mr. Hugo Summerson (Walthamstow): I am grateful for the opportunity to take part in this extremely important debate initiated by my hon. Friend the Member for Norwich, North (Mr. Thompson), who outlined a number of problems, and a number of solutions, and stressed that the Government pay great heed to these problems and have an excellent record of finding answers. I am sure that they will continue to find them into the coming decade.

I want to discuss three subjects: first, chlorofluorocarbons; secondly, one of the causes of global warming—the internal combustion engine; and, thirdly, the effect of global warming on the water crisis.

CFCs not only destroy the ozone layer; they are greenhouse gases. The first activity is responsible for the hole in the ozone layer over Antarctica. I welcome the Montreal protocol and its review in London last month, chaired by my right hon. Friend the Secretary of State for the Environment. I also welcome the measures taken at the conference. But the fact remains that chlorine already present in the atmosphere will continue to destroy ozone for more than 100 years to come.

There are further threats from HFCs and HCFCs. What further measures are needed to combat them? I could do worse than quote the report commissioned by the DTI from Coopers and Lybrand Deloitte:

> "We believe that Government could ease the process and cost of compliance with a tougher regime by a combination of
>
> awareness programmes aimed at improving understanding of the Protocol and its likely impact;
> education and training initiatives to encourage the use of best practice (eg good housekeeping);
> guidelines on labelling of products containing or made with CFCs and halons to facilitate informed consumer choice;
> public purchasing guidelines and standards with regard to products and services using CFCs and halons.
>
> The costs of compliance could be further reduced and emissions from the 'bank' of CFCs and halons could be controlled by Government encouragement of recovery, recycling and destruction. We have considered the variety of forms such encouragement could take and have concluded that, within a more stringent Protocol regime, the main options which Government should examine most closely are:
>
> awareness and demonstration programmes focused on applications where the recovery and recycling economics look potentially favourable, ie solvents, industrial and retail refrigeration and fire extinguishers;
> labelling guidelines and standards with the option for mandatory labelling at a later date;
> public purchasing requirements and standards; and
> means for reducing the costs of destruction which could take the form of R&D support or operating subsidies."

I hope that the Government will bear those recommendations in mind. The importance of the ozone layer and its preservation cannot be over-emphasised. As I said, there is already enough chlorine in the atmosphere to go on destroying ozone for more than 100 years.

Mr. Michael Lord (Suffolk, Central): My hon. Friend mentioned labelling. Some of the most difficult problems are caused by substances that enter the environmental chain. We must know how they get there and how we can get them out. Crucial to that is the way that the housewife selects what she will use because some materials will enter the environmental chain while others will not. Labelling is therefore crucial.

Mr. Summerson: I entirely agree with my hon. Friend. One or two unscrupulous manufacturers label their products with such words as "ozone friendly" when they are not ozone friendly at all. Consumer pressure is needed to ensure that labelling on things such as aerosol cans is accurate. My hon. Friend raises an important issue.

My second point is about pollution in our towns and cities. In the recent hot weather the exhaust emissions from internal combustion engines have caused smog. Measures must be taken to deal with that. It is amazing that we share our streets with that most noisesome invention. When cars were first produced not many people had them, but nowadays most people do. We should not have to share our air with cars.

People who work in London know that when they go into the street they do not breathe God's free, pure air. We breathe a mixture of air and all sorts of exhaust gases from petrol and diesel engines which are extremely bad for us. I hope that one day the internal combustion engine will be banned from our streets. The situation is distressing for asthmatics. I am asthmatic and I know what it is like in this hot weather to have to breathe polluted air. Pollution has greatly increased chest infections and people are sickening because of it.

If we had good public transport in our towns and cities people might not feel so inclined to use their motor cars. I am talking about public transport and not publicly owned transport. Trams and trolley buses must be considered, not diesel-engined buses. We should encourage the use of bicycles by the provision of bicycle lanes. Our towns and cities would be more pleasant if people used small electric cars which are much quieter than internal combustion engines. There would be no roar at traffic lights as people tried to gain 100 yards on the car next to them.

I had to cycle round Trafalgar square the other day and passed at least half a dozen tourist buses parked at the side of the road. They all had their engines running and there was no one in any of them, not even the driver. The buses included those from the official London Transport tour, the London tourist tour or whatever it is called, and Evan Evans Tours. The whole lot were sitting there with their engines running. That is disgraceful. A leaflet was sent to me recently by the AA, of which I happen to be a member. I do not know whether that is why it sent it to me. It lays down several good ideas for reducing smog and exhaust emissions. It says:

> "Keep your car in good order."

It sounds so simple, but it means bringing the car in for service at regular intervals. It also says, "Plan long journeys properly" and tells people to take the train if they can. That is remarkable coming from the AA. It says:

> "Try to use the car less."

It tells us to switch off if we are caught in traffic jams and calls for:

> "Better roads for all. Better public transport, too."

That is all good stuff.

[Mr. Summerson]

I also commend the latest initiative from the Department of Transport. I have here a publication called "Traffic in London". It is a further development of the "Traffic in London" initiative. It is fine as far as it goes. I just wonder whether it goes far enough because, although I have only glanced through it, it does not seem to say anything about reducing the number of vehicles in Greater London.

My last point is about the water crisis. I believe that the crisis is an effect of global warming. I am sure that we all remember being told as children—perhaps we were reluctant to have a wash—"There is plenty of water in the tap." Not so long ago, there was plenty of water in the tap. But, of course, water has to come from somewhere. Today it comes from not only reservoirs and lakes but aquifers in the chalk, rivers and boreholes. Water is abstracted from all sources.

I am a fisherman. I know that spring-fed rivers such as the Test and Avon in Hampshire are suffering serious problems because the level of ground water has been lowered by abstraction and pumping. That water is being used in our towns and cities, which are the main centres of use of water. Many urban inhabitants simply do not seem to realise that the water that comes out of their tap has come from somewhere and that the fact that it comes out of their tap means that it is no longer available to run down a river 100 miles away.

Most people nowadays have washing machines. A washing machine uses about 24 gallons of water at a time. There was an article in yesterday's *Evening Standard* about a sprinkler used in Kensington gardens to water a patch of lawn. A sprinkler will use in a couple of hours more water than an entire family will use in two days. There is a serious problem with water. The hotter the weather becomes, the more water is used. We need a campaign to educate the public that water is an extremely precious natural resource which is not to be wasted. The public should not wash their teeth while leaving the tap running. People need to be told about those things.

Metering of water is important. If we do not have metering the public will not be aware of how precious water is and all the problems that I mentioned—of rivers literally drying up in various parts of the country—will continue.

Mr. Lord: My hon. Friend mentioned metering of water. We have seen many reports about the cost of installing meters and the difficulties that individuals face. Does he agree that it would be in everyone's interest if installation of a meter were made as simple and cheap as possible. Does he also agree that, whatever the cost in the short term, it will be more than repaid in the long term both in cost and in water conservation, as he said?

Mr. Summerson: I agree with my hon. Friend. If the average consumer were told that he was obliged to have a meter installed at a cost of £100 or £200, he would kick and be rather unhappy with the idea. However, if the meter were to be installed at a nominal cost, with the balance spread over his water bill, the consumer would probably be much happier.

5.29 am

Mr. Michael Lord (Suffolk, Central): I, too, am grateful for the opportunity to participate in a debate on an important topic which concerns many people. Great credit must go to my hon. Friend the Member for Norwich, North (Mr. Thompson) for introducing this topic. Like him, I am pleased to see my hon. Friend the Minister in his place, because I know of his great interest in environmental matters.

Two aspects of crucial importance to global warming and to many other environmental issues are the criteria used to judge when we should act and the best organisations to use in getting things done.

What criteria should be applied, and how much evidence should we have before we act? Whether we are dealing with global warming, acid rain, the ozone layer or even sewage dumping, in the past there was a temptation to wait until all the scientific evidence proved beyond doubt the need to act. We have tended to want everything accurate to three decimal places before being prepared to act decisively. I believe that that approach is wrong, and it is increasingly being questioned.

My hon. Friend the Member for Norwich, North said that I am a member of the parliamentary assembly of the Council of Europe. I serve on its scientific and technology committee, which recently held in Ottawa its seventh parliamentary and scientific conference, at which we discussed global warming. That conference was attended by experts from all over the world having the highest possible qualifications. Not least among them was a professor from the university of East Anglia, Professor Tim O'Riordan, who made a valuable contribution to our debates.

One thing that strongly impressed at that conference was the need for a new approach to the way in which we define the scientific need to act. That decision must be based on scientific evidence, but it must also have a large injection of common sense and some sympathy with the natural environment. If we wait until we have all the evidence, we shall be too late. Conversely, we must not act impetuously or precipitately.

That approach is more common among individuals, who find it easier to combine scientific facts with the need to act. We must now persuade Governments to take those feelings on board. Perhaps I may give a personal illustration of the attitude that I have in mind.

If someone spent some time camping beside a nice river, and discovered when it was time to leave that he had half a gallon of paraffin left over that he did not want to carry home, he might be tempted to get rid of it by chucking it in the river. If one asked a scientist whether such an action would do the river any lasting harm, he would probably reply, "No; lost in the size of the river, such a small quantity of paraffin could not do any damage." Nevertheless, I venture to suggest that none of us would do such a thing, because something inside would tell us that it was wrong, and that—despite what the scientist said—some harm would be done. Somewhere in the chain, down the river, that half a gallon will have a detrimental effect, especially if many other campers have the same thing in mind. That is a simple example, but I do not know whether hon. Members understand what I am trying to say—scientific evidence says one thing, but one's basic natural instincts say another. What is needed now is a combination of the two.

Out of the Council of Europe's scientific conference in Ottawa came a feeling that we need to act on all the scientific evidence, but we need to make a science out of not waiting until we have had all the evidence, because if we do it will be too late.

A good example—although it is not exactly on the subject that we are debating—is the question of hormones in beef. Farmers used hormones to increase the speed at which beef cattle grew. All the evidence suggested that it did no harm, yet a ban was introduced, is in force now and the practice was stopped. I think that everyone—even those people who believed that it was scientifically shown that it did no harm—is happier now that those hormones are banned.

We must err on the safe and natural side—not without scientific evidence, but without waiting till we have all the evidence, to three decimal places, because by that time it will be too late for many of these issues.

Acid rain is another example and one with which I am more familiar than global warming, although they are not entirely unrelated. The link between acid rain and the emissions from various power stations cannot be proved, yet trees are dying and we know the problems that we face. We also know of the pollutants that emerge from our industrial installations. It must make sense to tackle those pollutants, even though we cannot in every specific case prove the link between pollution and the damage that occurs. Those are my thoughts on the criteria that we should use, and the way that we should approach the actions that we take and the time when we should act.

Trees and tree planting are appropriate to tonight's debate. The Minister will know of my interest in this. At the moment, the tropical rain forests are being destroyed, great problems are caused by tree destruction in the world, and there is a huge demand for more trees to be planted. Trees are often called our "green lung", which is not strictly correct because our lungs need oxygen and give out carbon dioxide. Trees—bless their hearts—have been designed in such a wonderful way that they take in what we do not want—our waste carbon dioxide—and give us back the oxygen that we so desperately need. They are not lungs in the technical sense, but the term "green lungs" describes the great natural effect that they have in invigorating the world.

Mr. Patrick Thompson: Does my hon. Friend agree on a point that has not really come out in the debate—that one way to deal with the greenhouse effect and to reduce carbon dioxide emissions is to plant more trees? That is a positive action which we can take in this country or internationally.

Mr. Lord: I am grateful to my hon. Friend. I need no prompting—although I am grateful to him for prompting me—as tree planting is a pet subject of mine. He may know that, for my sins, I have the honour to be the president of the Arboricultural Association. I am keen to get more trees planted.

Clearly the main place to plant trees is in forests and wide open places, and it is also crucial that we stop the cutting down of trees and desertification in the third world, so I want more trees to be planted worldwide, including in this country. I hope that we can use much more imagination to get trees planted in inner cities and in places where we would not normally think of planting them.

I often think that we should plant more trees on our motorways. I know that there are problems if trees grow too tall, or if the leaves drop on the motorway, but there is much scope for planting alongside, for example of dwarf and ornamental species. I venture to suggest that it is possible that our motorways might become long arboreta, snaking across the nation so that they would be a joy to drive along. The monotony would be broken up. We would not need crash barriers in the middle because there would be not oak trees, as they get too large, but a whole variety of other trees. Like the Minister, I have a great deal of interest in that issue and it is more than an idle suggestion that we might use motorways for such purposes.

Certainly in inner cities and in many areas where it is not possible to rebuild housing, tree planting would be an ideal solution to improve the atmosphere in the way that we are discussing, and to improve the look of the city and general amenities.

I have referred principally to the criteria that we should use before we act. I intend to refer briefly to the organisation that would best deliver those changes. I believe that a continental bloc would be the best organisation to do that. The continent of Europe would be an important vehicle, particularly as represented by the Council of Europe.

Individual countries can do a great deal. My hon. Friend has already referred to the Government's record in tackling pollution. Great improvements have been made. To continue to call the United Kingdom the dirty man of Europe is grossly unfair, after all the action that we have taken. It is very much a misnomer. This country's record now is pretty good.

It is interesting to reflect on the power of individual nations. In the past a nation's power depended on the might of its army or industrial wealth. Many people refer to this country as having lost its empire and not exerting the influence that it once had. However, military might is no longer so important. The world's industrial power is now multinational. Therefore, a nation's moral power and leadership will become much more important. Consequently, our country has a great deal to give to the world, purely in terms of its leadership and experience of these issues. We can give a lead and persuade. It is crucial for us to set an example by cleaning up our own environment. Then we can take the lead in the international debate.

An individual nation can do only so much. It can clean up its own pollution and give a lead abroad. I do not have a great deal of faith in the UN. Its history suggests that it is too large, too loosely jointed and insufficiently dynamic to do the job that needs to be done. I hope that I am not being unduly pessimistic, but I do not have a great deal of faith that the UN would be able to implement the kind of dynamic policies that must be implemented. Therefore, I return to the idea of a continental bloc. My hon. Friend the Member for Norwich, North referred to the fact that the United Kingdom's carbon dioxide emissions amount to only 3 per cent. of the world's emissions. That shows the extent of the problem in this country, but it points even more to the need to involve all the other nations of the world if we are to improve matters. The continental bloc might be the ideal vehicle for solving some of these problems.

Geographically, Europe is significant. Its size is important. Rivers and clouds pay no respect to

[Mr. Lord]

boundaries, and one nation alone cannot tackle the problems. Because of its size, Europe could play a useful role. Financial and political co-operation would be needed. Europe is sufficiently large to make great improvements and get things moving. If we could reduce pollution fairly rapidly in an area the size of Europe, it would be a major step forward. Therefore, I recommend to the Minister the Council of Europe. He is, I know, familiar with it already, but I remind the House that it covers the whole of Europe. Every democracy in Europe is a member of the Council of Europe. Russia, Hungary, Poland and Yugoslavia are all guest members of the Council of Europe, and Hungary and Poland are applying for full membership. Therefore, the Council of Europe contains not only the democracies of Europe, but countries from eastern Europe where there are tremendous pollution problems.

If the Minister looks at some of the Council of Europe's projects and reports in recent years, he will see that a massive amount of valuable work has been done on the sort of issues that we are discussing. The Council of Europe meets regularly, has an established framework and is there, ready to be used. The European bloc is the ideal geographical size to tackle pollution problems, and the Council of Europe is the vehicle to do so.

I shall finish by giving an end-of-term report on the Government's progress. If I were a headmaster—I am conscious that my hon. Friend the Member for Norwich, North has much more experience than I do—I would say to the Government that I had seen much improvement, and there was room for congratulation, but there was still an awful lot to be done, and time was not on their side.

I leave the Minister with the following thought: do not wait for conclusive proof on every issue before acting. We need only sufficient proof to know that we should act, so we should use our common sense. My hon. Friend the Member for Norwich, North talked about the best-bet forecast. I know what he meant, but on such issues we cannot afford to use best bets or to gamble. We must act on the evidence we have, using our common sense, before we reach that stage. If the Minister wants a vehicle for progress in Europe, I recommend that he uses the Council of Europe.

5.47 am

Ms. Joan Walley (Stoke-on-Trent, North): We have just heard a plea for presumptive action against pollution, which is most important. This debate in the early hours has demonstrated that global warming is a reality which we ignore at our peril.

The concerns that the hon. Member for Norwich, North (Mr. Thompson) and my hon. Friend the Member for Norwich, South (Mr. Garrett) have expressed at various times are understandable, particularly during this morning's debate. East Anglia is an area where there is great concern about the effect and the impact of global warming. It is regrettable that an early report on global warming, which looked at the impact of global warming on sea defences and generally, was shelved. When the Minister winds up, I should like him to say why. I mention that report to repeat the point that has just been made so well—that we cannot wait for action, but must take presumptive action against pollution and act now.

Two factors contribute to our changing atmosphere. First, we are producing gases that make the atmosphere a better heat trap. Secondly, we are cutting down forests, particularly tropical rain forests, which have the ability to remove carbon dioxide from the atmosphere through photosynthesis. The earlier comments about trees underlined the importance of tree planting. I should certainly be far happier if the Government's contribution to the tropical rain forest action programme were based more on environmental considerations.

The relative contributions of the gases to global warming have been calculated as follows: carbon dioxide, 50 per cent.; methane 18 per cent.; CFCs 14 per cent.; nitrous oxide and ozone 18 per cent. Sooner or later, global warming will catch up with us, and we ignore it now at our peril.

Although there is no scientific consensus on the speed and scope of the changes, there is wide agreement that global warming is with us now. A recent Department of the Environment study suggested a temperature increase of 3 deg C and a rise in sea levels of 80 cm. Despite that —this is the important point—the United Kingdom has not produced a clear and detailed policy on greenhouse gas reduction. The work on the subject by the university of East Anglia is welcome and I hope that it will be allowed to contribute to the ongoing debate, which must proceed much faster. In the absence of specific policies and initiatives, the business-as-usual approach best characterises Government thinking on global warming. I agree with the head teacher's end of term report that we have just heard on the Government.

The Government admit that the problem exists but prefer to await the results of international discussions and further research—some of which will take several years to finish—before committing themselves to action. In contrast, Labour Members insist that we must take on board the principle of presumption against pollution and act now before it is too late.

The Prime Minister's eloquent speech to the UN General Assembly on 8 November 1989 makes the Government's record of inaction even more serious. Indeed, her latest speech to mark the opening of the Hadley centre for climate prediction and research referred to the international panel on climate change. In calling for a target of 30 per cent. by the year 2005, she showed that she had accepted stabilisation of emissions and that she had abdicated any responsibility that she could claim for upholding environmental protection.

The report produced by the 300 scientists of working group 1 of the Intergovernmental Panel on Climate Change, which was chaired by the United Kingdom Meteorological Office, leaves no doubt that global warming is a major threat to the future of the planet and that action to counter it cannot be postponed. There must be a 60 per cent. reduction in carbon dioxide emissions, no CFC gases and a 30 per cent. reduction in methane and other gases. We accept that that cannot be done overnight, but we must control those gases.

The debate is timely, not least because of the reports at the weekend in *The Sunday Correspondent*. It has been reported that the IPCC scientists' next key report has been drastically watered down due to political pressure from the super-powers. The policy response group for working group 3 of the IPCC was meant to advise on the practicalities and costs for each country, and on concerns outlined by scientists, but it seems that there will be no

indication of the targets or the costs involved in tackling global warming. Conservative Members will wish to raise these matters with the Under-Secretary of State, and I should like him to confirm whether those proposals have been watered down and recommendations, such as the greater use of energy efficiency technologies by western European countries, dropped from the latest report. If that is so, does it explain the extraordinary behaviour of the Under-Secretary and the Secretary of State for the Environment in the Committee on the Environmental Protection Bill, when they voted against one of our amendments to include energy efficiency as an important part of integrated pollution control? The Government have been saying for a long time that they are waiting for the IPCC report, which is due for discussion at the second world environment conference this autumn, but that is not good enough. We cannot depend on a watered-down document for important and urgent policy decisions.

The United Kingdom must seize the initiative and push OECD countries for an early initial agreement to stabilise gas emissions and look to make cuts over 12 months. The least that must be done is an agreement on stabilisation within the EC by the year 2000, but, again, what are the Government doing? Will the Under-Secretary confirm that they opposed such a proposal in June and once more set themselves against a European agreement? If only we had a Government who played a full role in what is happening in western Europe on these most important issues. The Prime Minister's pledge to cut projected emissions of carbon dioxide by 30 per cent. by the year 2005 is no more than a pledge to freeze current emissions by the year 2005 —a full five years behind other EC Governments.

Mr. Patrick Thompson: Much of the carbon dioxide emission comes from the burning of fossil fuels. I said earlier that, like many other hon. Members, I believed that we should reopen the debate on nuclear power, perhaps giving greater emphasis to it as a means of dealing with these greenhouse gases. Does the hon. Lady agree?

Ms. Walley: No, I do not agree. I shall come to the important steps that we can take to provide the energy that we need, bearing in mind the important principles—under which we shall operate—of energy efficiency and of using alternative energy sources. That is the basis of our energy programme.

The EC Environment Commissioner, Carlo Ripa di Meana, rightly attacked the British position, as it will

"cause problems since the date proposed by the UK conflicts with the stricter date which the Commission has already put forward."

Contrary to the prospect of this country playing a leading role in Europe, our problems with carbon dioxide emissions will be similar to the ones that we face with water because of dirty beaches and low standards of drinking water.

The Opposition support the EC target of freezing emissions at current levels by the year 2000. We recognise that this will not go far enough and that we shall need significant cuts by the early years of the next century. Meanwhile, the Government claim that each country has different energy needs and capabilities in the EC. They now claim to be the "honest broker" in negotiations, but that is a falsehood. Within the EC, Germany, Italy, France and the United Kingdom can reduce emissions, leaving room for Spain and Portugal to make small increases—leaving overall stabilisation.

The Government must not shirk their responsibilities at the October meeting of EC Environment Ministers and possibly also Energy Ministers. Action on an EC agreement will provide the stimulus for an international agreement by 1992, overriding the political fudging by the United States and Japan under the IPCC.

Mr. Lord: I should like to underline the point that I made earlier about the Council of Europe. The European Community, however much it may try to do, consists of only 12 nations in Europe. All these environmental issues are geographical rather than political. It is, therefore, important to have a body covering the whole of Europe, not just the 12 nations in the Community. Does the hon. Lady agree?

Ms. Walley: Because no one country can act on its own, it is important that we take the initiative and show leadership in whatever groups or blocs in which that is natural. Eventually, we shall work on a global stage and seek the international co-operation so important to the future of our planet.

The Opposition believe that the political leadership must come at the outset from this country and western Europe, so that developed countries such as Japan are persuaded to come on board. It would be unthinkable for us to make important contributions without their taking part. We have heard from the Minister for the Environment and Countryside, the hon. Member for Rossendale and Darwen (Mr. Trippier), about the pain and anguish of stabilisation, as though he would have us believe that even stabilisation is beyond the realms of possibility. That has no intellectual standing. Two independent reports in the past month have shown that the costs of a stabilisation policy are not high and that such action is practicable. The science policy research unit analysis forecasts zero cost stabilisation and a cost of only 0·3 per cent. of gross national product for a 20 per cent. cut in emissions by the year 2005. A report by the Stockholm Environment Institute predicts net savings in reducing carbon dioxide emissions by 12 per cent. Six energy efficiency measures implemented over the next 15 years could cost up to £20 billion, but would save £118 billion for the economy. Where is the pain and anguish in that? Where is the high cost? If the Government are so intent on claiming the green mantle, why are they not prepared to make a real contribution to combat global warming, as was stated at the Berger conference?

We believe that the Government's stance is pure political manipulation. The Department of Energy's projections, which the Prime Minister has pledged to cut, have been deliberately exaggerated to make the Prime Minister's pledge seem far more radical than it is. Even the study produced by the energy technology support unit for the Downing street seminar on global warming—held last year—is significantly below the Department's projections.

Will the Under-Secretary tell us whether the report to which the Prime Minister referred, and on which I questioned her at Prime Minister's Question Time early in June, bears the test of peer review? Surely one of the first rules of science is that the results of studies must be opened up to peer review. If that cannot happen, the report has failed on the first principle. In fact, leaked documents from the CBI confirm that the Department puts little trust in its projections, seeing them purely as bargaining tools to be

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used with both the IPCC and the Department of the Environment. The CBI's internal assessment of the Government's study says that

"the report's projections of CO2 emissions appear to be excessively high".

To put the Government's energy projection in perspective, it assumes that demand for energy over the next three decades will be greater than the growth of demand in the 1960s, a decade of heavy growth in both industry and the domestic sector. To reach those levels of consumption it will be necessary, as the CBI notes, to reverse the trends of the late 1970s and early 1980s. It is inconceivable that Britain will regain all the heavy industries that it lost during the devastation of the 1980s.

The Department of Energy's projections also assume a major growth of between 18 and 26 per cent. in the consumption of energy in the domestic sector by 2005; yet models based on data collected by the Government's own Building Research Establishment estimate, at worst, zero growth in energy demand in the domestic sector. That is because growth in the domestic sector is roughly balanced by existing trends towards increased insulation and more effective central heating boilers. Such trends could so easily be developed by Government action, further increasing energy efficiency—the most effective policy approach to combat global warming.

According to Government research, the industrial and commercial energy survey scheme identified £35 worth of energy savings to be made for every £1 spent. Despite its success and its potential for energy saving, it was abolished in 1988. Government neglect of energy efficiency measures is deep rooted. Privatisation is the first priority at the Department of Energy, and I do not think that the statement that we heard earlier today has made any difference to that.

To dwell too long on the Department's abysmal record would, however, be to neglect the outrageous failures of the Government's transport policies. I was interested by what the hon. Member for Walthamstow (Mr. Summerson) had to say about transport. Road transport is a significant contributor to pollution and the associated problems of global warming. In the United Kingdom, according to 1987 figures, it is responsible for the emission of just under 100 million tonnes of carbon dioxide, 4·5 million tonnes of carbon monoxide and more that 1 million tonnes of nitrogen oxides. A continuing increase in traffic can only worsen those problems, yet the Government are working on the basis of an increase of between 83 and 142 per cent. by the year 2025. Run-down public transport can only add to the pressure on the roads, but building more roads will not solve the problem.

An increase in carbon dioxide emissions in the transport sector of between 47 and 55 per cent. by the year 2005 assumes an increase of between 25 and 30 per cent. in the number of vehicles in urban areas. Road developments to accommodate that are assessed on a cost-benefit basis, but public transport investment is required to show a substantial financial return. The Government's approach rejects any objective means of determining what is best for the community, and any real prospect of objectively measuring environmental impact assessments. We need to encourage the use of an integrated public transport system, more efficient engines in cars and more sensible use of private cars.

In the absence of targets and objectives for air pollution and other environmental effects, the opportunities for rational assessment of new road proposals, traffic management measures and other regulations are reduced. There are no national policies or limits for atmospheric pollution or environmental disbenefits which could set a framework within which the development of the transport infrastructure could be assessed.

The hype and euphoria at last year's Conservative party conference led to lavish praise for the Secretary of State for the Environment and talk of a promised White Paper on the environment as radical as the Beveridge report in setting up the national health service. Twelve months on, the environment is still in poor health and, according to our end of term report, it is getting worse, but the political bravado is missing. Ministers have desperately been talking down the impact of the forthcoming White Paper. The Government's bluff has been called and the Government have been found lacking.

Last July, National Opinion Polls was commissioned to establish whether people believed that the Government were doing enough to assist energy conservation. Only one in 10 endorsed that view and no fewer than 79 per cent. said that the Government were not doing enough. The failure to incorporate new initiatives on energy conservation into the Environmental Protection Bill, did nothing to improve the public perception of lackadaisical neglect, and the imminent humiliating climb-down on the White Paper will provide further cause for concern.

The report last week by the Institution of Civil Engineers, "Pollution and its Containment", put the case simply. It said:

"Government intervention is crucial since pollution of the environment is a classic example of market failure, and action by individuals or groups smaller than governments is likely to be ineffective."

As has already been said, engineers have an important role to play in combating global warming, and I welcome that report.

The Opposition are committed to an independent, national regulatory body and environmental protection executive. That is long overdue. It is necessary to make effective the development and enforcement of policy by Government. We cannot leave it to the consumer to demand proper labelling of goods. We need access to information as of right. International agreements will be brought effectively into domestic policy and environmental protection will be at the heart of our policies.

That is a level of commitment which the Government have never approached. Their hot air rhetoric on global warming lacks substance and their inaction on—and, in some cases, opposition to—international initiatives is inexcusable.

Mr. Summerson: The hon. Lady is being slightly ungracious. She has not once mentioned the retro-fitting of flue gas desulphurisation at Drax power station, the largest power station in Europe. I remind the hon. Lady that that power station was commissioned by the Labour Government in the 1970s. They were offered the opportunity of fitting FGD when it was built but turned it down. It has been left to this Government, at a cost of nearly £1 billion, to retro-fit Drax power station.

Ms. Walley: Retro-fitting at power stations is crucial. I wait with interest to see to what extent the programme will go forward from strength to strength in the new form that the industry is to take.

Time is running out. Whether I say it graciously or ungraciously, the Government's inaction and opposition to international initiatives is inexcusable. Global warming needs positive action. The Government have every opportunity to lead the way towards international agreements. It is a responsibility from which, for all our sakes, they must not escape.

6.8 am

The Parliamentary Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): I congratulate my hon. Friend the Member for Norwich, North (Mr. Thompson) on choosing this subject for debate and on the thoughtful and persuasive way in which he set out his arguments. He managed effectively to place constituency and regional concerns in a global context. That was entirely appropriate, because climate change is a global problem or it is nothing. My right hon. Friend the Prime Minister was the first world statesman to draw attention to global warming, in a major speech to the Royal Society nearly two years ago.

In his introductory remarks, my hon. Friend the Member for Norwich, North rightly said that global warming is a natural phenomenon and that the greenhouse effect is essential to support life. We must act on the build-up of greenhouse gases which is occurring at ever-increasing rates and is threatening to upset the balance of the climate in potentially damaging ways. That concern led the international community to establish the Intergovernmental Panel on Climate Change, which was charged with the task of looking at the science of climate change and the impacts and possible response to that change.

Working group 1 of the IPCC is chaired by Dr. Houghton, the chief executive of the Meteorological Office, and it has issued its report. My hon. Friend the Member for Norwich, North referred to the report's main findings, which are that global temperatures will, on a business-as-usual scenario, rise by about 0·3 deg C per decade. That is faster than anything that we have seen for the past 10,000 years or so. If unchecked, and I emphasise that the predictions are based on the assumption that nothing is done to check emissions, there would be serious consequences. Those consequences include the sea level rising beyond the somewhat modest rises that will occur anyway as a result of the global warming to which we are already committed. My hon. Friend referred to the threat of droughts which are a particular danger to his region. We can also envisage threats to fresh water supplies and damaging impacts on agricultural production and the threat of the loss of bio-diversity.

Our response to all that must be based on a sound understanding of the underlying factors. I agree with the need for technical solutions to what is, at least in part, a technical problem. To that end, my right hon. Friend the Prime Minister established the new Hadley centre for climate prediction and research, which will cost £6 million a year and will be open to participation by scientists from all countries.

Throughout the debate we have been driven by a belief that we cannot wait for conclusive scientific proof before acting. I entirely agree with my hon. Friend the Member for Suffolk, Central (Mr. Lord), who intervened effectively in the debate, about the need for the precautionary principle to be given effect. We must give the environment the benefit of the doubt particularly as much of the action that we take can be justified on other grounds. For example, energy efficiency is an entirely valid aim to pursue even in the absence of evidence of global warming.

My hon. Friend the Member for Walthamstow (Mr. Summerson) drew attention to the part played by CFCs. He will know that damage to the ozone layer is commonly confused with global warming. They are separate phenomena, but he was right to draw attention to the fact that there is a common link in that CFCs not only damage the ozone layer, but are potent greenhouse gases.

In the Montreal protocol of 1987, many nations committed themselves to reducing their use of CFCs by 50 per cent. by the year 2000. Just a few weeks ago, my right hon. Friend the Secretary of State for the Environment chaired a meeting of the protocol at which we were able to agree much stronger controls. The countries present committed themselves to a phase-out of CFCs and halons by the year 2000 and to implement tighter controls over two other ozone-depleting substances, methyl chloroform and carbon tetrachloride. We were also able to agree a financial mechanism to enable developing countries to meet their obligations under the protocol. That, in turn, meant that India and China were able to say that they hope to join the protocol.

The agreement is a significant watershed in environmental protection, but many countries, including this one, would like to go further on CFCs, and we are now pressing the European Community to phase out the use of CFCs in the Community, apart from certain essential uses, by the year 1997.

My hon. Friend the Member for Walthamstow drew attention to the Coopers and Lybrand Deloitte report. I am glad that it has his support. It was sponsored by my Department and the Department of Trade and Industry. It stresses the importance of finding substitutes and of recycling CFC gases. I was interested recently to open a CFC reclycing scheme in Aylesbury, Buckinghamshire. The county council and the district councils had got together to fund a mobile CFC recycling unit which will extract those gases from domestic refrigerators.

Hon. Members have understandably and rightly drawn attention to the central role of energy efficiency. Nuclear power was mentioned by my hon. Friend the Member for Norwich, North. If the economics allow it, nuclear power has a part to play in future. As my hon. Friend knows, the generation of electricity by such means is done almost without gaseous emissions. He was right also to stress the potential role of combined heat and power. My Department certainly believes that, if the right applications can be found, there is a role for future CHP schemes. We are taking active steps to try to find appropriate applications.

We have already successfully promoted improvements in energy efficiency. Since 1979, we have produced 25 per cent. more gross domestic product with no increase in energy use.

Ms. Walley: I referred to the report that is due from working group 3 of the IPCC and suggested that it had been watered down. In view of what the Minister said

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about energy efficiency, can he give an assurance that that report has not and will not be watered down and that there will be specific recommendations on energy efficiency?

Mr. Heathcoat-Amory: We have not received the report from working group 3, so I cannot anticipate its outcome. However, if the hon. Lady is alleging that the Government have played any part in watering down that working group's research or possible conclusions, she is entirely wrong.

Last April, building regulations were altered to improve the heating efficiency of new homes by 20 per cent. The Electricity Act 1989 is also important in that the non-fossil fuel obligation has already given a tremendous boost to the commercial development of renewable energy. It is a sad fact that the Electricity Act was opposed at every stage by the official Opposition. I know that because I served on the Standing Committee that considered the Bill.

Mr. Patrick Thompson: As we are discussing non-fossil fuels and nuclear power, was my hon. Friend surprised that the hon. Member for Stoke-on-Trent, North (Ms. Walley) did not develop her thoughts on nuclear power? The Opposition are in some difficulty on this matter.

Mr. Heathcoat-Amory: It is fair for my hon. Friend to make that comment. The Opposition have opposed nuclear power on principle far too often and they have overlooked the fact that, although all energy production systems have their disadvantages, nuclear power is a benign form of electricity generation in terms of the greenhouse effect and global warming.

My hon. Friend the Member for Walthamstow stressed the role of transport and he is right that vehicles are heavy producers of carbon dioxide. The three-way catalytic converter which will be compulsory on new vehicles from 1992 does nothing to limit the emisson of carbon dioxide. That is why we have been urging the European Commission to take further steps to introduce specific proposals to limit the emission of that gas. We have also urged discussions with motor manufacturers on how to ensure that we sustain previous improvements in vehicle efficiency. I hope that the European Commission will take heed of our promptings, as it is a cause of some concern that the fitting of three-way catalytic converters appears, at least in the short term, to rule out the development of lean-burn engines which hold out the prospect of limiting the emissions of other pollutant gases, while also reducing carbon dioxide emissions.

As I expected, my hon. Friend the Member for Suffolk, Central spoke about the role of trees. He said that trees are an efficient and attractive way in which to fix carbon dioxide in solid form. My hon. Friend waxed lyrical and talked about converting motorways into long, snaking arboretums. I shall certainly draw that proposal to the attention of the new Minister for Roads and Traffic, my hon. Friend the Member for Southampton, Itchen (Mr. Chope). My hon. Friend is right that we must find ways not only to reduce emissions of carbon dioxide, but to get it back into solid form.

I am answering this debate leaning on a Dispatch Box that is partly made of wood. It rests on a solid wood table that is chiefly of carbon. Tree growth is a good way to reverse the overproduction of carbon dioxide and other greenhouse gases.

Throughout the debate emphasis has been laid on international action, which I endorse. I agree that one of the strengths of the Council of Europe is that it includes eastern European countries which have a role in cleaning up the European environment. It is clear that 40 years of communism have also given us 40 years of environmental dereliction behind the iron curtain. For the continent to try to reverse that remains a giant task.

The United Kingdom has not been an obstacle to a European Community agreement, as the hon. Member for Stoke-on-Trent, North (Ms. Walley) was dangerously near alleging. At the most recent discussion at the Environment Council on 7 June, this country pressed for an agreement that all member states should prepare national strategies setting out real measures to reduce greenhouse gas emissions. We pressed that member states should be prepared to present those strategies at the next meeting of the Environment Council in October. Sadly, we were unable to reach agreement on that, but the fault does not lie with the Government. The plain fact is that some member states are not ready to take that step.

That applies to too many countries outside the developed world. Rather than squabbling about whether we should stabilise in 2000 or 2005, we should be trying to convince that part of the world—three quarters—that has not yet taken any action that it has a duty to join us in a concerted effort to reduce greenhouse gas emissions. That is even more important.

There is no cause for complacency about global warming. It behoves all countries to participate, because it is a global problem requiring a global solution. Our duty is to increase our knowledge about the climate and about ways in which we can respond and to take necessary action in advance of conclusive proof.

I am grateful to my hon. Friend for having chosen global warming as the subject for this debate. His speech and those of other hon. Members have helped to illuminate the subject, which is complex at times. The obligation to join other countries in reducing emissions could be one of our most important international obligations and our debate this morning has contributed to the necessary understanding of the subject.

Council of Europe and CSCE

6.25 am

Mr. David Atkinson (Bournemouth, East): Earlier this month, a meeting here in London of the heads of the NATO member states took stock of the historic changes that have taken place in central and eastern Europe. In its communiqué, it called for the establishment of structures which

"would reflect and encourage a more united continent, supporting security and stability within the strength of a shared faith in democracy, the right of the individual, and the peaceful resolution of disputes."

The statement went on to advocate that the conference on security and co-operation in Europe—the CSCE—should be developed as a contribution to Europe's future security. It proposed that the summit in Paris in November should decide how the CSCE can be institutionalised to provide a forum for wider dialogue in a more united Europe, including a parliamentary body to be known as the assembly of Europe.

In a reply to me on Thursday 12 July, my right hon. Friend the Prime Minister said that the details of this assembly are to be negotiated during the preparatory committee in the run-up to the summit. The purpose of this debate is to support the suggestion that the existing parliamentary assembly of the Council of Europe is now, more than ever, the most appropriate body to become the new assembly of Europe.

It will be helpful to remind the House of the events that led to the historic and encouraging terms of the statement arising from the London NATO summit. In June last year, Poland held a general election. It was not a free election as we know it, as 65 per cent. of the seats of the lower house —the Sejm—were reserved for the communist Government coalition. But all the seats in the upper house —the senate—were up for grabs, and 99 per cent. of them were won by Solidarity-sponsored non-communist candidates. It is little wonder, then, that President Jaruzelski was re-elected by just one vote after what was obviously a unique cliff-hanging experience for an eastern European communist leader. With hindsight, it is clear that he should have been counting himself fortunate, in view of the subsequent fate of all his fellow eastern European communist leaders. The last were President Ceausescu and his wife, and we all know what happened to them.

That election in Poland also led to the first non-communist Government in eastern Europe since the end of the second world war. It inspired a series of unpredictable events—symbolised perhaps most dramatically by the opening of the Berlin wall—which made last year the most significant of this century to date outside the war years. The consequences of 1989 will undoubtedly influence this entire decade and will continue to reverberate throughout the world—as they already have done in three countries that I have recently visited: Nicaragua, Namibia and Nepal. The map of Europe will be redrawn before the decade is out.

For the newly emerging democracies of central and eastern Europe, this already means some painful decisions and an equally painful period of readjustment from controlled economies to the free market. For the rest of us, it promises all the opportunities of a more stable world, more open markets and the peace dividend of disarmament. It also presents us with the greatest challenge since the end of the last war—to establish the institution best suited to accommodate this new order in Europe and to resolve the problems—political, economic and security, outstanding and new—peacefully. The challenge, in short, is to build that common European home to which President Gorbachev so frequently refers, and the sort of united states of Europe originally envisaged by Winston Churchill. It is the establishment of that institution which has now been added to the agenda for the November summit, as well as the ratification of a united Germany and an agreement on conventional forces in Europe.

Despite the fact that it has been in existence for 15 years, the CSCE, or the Helsinki process as it is more often known, is not widely known, especially across the Atlantic; nor is the contribution that it has made to the democratisation of Europe greatly appreciated. Yet the process brings together representatives of the Governments of all but one of the 33 states of Europe, together with those of the United States and Canada. The remaining country, Albania, has indicated its desire to join in due course. So it will be not just the Europe of De Gaulle, from the Atlantic to the Urals, but the Europe dramatically described at the recent Copenhagen conference by the veteran former Czech dissident who became Foreign Secretary during the Prague spring, Jiri Hajek, as the Europe that extends from Alaska to Kamchatka. That it is now proposed to strengthen and institutionalise the process shows its acceptance by the participating Governments, not least the United States and the Soviet Union.

It is a process which works and, compared with the disappointments of its initial years, it has succeeded beyond all realistic expectations.

When the Helsinki Final Act was signed in 1975 it was regarded as a great triumph for Soviet diplomacy. For more than 20 years, the Soviet Union had been advocating a Europewide agreement to confirm the post-war boundaries decided in Yalta, to make internationally agreed arrangements to secure those frontiers, and to encourage western trade and technology. It was one of the high points of detente.

However, at the insistence of the western alliance, and very much to its credit, the Act was required to include an additional third dimension over and above confidence-building measures and commercial, scientific and cultural co-operation. It was a commitment by all parties to the Act to human rights and fundamental freedoms, the interpretation of which would be the subject of regular review. With hindsight it became clear that these additional commitments to human rights were tolerated by the communists of eastern Europe only because of the economic co-operation with the west that the Act promised. But for the captive peoples of eastern Europe they raised the hope and expectation that here was a new authority to which they could appeal over the heads of their own Governments. Helsinki monitoring groups were established. Tragically, they and the entire Helsinki process were soon to become victims of the cold war.

The first review conference, in Belgrade in 1977, was barren, but the excuse was that it was held too soon after Helsinki to expect progress to be made. By the time of the second review conference, in Madrid in 1980, it appeared that the principles of the Helsinki declaration had been abandoned. Afghanistan had just been invaded, the Moscow Olympics were to be subjected to boycott and

[Mr. David Atkinson]

grain to the Soviet Union had been embargoed. Rearmament on both sides had already commenced and the Kremlin had activated its world peace movement to undermine NATO. Human rights dissidents in eastern Europe demanding the implementation of basket 3 were being locked up. In December 1981 the atmosphere in Madrid was further soured by the imposition of martial law in Poland.

The disappointment at the lack of progress led my right hon. and learned Friend the Lord President of the Council and Leader of the House of Commons, then Foreign Secretary, to tell the 10th anniversary meeting of the signing of the Helsinki Final Act in Helsinki:

"The Helsinki Act stands as a blueprint for the conduct of relations between nations and people. Yet so far we have scarcely begun to achieve even this objective . . . The tragic fact is that in some eastern states there has effectively been no movement at all on human rights."

However, St. George was already on the horizon. In March 1985 Mikhail Gorbachev became General Secretary of the Communist party of the Soviet Union. He was personally committed to reform as the only way for his country to achieve the economic strength with which one of his predecessors, Nikita Kruschev, boasted that he would bury the west.

Gorbachev was one of a generation of apparatchiks who entered service at the time of Kruschev's economic reforms. He saw them fail and saw the futility of intervention in Hungary and Czechoslovakia and of spending 25 per cent. of gross national product on defence. He saw the Kremlin run out of ideas and become moribund under Brezhnev with whom he saw the reforms of his mentor Andropov die.

The first fruit of the new situation arising from a Madrid proposal to convene a conference on confidence-building measures and disarmament in Europe, was the Stockholm document of 1986 which established for the first time the principle of challenge inspections as a kind of intrusive but reassuring verification. That development, together with the growing Soviet interest in conventional arms control, gave the third conference on security and co-operation in Europe in Vienna, beginning in November 1986, an encouraging start. It was agreed to replace the long-stalled mutual and balanced force reduction conventional arms control talks, independent of the CSCE, with a new set of talks under the CSCE. These were eventually to be the CFE—the conference on conventional forces in Europe.

The Vienna review conference concluded on 19 January last year with a document which considerably strengthened the human rights provision of the Act, which only Romania opposed. It established the mandates for two further sets of arms control negotiations and proposed a series of mini-conferences. They were a forum in London on information, a conference in Bonn on economic co-operation and a three-part conference in Paris, Copenhagen and Moscow on the human dimension. All but the Moscow conference have now taken place and they have all been regarded as successful. It is a measure of the reforms inspired by Gorbachev that even a majority of the human rights campaigners in the Soviet Union are now prepared for the 1991 conference to take place in Moscow, provided that the conditions on openness and access are met.

Today throughout Europe and, it is hoped, north America, the CSCE and the documentation and commitments that support it are genuinely regarded as the benchmark for the future by which to be judged a civilised member of the common European home. It was such a benchmark before the dramatic events of last year which led to the end of the ideological division of Europe. One can argue that the strengthened commitment to human rights, minority rights and the right to self-determination contained in the Vienna concluding document both sparked off and enabled the democratic revolution in central and eastern Europe to take place.

Credit must go to President Gorbachev for so courageously abandoning the lie of communism, and to those individual human rights campaigners such as Sakharov and Havel for equally courageously keeping the flame of freedom alive in their countries during the darkest days of their own persecution. Credit must also go to the Polish Pope whose election and triumphant return to his native country undoubtedly inspired the rise of Solidarity. But it should be said time and again, and should never be forgotten, that most of the credit must go to my right hon. Friend the Prime Minister and to President Reagan for standing firm in the defence of freedom, whatever the cost. That made the Kremlin realise that it could never compete with capitalism.

In whatever form the CSCE is to be strengthened and institutionalised, it is clear that it will face problems, many on a continental scale, which will require the good will and co-operation of all its members to resolve. It is as though the lifting of the iron curtain has opened a can of worms previously ignored in pursuit of winning the cold war. Democratisation of eastern and central Europe brings new problems by the day. The most immediate must be those arising from a united Germany: the eventual removal of the foreign troops of occupation; the confirmation of the Oder-Neisse line as the eastern border, which will undoubtedly disappoint the aspirations of the German minority in Silesia; and the growing wave of anti-semitism, most recently highlighted by Lord Jakobovits last week. History dictates that anti-semitism must never be ignored again. All those are Europe's problems, to be tackled by the CSCE.

The protection of minorities and the demands of nationalities will be the major issues facing Europe this decade. It is encouraging that last month's conference on the human dimension in Copenhagen introduced an outline charter of rights for national minorities, which constitute the major source of tension and terrorism in Europe today. In addition to minorities who are familiar to us in western Europe, for example, in Northern Ireland and northern Spain, we are becoming familiar with the problems of the Hungarian minorities in Romania, and the ethnic Turks in Bulgaria and with the growing list of demands to secede from the Soviet Union. Those are all legitimate issues for the CSCE.

Mr. Michael Lord (Suffolk, Central): May I take my hon. Friend back to a remark that he made about President Gorbachev? Like my hon. Friend, I am a member of the Council of Europe. I believe very much in all that it has done and could do in the future. He will recall that President Gorbachev came to the Council of Europe to make his historical speech about the common European home. Does he agree that it sums up the way in which the Council of Europe works that in one year we

were addressed by a Polish Pope, by Lech Walesa, who was then leader of the oppressed Polish nation, and by President Gorbachev, who was then head of the nation which was oppressing the Polish people? I should like to think, and I hope that my hon. Friend will agree, that that was perhaps in no small way influential in events that have happened since.

Mr. Atkinson: As my hon. Friend will find out in the next minute or so, I intend to refer to some of those events. He rightly referred to the historic speech by President Gorbachev to the Council of Europe on 6 July last year in which he used, not for the first time, but most prominently, the phrase, "the common European home". His Foreign Secretary Eduard Shevardnadze has continually used that phrase in advocating that the Council of Europe should be the basis of the new proposed assembly of Europe, to which I shall refer later.

One of the major problems facing the strengthened CSCE this decade will be the final resolution of the consequences of the secret protocol of 1939. I refer to the right of self-determination of the Baltic states, the western Ukraine and Moldavia. Those are not matters for the Soviet Union alone to resolve. Although we in the west have taken an uncommitted line which seems, particularly to the Balts, contrary to the spirit of our refusal to recognise their enforced incorporation into the Soviet Union, ultimately, the clear demands of the Lithuanians, the Latvians and Estonians for the restoration of their independence, cannot be ignored by the rest of Europe.

If the negotiations with the Soviet Government that are about to commence fail, the newly strengthened CSCE will, if it chooses to ignore appeals from the Baltic states for self-determination, quickly become impotent—just as the League of Nations did over Ethiopia.

The problems created by the replacement of dictatorships by democracies and of centralised economies by the free market are also questions for the CSCE of the 35, not just for the Community of the Twelve. Baskets 2 and 3 clearly provide for that.

The new democracies seek our help and advice with the holding of free elections, the introduction of multiparty systems and parliamentary institutions, the establishment of a civil service to replace the nomenklatura, the rule of law, and the independence of the judiciary. They seek also our guidance on what we mean by human rights, the ending of subsidies, decontrol of prices, privatisation of industry, convertible currencies and technology transfer.

An enhanced CSCE could provide an umbrella of western help and expertise, including American technology and, with foresight, that of Japan. That could avoid stresses arising from competition for bilateral arrangements with any potentially damaging nationalist undertones.

We must also consider the immense Europeanwide problems of environmental pollution, many of which have arisen because of a complete lack of safety and control standards in the industries of the former centralised economies, to which my hon. Friend the Member for Suffolk, Central (Mr. Lord) referred in the previous debate.

Horrific problems remain following the Chernobyl disaster. Social problems such as drug addiction, crime, AIDS and poverty are common to every country, and should be the subject of co-ordinated action by all those within the CSCE.

In addition to common security, those are the issues that must be addressed by the Europe of the 1990s. I assume that they are very much in the minds of those advocating the development of the CSCE in the reconstruction of Europe. As they concern not just Governments or non-governmental organisations, but the citizens of every European country and of the United States of America and Canada, now must be the right time to introduce the democratic input that has so far been lacking, and which will make the CSCE more responsible to the people of Europe as represented by their Parliaments. That will be the aim of the new European assembly.

It may be said that the new European order will require a new institution uninhibited by the past, but that would be to ignore the experience and success of the four existing parliamentary assemblies, upon which it must be more sensible to build. Two of them are related to the defence of the west. They are the North Atlantic Assembly, representing the 16 member states of NATO, and the Western European Union, which represents the nine member states of the modified Brussels treaty—the European pillar of the Atlantic alliance.

It is clear from the summit that NATO will continue for the foreseeable future—certainly for as long as the Soviet Union remains the most powerful military force in Europe, and because considerable progress has yet to be made with arms control. Moreover, there may always be a role for such an alliance in responding to threats from, for example, the Mediterranean or the middle east.

In yesterday's summer Adjournment debate, my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg), supported by my hon. Friend the Member for Poole (Mr. Ward), suggested an enlarged WEU, to include other NATO states in association with the remaining non-WEU member states of the CSCE. Such a body could perhaps constitute the parliamentary assembly for the first basket of Helsinki in respect of defence and security.

My hon. Friend the Member for Hampstead and Highgate pointed out that under existing treaties, neither of the two other parliamentary assemblies—the European Parliament and the Council of Europe—are permitted to take account of those other interests. His was an interesting idea, and I hope that it will be considered. At first sight, the directly elected European Parliament might have the more attractive credentials for it to be considered as the basis for the future assembly of Europe.

It is clear that the Community will be the principal European source of economic aid and co-operation to foster the recovery and reorganisation of the economies of central and eastern Europe, through the new bank for reconstruction and development. It is clear that appropriate association, followed by full membership of the Community, is the ambition of all of the newly emerging democracies of central and eastern Europe, but it is also clear that it will not be achieved in the foreseeable future.

The natural evolution of the European Free Trade Association member states to join the Community, following the formation of the European economic space that is currently being negotiated, will occur, but it is also clear that full economic and monetary union remains the Community's current priority with whatever is decided about political union, if it is decided at all, to follow, in which case there would be no room for the rest of Europe for the time being.

[Mr. Atkinson]

Whereas conventional wisdom a few years ago was that the Community and the European Parliament would overtake the Council of Europe in membership and responsibilities, today, the Council of Europe is accepted as the most appropriate, practical and credible institution for the single democratic space under the CSCE. That conclusion can be drawn on three grounds: its record of performance on baskets 2 and 3; the breakthrough that is being made in becoming representative of the emerging democracies; and the fact that it is already preparing the foundations for the missing parliamentary dimension for the CSCE, in a way that the European Parliament is not and cannot.

The Council's commitment to pluralist parliamentary democracy, the rule of law and human rights, which are the qualifications for full membership, represent the highest standards, based on long and proud experience. It inspires local government with these standards, through its standing conference of local and regional authorities in Europe. There has never been any suggestion of compromise on the qualifications for membership, as was demonstrated when the colonels seized power in Greece, and its membership of the Council of Europe was removed. Nor will there be for the newly emerging democracies that wish to join.

The convention of the Council of Europe on human rights, with its unique right of individual petition to the court for every citizen, and numerous other conventions, such as those on culture, the suppression of terrorism, transfrontier co-operation, animal welfare and the protection of wildlife, inspired and defined by the parliamentarians, form the basis of a truly European system of legislation. Many conventions have emerged as a result of public opinion, from the grassroots of Europe.

The competence of the Council of Europe on so many of the problems facing Europe today has been proved time and again by the succession of committee reports, with recommendations for policies to be adopted by member Governments on the approval of its Committee of Ministers. It is a formula which can equally apply to an assembly of Europe under the CSCE.

As the parliamentary forum for the Organisation of Economic Co-operation and Development, which was originally inspired by the Marshall plan, the Council of Europe demonstrates its wide competence on economic and social policy, energy, development co-operation, international trade and much else besides, in its annual debate which includes parliamentarians from five other countries which are not members: Australia, Canada, Japan, New Zealand and the USA. It is no wonder that every European non-member state, except Albania, has expressed a wish to become associated with the Council of Europe.

With great foresight, a new special guest status, to which my hon. Friend the Member for Poole referred earlier, was created last year for the parliaments of Hungary, Poland, the Soviet Union and Yugoslavia, which have committed themselves to reform. Very soon, Czechoslovakia, Bulgaria and perhaps Romania may be added. Full membership will follow as soon as they demonstrate that they qualify. Observers from the Council of Europe have followed all their recent elections.

What is happening in the Council of Europe today is the emergence of a confederated framework for the whole of Europe that threatens no one's sovereignty and lowers no democratic standards. It has a complete intergovernmental structure that can adapt its mechanisms to embrace all 35 states of the CSCE. By proposing a new associate status, with full voting rights, in its annual debate on the CSCE, the Council of Europe is already preparing for its rightful role as the CSCE's parliamentary dimension.

I thank my right hon. Friend the Minister and apologise to him for having brought him here so early this morning to reply to the debate. I hope that I have demonstrated to him that those who are preparing for the November summit need look no further than the Council of Europe, with its total interest in and commitment to the Helsinki process and the flexibility that it is now demonstrating to take account of the new order in Europe, as the basis for the new assembly of Europe.

I hope that my right hon. Friend will find attractive one final argument in its favour. I believe that my hon. Friend the Member for Suffolk, Central will bear me out. The British delegation has always been—and most certainly is today, ably led as it is by my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg)—one of the most productive and influential of the 23 delegations. I assure my right hon. Friend that those of us who are privileged to be members of it will continue to pursue the consensus, without the need for international laws or intervention, that has made the CSCE the undoubted success that it has been, in the new assembly of Europe.

6.56 am

Mr. George Robertson (Hamilton): It is customary in these debates to congratulate the hon. Member who has been fortunate enough to secure the debate. My congratulations are slightly equivocal. The hon. Member for Bournemouth, East (Mr. Atkinson) spoke with eloquence and conviction. It has been an admirable opportunity for him to put forward his point of view and for the rest of us to comment on it and the serious issues involved. However, I wonder whether it makes common sense for the Parliament of the United Kingdom to sit throughout the night. Adult, mature men and women are debating matters of great consequence, with all the fatigue involved in sitting throughout the night. It is absurd and beyond all reason that the House should conduct its business in this way.

Quite apart from the inefficiency involved in debating these matters throughout the night, one has to consider the cost of doing so. I wonder at the expense each of our speeches will involve because of the vast number of people who are engaged in keeping the Palace of Westminster open while we deliberate. We ought to conduct our business in a better way. It does neither the House of Commons nor Parliament any good. The fact that we conduct our business in this way is a cause of derision. I hope that we shall make changes in our procedures so that matters of this importance are dealt with in a more appropriate fashion.

The hon. Member for Bournemouth, East was right, having declared an interest as a member of the parliamentary assembly of the Council of Europe, to argue that that assembly should form the basis for the proposed assembly of Europe, when the CSCE meets next November in Paris. That may appeal to a larger

constituency than the small, elite number who are here at 6.58 am—not least because of the fact that it would be a cost-saving exercise.

I was interested in a number of the hon. Gentleman's points. For a number of years he and I have been interested in the question of human rights in eastern Europe. The hon. Gentleman is perfectly correct to pay tribute to Mr. Gorbachev, whose courage and vision have led to many of the changes that have radically altered the continent that we live in. He is also right to underline the role of those who campaigned for human rights for so many bleak years. They did not do so with the comfort and ease that we have, even though we have to endure middle-of-the-night debates. They lost their livelihoods and their lives in the campaign to produce what, in many parts of central and eastern Europe, and the Soviet Union, is now almost taken for granted.

A few years ago when the hon. Gentleman and I campaigned for the release of the Siberian seven in the American embassy in Moscow we would have treated with scepticism, if not incredulity, the idea that in a few years' time, not only would the Siberian seven be out, but demonstrations in the streets of Moscow would be regarded as the norm, rather than an amazing exception.

I parted company with the hon. Gentleman when he paid a magnanimous tribute to the Prime Minister for her role in those events. I concede that she played her part in the early stages of the process of change in Europe, perhaps by persuading President Reagan that there was a small niche in history available for him if he recognised that there was a wind of change, especially in the Soviet Union. But her influence in the latter stages has not been positive; in the past few months, at the NATO summit and elsewhere, it has been positively negative in its impact.

The world, and especially the continent of Europe, is currently faced with major challenges in moving towards tackling the structures that will take us beyond the blocs and the cold war. The transition from two frozen blocs to a more flexible, reasonable and co-operative structure in Europe is the challenge posed to all of us, whether in government or out of government. The consensual approach of the hon. Gentleman's speech was welcome as we all agree about the diagnosis and, in many ways, the prescription. The transition is all-important, so we must look at what institutions exist at present and, if necessary, build on them before we start looking to the creation of brand-new institutions for the future.

Our first object for the future must be to absorb the former Warsaw pact countries which sit in a limbo between NATO and the Soviet Union and have every right to be considered on their own merits, not simply as former communist satellites. Many of those countries are not just ex-communist countries, but anti-communist countries. One of today's ironies is that, with the exception of Turkey, the only Communist parties in existence in Europe are in the NATO countries; there are none left in the former Warsaw pact countries. Those former communist countries must be absorbed in a system where they will feel comforted and reassured.

Secondly, our objective must be to reassure the Soviet Union, which is going through a massive transformation in terms of both attitudes and its economy. Vast numbers of its troops and officers are being redeployed back within their own boundaries, virtually as refugees. Although the Soviet Union is magnanimous about the changes over which it has supervised, it is still twitchy and nervous about the way in which those changes have come so far and so fast.

Thirdly, Europe's objective must be to continue to involve the United States of America in its affairs in the longer term. Some people will wonder why we should involve the United States at this juncture and why it should have a role in Europe. That debate will embrace the United States of America as well as those of us in Europe.

There are several reasons why the Americans should remain involved in Europe and why it is in Europe's interest for them to do so. First, it is necessary that we maintain a European voice in the super-power dialogue and prevent any inclination to deals being done between the United States and Soviet Union. There is already a sign that President Bush is willing to do those deals with President Gorbachev because they are in the mutual interests of the super-powers. It is important that Europe retains a strong voice in that discussion, because the outcome of those debates and discussions is crucial.

Secondly, the two super-powers remain the major nuclear powers in the world. It is right that Europe should continue to have a voice in that nuclear component, because, although it is reduced in its impact, it still has a vital role to play in our survival.

Thirdly, our trading relations with America continue to be fragile and difficult, and at the Houston summit we saw that our trading relationship has not always been easy and may not necessarily be so in the future. A strategic relationship between Europe and the Americans is a mechanism by which we can continue to discuss trade as partners and not necessarily as adversaries.

Fourthly, for the foreseeable future we should continue to have input into American foreign policy, which will continue to be the most important foreign policy in the world. In the past, Europe's influence has been for the good, and we should hope to continue that into the future.

Those four reasons alone are good reasons why the Americans should continue to remain as players within Europe, but at a recent conference where several Soviet observers were present, one of the members said, "I would like to add a fifth reason to Mr. Robertson's four reasons —because the Soviet Union want the Americans still to play a part in Europe as well." That is becoming all the more apparent.

Those are selfish reasons why the Americans should stay in Europe, but there are major reasons why, for American purposes, they should continue to do so. The principal reason is that since the second world war the potential for problems and for trouble in Europe, especially trouble that could spill into the global environment, has remained in the European continent, and keeping plugged into that is all-important. In the relationship between the super-powers, Europe remains the main focus of activity. Congress representatives should bear that in mind as they go through the difficult decisions that they will have to take in the near future on their relationship at a global level and their participation within the European continent.

In the context of those objectives, the CSCE has an essential role to play. It alone of all the institutions that have been created—it is a pretty fragile institution; as one of my colleagues said recently, it has not even a telephone number—has a genuine track record of achievement between east and west. As the hon. Member for Bournemouth, East made plain, the Helsinki Final Act

[Mr. George Robertson]

was an achievement in one of the worst periods of the cold war because it moved dialogue and debate on to more sensible subjects.

The CSCE has a role in conflict containment—we may as well face up to the fact that tensions within Europe may lead to conflict—and in testing new structures which we hope will be imaginatively produced for the future, given the nature of the goodwill that is emanating from east and west in Europe.

In the short term, NATO will continue to exist. It has a major role to play and is an organisation of some substance. The London declaration showed that it is capable of adapting to a new and changing military relationship in Europe. Because it is a robust body, it must form the foundation of the new relationship within Europe. The CSCE has the major role to play in bridging the divide between the Soviet Union and the NATO countries and linking the countries in the middle that do not subscribe to the views of either.

I join in the note of optimism struck by the hon. Member for Bournemouth, East. The changes in the past year go beyond what many of us involved would have predicted. They have thrown up difficulties. Sometimes we become obsessed with those difficulties rather than recognising the achievements. There is still a considerable case for optimism. If politicians in the east and west are willing to recognise the power of those changes, to consolidate that optimism and to look at the organisations that we already have, a bright future is available for our generation and future generations.

It is important to build on our achievements. A powerful contribution has been made in this debate. I look forward to continuing the debate at a more appropriate time, because Parliament has a vital contribution to make.

7.11 am

The Minister of State, Foreign and Commonwealth Affairs (Mr. William Waldegrave): The hon. Member for Hamilton (Mr. Robertson) commented on the eccentricity of our proceedings—a point on which anyone who, like me, proceeds about his day's business from this place to a Department will sympathise. Nothing in what the hon. Gentleman said should detract from the fact that my hon. Friend the Member for Bournemouth, East (Mr. Atkinson), ably supported by my hon. Friend the Member for Suffolk, Central (Mr. Lord), made an excellent speech. He gave the history of the CSCE, which, although it was not heard by the audience that it deserved, will read well. It will be a useful contribution to the continuing debates on these subjects. So complete was that telling of history that I shall not attempt to add to it.

I agree that what in retrospect, in a childish way, the Soviet Union thought was a great diplomatic triumph turned out to be one of the most curious manoeuvres in terms of the long-term moves of the old Stalinists. It gave both sides of the House and people throughout the free world the right to monitor human rights in the Soviet Union. Hundreds of thousands of people have been the beneficiaries. I do not think that Mr. Brezhnev and his colleagues originally expected that to happen.

The most noted group consisted of the Soviet Jews, whose rights to emigrate are now more or less established. Many other individuals and categories have benefited from the standing ground that was provided and from what my hon. Friend the Member for Bournemouth, East described as basket 3 of the CSCE. We are all able to monitor human rights in the Soviet bloc. The CSCE gave a standing ground for the monitoring groups—often consisting of very brave people—within those countries to work with us and to establish something like a rule of law throughout the 35 countries. My hon. Friend mentioned some of the great heroes, whose names have become famous. He was right to say that the standing ground provided by the CSCE enabled them to have a legitimate stage on which to play.

The CSCE is a remarkable institution, in that it has shown itself to be capable not only of carrying out its original tasks but of developing. It is no accident that it is now central to the discussions about how to transform relations between the former blocs in the next period. It is, after all, the only organisation—apart from the United Nations itself—that contains all the principal players: above all, it contains the United States and Canada, as well as the Soviet Union and the countries of Europe proper.

It is no surprise, therefore, that the next steps have been taken within the focus of the CSCE. I commend to hon. Members the two declarations to which my hon. Friend referred, which have followed from the last two CSCE specialist meetings. At the Bonn economic meeting, for the first time, we encountered a commitment—running through all the countries involved—to pluralist economics and the place of the market in economics. I am sure that the hon. Member for Hamilton welcomes that, as it enables him to explain to some on the left of his party that their aspirations—always futile—would now probably cause Britain to have to retire from the CSCE, as Romania used to.

Taken together with the human rights, rule of law and democracy conclusions of the Copenhagen meeting, the Bonn meeting provides what most of us would describe as an agenda for civilised and free societies. Certainly it provides clear conditions for membership of the club, and that—as the hon. Member for Hamilton pointed out—is one of the values of the whole exercise: it provides a background against which we can make rational and sensible decisions about, for example, economic aid and contacts.

The whole merit of the CSCE process is that it has not been a formal legal process; it has been consensual, and it has had political force behind it. In a sense, the weapon used to exert pressure has been shame: if countries did not —could not—meet their obligations, they were in the dock, and had to face their own inability, at subsequent meetings, to justify their behaviour.

The Council of Europe—of whose parliamentary assembly my hon. Friend is a distinguished member—proceeded by means of almost exactly the opposite method. When the European convention on the protection of human rights and fundamental freedoms was established—I am proud to say that the United Kingdom was a founder member, ratifying it on 8 May 1951—it laid down something much more closely binding. It was a real convention. As my hon. Friend rightly said, if a country failed to maintain its standards it was expelled—and there have been instances. The convention has also played an extremely honourable and important role in the maintenance of human rights throughout our membership of the Council of Europe.

Given that, as my hon. Friend pointed out, the NATO countries now propose the addition of a democratic element to the CSCE process, how are the various strands to be brought together? We welcomed the suggestion in the London NATO declaration, which my hon. Friend mentioned—it has not yet been finalised, but it is none the less a useful suggestion—that the CSCE parliamentary body which is now proposed, to be called the assembly of Europe, should be based on the existing parliamentary assembly of the Council of Europe in Strasbourg; including, of course, additional members to cover the CSCE member states.

My belief—I think that my hon. Friend will share my view—is that it is unlikely that all the members of the CSCE 35 could join the Council of Europe. There are several reasons for that. The word "Europe" is beginning to become more a term of social significance than geographical significance because already the common European home includes large areas that we used to call America or Asia. There are also constitutional difficulties for some countries, perhaps above all for the United States. I do not believe that the United States Congress would ever consign the degree of external control that would be implied by signing the European convention on human rights in addition to the United States constitution. I may be wrong, but I think that that is unlikely.

Equally—we hope this will change in the decades ahead —I do not think that anyone would argue that the Soviet Union yet meets the criteria for joining, although, in some respects, it is moving in that direction. It may, as in the cultural convention, have a role to play. That is now under discussion. As the hon. Member for Hamilton said, unless the criteria were watered down, which would vitiate the purpose of the enterprise, I do not think that the Soviet Union could join ahead of the completion of the crucial business of its reassurance, involvement and integration in the wider world.

How do we bring the two together? There is a precedent in the way in which the assembly of the Council of Europe deals with the affairs of the OECD. As I understand it, additional members are invited to attend from the countries not covered by the Council of Europe but represented in the OECD. That is not an exact analogy, but it provides a basis for saying that there is nothing inherently impossible about using the Council of Europe structure, with additional members, to provide the necessary parliamentary assembly for the CSCE process.

That must all be worked out in detail by the membership, but we think that the suggestion in the London NATO declaration was useful and should be followed up. The two bodies could be brought into beneficial contact.

The potential for conflict and competition was noticeable to me at the Lisbon meeting, which I had the privilege to attend. It was the first meeting to which eastern European members were invited. There was a certain amount of competition in the corridors and a certain nervousness that somehow there would be institutional conflict. It was also noticeable at the European Parliament where we heard a speech which mapped out a competitive role. That is unnecessary. As my hon. Friend the Member for Bournemouth, East said, that body, with its separate purpose, is not the right one in which to carry out the wider task. The Council of Europe is much more in the target area. As my hon. Friend said, it is already playing an integrative role in relation to the eastern and central European countries that are well on the way to meeting the full criteria for membership. That is the right way to bring them back into the mainstream of Europe, or, as my hon. Friend said, the confederation of a democratic and law-based Europe.

If we can use the prestige and experience of that assembly to provide the necessary democratic input into the CSCE, it would be economical financially and in terms of using experience and expertise in the management of such assemblies. That is a good suggestion and it will be followed up in the period ahead.

The hon. Member for Hamilton ranged wider than my hon. Friend the Member for Bournemouth, East in an interesting and positive speech about the way in which the CSCE reinforces the steps that we must take to reassure and integrate the Soviet Union and how the CSCE provides another forum in which the role of the United States in relation to wider European policy can be formally reinforced.

It was useful of the hon. Member for Hamilton to list the reasons why we need the United States in Europe. That is not a universal view on the Labour Benches, but it is a view which is becoming more widespread on the Opposition Front Bench.

Mr. Robertson: It is a unanimous view at the moment.

Mr. Waldegrave: That is perfectly true. It would benefit Labour policy if that policy were made in the way in which the hon. Member for Hamilton has made it today. He should make it alone. That would be very productive. However, it must mildly irritate the United States to have to listen to a steady stream of insults from the left of the Labour party while the leaders say the opposite.

The hon. Member for Hamilton was right to state that it is not simply our interests that are important. I believe that President Bush told President Mitterrand that the Americans must not sound like mercenaries for Europe because Europe will not spend enough on its own defence. That would be an unsustainable position in Congress.

We must show why it is in the interests of the United States that they should remain involved. That is certainly in our interests and that means giving the United States a reasonable say in the consultations and decision making in Europe. It involves reminding the Americans, if they need reminding, that they have enormous interests at stake in the maintenance of a stable Europe not just in commercial, industrial and investment terms, but in terms of the stability of the world's trading system of which the Americans are such an important part.

My hon. Friend the Member for Bournemouth, East has made a timely contribution to a wider debate about how to carry forward the rather extraordinary achievement of the CSCE. No one would have predicted in the early days that it would turn out to be the success that it has. The Brezhnevite people in the Soviet Union thought that it was a way of establishing the boundaries that Stalin had imposed on Europe. In fact, it has turned out to be one of the principal motors for dismantling the empire that Stalin created by force in eastern and central Europe. It leaves a procedure, by agreement and consent of course, for the alteration of those boundaries and it will be interesting to see whether that is ever taken up.

The CSCE has also become a principal motor for the protection of human rights. It is now the right forum and it needs to be institutionalised somewhat without going

[Mr. Waldegrave]

overboard with the creation of new structures. It should be institutionalised on the official side. The British Government have made several suggestions, including, for example, the establishment of a centre for the avoidance of conflict, and other suggestions will be discussed at the CSCE summit. I hope that that will produce a not too bureaucratic structure and an identity for the CSCE process. We cannot continue to call it a process for ever. It must become a natural organisation established somewhere.

As that organisation is established it will need a democratic forum to which to report and my hon. Friend the Member for Bournemouth, East made practical suggestions about how that might be carried forward on the basis of a wider membership, for that purpose, of the Council of Europe assembly of which he is such a distinguished member.

Latin America

7.28 am

Mr. Jacques Arnold (Gravesham): Before referring to the subject of the debate, I should like to record my appreciation of the presence of the Minister, my hon. Friend the Member for Hove (Mr. Sainsbury). As we know from today's announcements, he is to move on to pastures new. Nevertheless, I very much appreciate his courtesy in being here to reply to the debate. Hon. Members certainly look forward to the interest that will be shown in Latin America by my hon. Friend the Member for Morecambe and Lunesdale (Mr. Lennox-Boyd), who I believe will take over the onerous responsibilities of our relations with Latin America, and we wish him well.

I do not know whether it would be appropriate to refer to the debate as the Latin American swansong of the Minister, but we hope that his experiences with Latin America, combined with his duties at the Department of Trade and Industry, will strengthen our trade relations with Latin America, which is one of the objectives of the debate.

This is the third debate on Latin America in as many years. It could not be more opportune. If the 1980s were a decade of stagnation for Latin America, the prospects are that the 1990s will be the decade of opportunity. Almost all the countries of Latin America have emerged into democracy, and almost all of them are struggling towards a free economy. They are facing the hard realities of a new world in which the big power blocs are breaking up, and they are determined to help themselves and progress towards the future on the basis of their own efforts.

The only fear among Latin Americans is of a fortress Europe coming about in 1992 excluding them from powerful economic relations with their spiritual home and, in turn, forcing them into the embrace of Uncle Sam, whom they have traditionally suspected.

This country certainly has a distinctive image in its deliberations with our fellow members of the European Community. We in Britain stand for the open market and free trade, and against corporatism and protectionism in the new Europe. We are not in the habit of subordinating ourselves to the current fashion of blind Euro-enthusiasm. That British approach will no doubt be of benefit to Euro-deliberations, but it can also be a rallying point for our Latin American friends. This country could once again act as Latin America's champion in Europe. Latin American countries would welcome us in such a role, for it would not be the first time that we have acted in that way.

In this very House the Foreign Secretary of the day, George Canning, put the stamp of approval and respectability in Europe on the independence of the Latin American states. In his famous words, he

"called the New World into existence, to redress the balance of the Old."

It is not for nothing that we are seeing more Latin American visitors in London than we have for many years. Those visitors have been received by Government, by this Parliament and, incidentally, by Canning house, the centre for Latin American relations in London. Over the past few months we have seen in London the presidents of Mexico and Colombia, the newly elected president of Brazil, the Finance Minister of Chile, the Economics Minister of

Brazil, the Foreign Ministers of Colombia and Venezuela, and, of great value in this place, parliamentary delegations from Argentina, Chile and Nicaragua. We have in London a more personally distinguished and powerful group of Latin Amerian ambassadors than in almost any other capital of the world. All the people of Latin America look to us as a vibrant economy, the home of "El Thatcherismo" and the inspiration to their new economic policies and restored democracies. Can we be their Euro-champions? Can we do it? Above all, will we do it?

Despite a marked improvement in Britain's trade with Latin America, we still have a long way to go. Too many British business men still regard Latin America as an uncomfortable, hot place run by Caudillos, saddled with debt, not paying their bills, destroying their forests and growing and peddling drugs. That caricature was never accurate. Today it is misleading, and we should all be wise to look at the changes that are occurring in Latin America.

I hope that more official visits will be paid to Latin America. Their Royal Highnesses the Prince and Princess of Wales are due to visit Brazil in the autumn. More royal, Government and parliamentary visits should be paid to that continent. It would be most valuable if the Minister were able to convince my right hon. Friend the Prime Minister to visit. A visit to the newly democratic Governments of Brazil and Chile and to Colombia and Venezuela would make a great impact and would be a great example which would considerably benefit Britain.

We are all obsessed by the changes in eastern Europe, but the changes in Latin America are no less profound. Democracy has broken out with a vengeance in the continent as country after country has reverted to its democratic base. In Chile the military dictatorship has been consigned to the history book—an aberration in Chile's long democratic history. The newly elected President Aylwin, who is of British descent, was elected from the united opposition in Chile. He is getting on with the job of safeguarding the country's impressive economy and is in the process of taking that country forward.

In Brazil, the largest Latin American country by far, there has also been a reversion to democracy. President Fernando Collor De Mello has set in train the most remarkable set of policies. He has launched a radical economic stabilisation plan involving the elimination of the Government deficit of 8 per cent. of GDP. He plans to turn that deficit into a surplus. He has sacked more than 100,000 public employees and has closed ministries. He has frozen the bank balances of the middle classes and has carried out a privatisation programme that would make Conservative Members blush with embarrassment. All the signs are that Brazil will break through to become a far more powerful economy in the future, following the stagnation that it suffered in the 1980s.

In Mexico President Gortari, who visited the House in the past year, is reforming the very system that put him into office. Since almost time immemorial, the PRI—the governing party—has arranged its electoral victories. With echoes of Gorbachev, President Gortari is opening up the democratic process. He is also tearing down the state sector and opening up the Mexican economy to the world market. Elsewhere in Latin America, Presidents Menem of Argentina and Carlos Andrés Pérez of Venezuela have turned towards realistic reforms, to the consternation of their traditional supporters.

In Bolivia, President Paz is transforming his country's economy and President Lacalle of Uruguay is following the same path. In Peru everyone awaits the proposals of the newly elected President Fujimori, the first Latin American president of Japanese descent.

Only in Nicaragua, Haiti and Cuba is democracy in question. The House will recall the astounding elections in Nicaragua in February when the Nicaraguan people, watched by international observers—including hon. Members of this House, who showed that the elections were free—cast aside their fears and voted in Violeta Chamorro. The new president has followed radical policies, in common with so many newly elected Latin American presidents. President Chamorro undertakes that task, however, with a civil service, education system and army overwhelmingly staffed by Sandinista predecessors.

The shock of electoral defeat was so great at the time that the Sandinistas acquiesced to the will of the Nicaraguan people. Now, however, they are trying to give effect to Daniel Ortega's call for government from below. That obstruction by the Sandinistas could ruin Nicaragua's progress. The recent Sandinista-inspired strikes and disorder caused chaos despite the lack of widespread support. That does not augur well for the future of that country.

Haiti is promised new elections by its newly appointed president, Madame Pascal-Trouillot. It remains to be seen whether that Duvalier-infested republic will achieve free elections.

Only one country in Latin America remains to go democratic. The only Latin American republic worthy of the Bourbons is Cuba. Fidel Castro is still making his five-hour speeches—the only true Marxist believer left outside Albania. There is no democracy there. His rule has rested on the twin bases of ideology and Soviet subsidy. The one is bankrupt and the other is insolvent. Time is running out for Fidel. A coup d'etat from within his own regime is on the cards, and that might lead to the establishment of a Government who will come to terms with their neighbours in both Americas. Perhaps with that will come free elections for the long-suffering Cuban people.

Not only has Latin America changed politically; it has changed economically. "El Thatcherismo" is in. All Governments are cutting deficits and inflation, dismantling state structures, privatising, raising the quality of the investment climate and opening up to overseas trade. The once fashionable import substitution model of development has been relegated as a failure. That provides opportunities for us. British business men should grasp those opportunities and the Government should review the Export Credits Guarantee Department policy to keep up with them.

The investment climate has also changed. The need to attract new inflows has changed the Latin American attitude to foreign capital. The new enthusiasm for privatisation may provide opportunities for debt conversion and certainly provides scope for privatisation expertise, in which this country is a world leader.

Unlike eastern Europe, Latin America has a cadre of economic leadership experienced in running large free enterprises in capitalist economies. We have many potential partners in Latin America for interesting new ventures. British industry should get up and go to look at Latin America and look to the opportunities for the future.

In summary, the continent of mañana is fast becoming the continent of hoy—the continent of today. We could

[Mr. Jacques Arnold]

ensure our participation in that surge of activity if we grasped the new opportunities. I hope very much that this debate will encourage that process.

7.42 am

Mr. Ray Whitney (Wycombe): I congratulate my hon. Friend the Member for Gravesham (Mr. Arnold) on succeeding in launching another Latin American debate. As he says, this is the third in three years. The debate is becoming an annual fixture, which is of great importance to those of us who are enthusiastic in spreading the message in the House and in Britain about the importance of Latin America to Britain and to the European Community. Our previous two debates have inspired a surprising—I would say, a flattering—resonance and reaction in Latin American countries.

We should ensure that none of us in Britain overlooks the exciting things that have happened in Latin America. As my hon. Friend said, it is too easy to allow those developments to be overshadowed by what has been happening in the Soviet Union and eastern Europe, welcome though those developments are. We should be seen to take Latin America considerably more seriously than we do.

There is quite a lot of knowledge of our historical links and our traditional connections with Latin American countries; there is rather less knowledge of the developments that have been taking place in the past year or two and the cascade of democracies that that continent has witnessed. I understand that in the past 18 months, about 18 democratic elections have been held and in 14 of those, the opposition parties have ascended into power. These democratic Governments have inherited a serious raft of problems from the authoritarian regimes that they have succeeded. They face a legacy of protectionism and import substitution; of massive buresucracies that overhang their economies; of the debt problem; and of the propensity to print money and the huge inflation attendant on that in nearly all Latin American countries.

These democratic regimes face hard decisions. The extraordinary thing is that they are taking those decisions; from Mexico to Argentina, almost all the Governments of the continent are facing up to what is required and putting into action a series of measures which my hon. Friend the Member for Gravesham described as "Thatcherismo". I saw the hon. Member for Hamilton (Mr. Robertson) smile somewhat wryly at that description; he may find it difficult to accept, but it happens to be true. As so many Latin American visitors to this country have attested, their interest in what has been achieved here is profound.

There have been enormous and surprising privatisation measures. For instance, the Argentines have privatised their airline and telephone systems. The same is happening in Brazil and other countries. The free market is believed in and is being established. Sound money is being introduced. The role of the state is being diminished.

The process, however, arouses political tensions, and the courage of the democratically elected leaders in Latin America is not sufficiently appreciated in the Chamber or the country. I heartily endorse the proposal that more visits should be made to Latin America by members of the Government, including, I hope, by my right hon. Friend the Prime Minister. That would act as a symbol of our understanding of what has been achieved and of the continent's prospects.

As the House will have gathered, my hon. Friend the Member for Gravesham and I think similarly on these issues. I share his anxiety about Nicaragua. The remarkable victory for democracy in February's elections is under threat. I visited that country three years ago, and I said at the time and again subsequently that I did not find it surprising that the Nicaraguan people, given the chance, would throw off the yoke of Sandinismo. It came as a surprise to most Opposition Members, however. Most of them had not been there, and those who had allowed themselves to be led by the nose by the Sandinistas. The most obvious example of that was the wife of the Leader of the Opposition, who returned demanding that the outcome of the elections should be respected. Like other members of the Labour party she was discomfited to learn at the elections that the people of the country wanted not Marxism or socialism or Sandinismo but freedom and democracy—and that is what they have, but, sad to say, the events of the first two weeks of this month have left those assets under threat.

I hope that the Sandinistas and the people of Nicaragua will understand that we in Europe are watching developments there with the greatest attention. Last week we were delighted to welcome many Nicaraguan parliamentarians who were clearly deeply commited to the principles of constitutional, democratic government that we enjoy here. They want to root them ever more deeply in their country, and we have a duty to do whatever we can to help them achieve that aspiration.

Most of the new democracies in Latin America face many difficulties. Latin American history has had many false dawns, but this time the strong probability is that democracy will succeed. All the many efforts at regional co-operation have run into the sand, but this time there is every prospect that people will work together, inspired by what has been achieved in Europe. In that context I disagree with some of the implied strictures of the European Community offered by my hon. Friend the Member for Gravesham. However, I heartily agree that one of Britain's major roles is to ensure that the Community continues to develop as an outward looking entity, seeking co-operation with the rest of the world. Fortress Europe is a myth propagated by the Community's opponents.

We have paid insufficient attention to the initiative "Enterprise for the Americas" launched by President Bush on 28 June. The long-term goal of President Bush and the United States is that there

"would be a time when all are equal partners in a free trade zone stretching from the port of Anchorage to Tierra del Fuego."

That objective may be achieved and the Community should take full notice of it. The trade role of Britain and western Europe in Latin America has been declining. Over the past 20 years that trade has dropped to about 15 per cent. of all Latin American trade and that is less than half of what it was two decades ago.

Latin America has great potential. It has little-tapped natural resources and a population of about 400 million. Already its gross domestic product is about two thirds that of the combined GDP of the Soviet Union and eastern Europe.

It presents a great challenge which all nations, and especially the United Kingdom, must meet. The United Kingdom took a major step this year in its relations with Latin America. Our traditional problem has been with Argentina over the Falkland Islands. The House should take happy note that a few days ago Humphrey Maude presented his credentials as our newly appointed ambassador in Buenos Aires. We have been happy to welcome the distinguished new ambassador of Argentina to the Court of St. James. He is Dr. Mario Campora who, by the eminence of his person, is endowed with deep trust by the President of Argentina. That is a mark of the attention that Argentina clearly gives to the improvement of relations with Britain.

I pay tribute to the device, the so-called umbrella, which enables us to put to one side the vexed and for the moment insoluble issue of the sovereignty of the Falkland Islands. This gives us another opportunity to develop further our traditional links and relationships not only with Argentina, but with Latin America as a whole.

Those of us who are enthusiastic about Argentina have heard and made the cry many times that we must not allow exciting developments in eastern Europe to obscure the equally exciting developments in Latin America and the opportunities that they present. This time that cry is urgent and pressing. My final plea—though this is not the first time that I have made it—is that the teaching of Spanish in our schools must be rapidly and significantly increased. It is a fascinating, attractive and easy language and is spoken in 20 countries. Any business man, scholar or young person with English and Spanish at his disposal has access to about two thirds of the world's people. That must be a wonderful achievement. It would be a tremendous boost to our export efforts. In that regard, I hope that as well as developing high-level visits to Latin America, the Government will respond to the pleas that we have made.

I join my hon. Friend the Member for Gravesham in congratulating my hon. Friend the Member for Hove (Mr. Sainsbury) both on his presence here today and on his elevation a few hours ago. I wish him all good fortune in the Department of Trade and Industry. I hope that from that position he will be able to lend yet more weight to efforts to increase our trade in Latin America.

7.55 am

Mr. Hugo Summerson (Walthamstow): I seek the leave of the House to speak briefly. I shall take no more than two minutes, if that is in order. I should like to mention three factors: aid, debt and environment. They come together in Amazonas, in the tropics and in the Andes.

In Brazil, the felling of part of the tropical rain forest has caused a storm of consternation among environmentalists. We have to be careful about what we say to Brazil. It is a friendly country and it would rightly resent any effort on our part to muscle in and tell it what it may or may not do with its territory. Nevertheless, it is important that we come to some sort of accommodation with it.

Moving across the continent to the Andes, I wish to say a few words about Peru. The other day I was sent a copy of that well-known property paper *Estates Gazette*. Attached to the front of it was a diez intis note of the Banco Central de Reserva del Peru. How disgraceful that a country's currency should be used for the purposes of advertisement.

I ask my hon. Friend the Minister to bear it in mind that some countries in Latin America struggle under a great mountain of debt. Those countries will find it much easier to rise again and promote a democratic way of life if they can see an end to the mountain of debt—if they can see light at the end of the tunnel. I do not imply that we should necessarily relieve them of their debt, but we should reschedule it in such a way that they feel more able to cope with it.

7.57 am

Mr. George Robertson (Hamilton): I, too, must ask the leave of the House to speak. If the leave of the House is contested there may be no one happier than myself. In view of the acute interest in the middle of the night in foreign affairs, clearly the resources of both Front-Bench Members have been stretched to breaking point.

I am sure that my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) did so earlier, but I also congratulate the hon. Member for Hove (Mr. Sainsbury) on his promotion from the Foreign Office into the depths of the Department of Trade and Industry. I am sure that he will inculcate an element of common sense into a Department which has sadly lacked that commodity for some time.

It is a matter of some regret that the Foreign Office team changes with such rapidity, leaving a consistent, well-tried and experienced team on the Opposition Front Bench. Clearly it is part of the Prime Minister's "change and destabilise" policy for the Foreign Office and its influence. However, the hon. Member for Hove goes to his new Department with our best wishes. We look forward to breaking in yet another team of Foreign Office Ministers.

The hon. Member for Gravesham (Mr. Arnold) introduced a serious and important subject for debate, albeit late in our proceedings, and made a number of valid points. Yesterday, the *Financial Times* published an interesting and significant article, which began:

"Latin American leaders have been watching the fast-moving changes in the international strategic order with a mixture of fear and fascination. Fear predominates."

It is interesting that this debate should follow our consensual discussion on the future of Europe and the CSCE process. The *Financial Times* is right to suggest that attention is being diverted from the problems of Latin America and of the wider world by our natural and commendable interest in the events taking place on our own continent.

We are inevitably preoccupied with those changes, but the development of democratic institutions and the changes in the structures of Latin America have been as dramatic, even if they have been slightly more distant, as those on the continent. They are of no less significance than developments in eastern and central Europe in particular.

Chile, for example, has moved from having a particularly nasty and repellant dictatorship to a freely elected president, who needs all the encouragement that we and the rest of Europe can give him. I understand that a the Clerk of the House went to Chile to give advice on the creation of genuinely democratic parliamentary institutions, and that kind of initiative is highly commendable.

Socialist International played a major role in the transition from Pinochet's dictatorship to the successor dictatorship, and played a significant part also in the subsequent transition and the building of the coalition that

[Mr. George Robertson]

led to the election of Chile's new president. As a result of his regular visits to that country—especially for the plebiscite and the election—my hon. Friend the Member for Carrick, Cumnock and Doon Valley serves as a useful source of information for right hon. and hon. Members in all parts of the House.

Predictable partisan points were made by Conservative Members in respect of Nicaragua, but, contrary to all their expectations, and to all the accusations made about the Sandinistas, the transition from their Government to that of Mrs. Chamorro took place without any fear or rancour and with genuine dignity.

Mr. Whitney: The hon. Gentleman says that there was a peaceful transfer of power, and that that continues to be the case, but is he aware of what occurred in Nicaragua on 2 July and subsequently?

Mr. Robertson: Of course I know what is happening, but, given the background of central American politics, we could not expect the kind of normal, peaceful process to which we have grown accustomed. However, that change has occurred, and it is clear that more support must be given to such Governments if their new democratic institutions are to remain in place. No Nicaraguan Government will find it easy—any more than President Ortega's Government found it easy to continue their work. 35The actions of the contras during the lifetime of that Government were a destabilising influence, and no one pretends that one can transfer instantly the values of western democracy to the countries of central America. We must recognise what is good and significant there and give whatever assistance is possible to maintain that process.

There have been democratic processes in Brazil, Uruguay and, significantly, in Argentina, as the hon. Member for Wycombe (Mr. Whitney) says. We now have a good ambassador in place in Argentina, and we hope that the British Council will set up its own representation in Buenos Aires. Obviously for those hon. Members who remember the past few years, these events must have major significance.

Democratic progress has also been made—almost unbelievably—in Paraguay. I single out the progress in Venezuela, where Carlos Andres Perez has been elected, again with substantial support from the Socialist International, and his credentials are very high. His close links with my right hon. Friend the Leader of the Opposition mean that Venezuela's future will be reassured when Labour come to power.

Mr. Jacques Arnold: The hon. Gentleman has singled out the republic of Paraguay and its progress to democracy. Is he not concerned about the close association for many years between the new president Rodriguez of Paraguay and the previous dictator, General Stroessner and what democratic credence does he give to that gentleman?

Mr. Robertson: The hon. Gentleman mentions democratic progress. I do not think that any hon. Member will be happy with that progress in the short term, but we are beginning to see the break-up of the old dictatorships and that must be welcomed. Future changes must be studied, and there is no easy transition from all the years of dictatorship to the type of pluralist society that we would obviously want in place in Paraguay and elsewhere.

As I do not intend to detain the House for long, I shall deal with a number of individual cases. First, there is the whole question of peace in central America, and there is a long way to go before we can be happy about that. I hope that the Minister will be willing to say something about the role of the United Nations in that part of the world, and the role of Mr. Marrack Goulding in running the UN supervisory zone. Clearly, we must be involved in any outside help that would be supportive of the peace process in the area, we must not be associated with arms supplies and we must be part of the overall influence that will stop such supplies to an area where the killing continues at an increased level.

Also, could the Minister react to the situation in Peru? Recent reports have been forthcoming about the disappearance of a human rights worker in that country. Mrs. Guadalupe Ccallocunto Olano, who is the general secretary of the commission of the relatives of the disappeared, and who comes from Ayacucho, has recently disappeared. She had been arrested for the fourth time since 1986 for her peaceful human rights activities and there is considerable concern about her present status. In the past nine years some 5,000 people have disappeared in Peru, and this lady is one more, but she is much more significant. Will the Minister take the matter up with the Peruvian authorities? Perhaps he can give us his assurance that something is being done on her behalf.

There is growing concern in the world community about human rights. We know of the drug situation in Colombia, but there is also rising concern in the outside world that the crisis of law and order caused by that trade is masking increasing human rights violations. In the past year alone, 3,200 political killings in Colombia have been reported. The number of disappearances is far higher now than it was during the previous two years. Reports since March 1990 suggest that torture and murder have increased in the districts of Tabor and La Sonora in the municipality of Trujillo, in the north of the Valle department. Are the Government able to say anything about that?

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Robertson: The hon. Gentleman spoke at some length. I am interested in what the Minister has to say. I do not wish to cut the hon. Gentleman off, but I should be grateful if he would allow me to continue with my speech.

Threats have been made against Jaime Prieto and Humberto Torres, the president and executive secretary of the committee of solidarity with political prisoners. That is a matter of concern to a number of human rights organisations. It would be regrettable, given the problems facing the Colombian authorities, if the tendency towards a generalised repression of human rights organisations were to be masked by the excuse that it was a law and order problem. I hope that the Government will make it clear that our concern over human rights runs deep.

Latin America's problems are considerable. There is a drugs problem and a huge debt problem. The United Kingdom must do something about reducing the demand for drugs. We must ensure that existing dependent territories are not used to launder drugs money. We must

also play our part in ensuring a fair world price if alternative crops are to be grown in those countries that now depend on drugs money.

Yesterday's article in the *Financial Times* rightly made the point about debt rescheduling and its related aspects. It referred to the fact that we, too, can play our part. I was impressed by the paragraph that says:

"The awakening of Latin America to the outside world has also flowed naturally from the disappearance over the past 10 years of military governments. A new generation of democratically-elected leaders has been quick to exploit the greater ease of international contacts that comes from political respectability."

I am sure that no hon. Member dissents from that point of view. We must all wish to encourage that process. The article concludes:

"the pessimism of the 1980s has gone."

That is undoubtedly true. The future of Latin America now lies in democratic hands, the hands of the people of Latin America. We in Europe have a major role to play in assisting the instinct for self-help. If Britain genuinely wants to do so, it can spearhead the drive forward.

8.13 am

The Minister for Trade (Mr. Tim Sainsbury): As this is the third debate to which I have replied, I should point out that I must seek the leave of the House to reply to it. I hope that it is forthcoming.

The whole House is indebted to my hon. Friend the Member for Gravesham (Mr. Arnold) for having brought our relations with Latin America before the House on the third successive occasion at this time of the year. After a gap of 38 years, perhaps we can establish a tradition of 38 successive years of similar debates. I thank also my hon. Friend the Member for Wycombe (Mr. Whitney) and the hon. Member for Hamilton (Mr. Robertson) for their kind remarks about the new post that I am shortly to take up, or that I have already taken up.

I am glad that we have another opportunity to debate Britain's relations with Latin America and that the major theme of our debate has been democracy. My hon. Friend the Member for Wycombe referred to the cascade of democracy, which is a nice concept. The world's attention in the past year has been focused on the progress of democracy in eastern Europe, but that same year has seen the culmination of the democratic process in most of Latin America.

Last year in this debate I described events in Chile as attracting particular interest and excitement as that country embarked on the return to democracy. The journey was swifter and smoother than many of us had hoped or feared. We have great admiration for the maturity displayed by the Chilean people in returning to power a moderate and humane democratic Government, firmly wedded to the free market system and respect for human rights. At the time of the transfer of power we indicated our support for the new regime by asking my right hon. and learned Friend the Lord President to represent Her Majesty's Government at the ceremonies. Since then, we have been happy to receive distinguished visitors from Chile, led by the Minister of Finance, Mr. Alejandro Foxley.

I also note with admiration the continuation of the democratic process in Peru and Colombia, despite vicious armed opposition from terrorists and drug barons. As the hon. Member for Hamilton said, drugs remain a problem and narco-traffickers are a particular problem in parts of Latin America. But the strength of dedication to democracy in those countries is an example to us all. They continue to face great difficulties, and I assure them and the House of the Government's continued support for their efforts.

As hon. Members have said, democracy also continues to develop and flourish in the rest of the sub-continent. We note with satisfaction the elections of the presidents of Brazil and Argentina by fully democratic means and the commencement of Paraguay's transition to full democracy, which we hope will be achieved in 1994. Naturally, we also welcome the restoration of full diplomatic relations with Argentina, achieved without any prejudice to our commitment to the Falkland islanders. Ambassadors are now installed in both capitals and we look forward to the re-establishment of traditional friendly and mutually beneficial relations.

In central America, the prospects for stability and the consolidation of pluralist democracy are brighter now than they have been for many years. I recognise that there are still problems to be faced, not only in Guatemala or El Salvador and Nicaragua, but the Government warmly welcome that trend and will do all that they can to encourage it. The election victory of President Violeta Chamorro in Nicaragua has been followed by the complete demobilisation of the contras under United Nations supervision, and I pay tribute to that organisation in achieving transition in Nicaragua, which has brought new hope to that country. As we speak, the latest round of peace talks is in progress in Costa Rica, between the Government of El Salvador and the Farabundo Marti de Liberation Nacional. Dialogue is under way in Guatemala between representatives of the Government and the Unidad Revolucionaria Nacional Guatemalteca.

Many complex political and social problems remain to be solved, but it is a mark of the recent success of the peace process in the region that the presidents of the central American countries and Panama were able to meet in mid-June in Antigua, Guatemala, and devote their attention to economic co-operation. The British Government and their EC partners have been actively promoting regional economic development. At their meeting in Dublin in April, central American and Community Ministers agreed that the Community would commit up to 120 million ecu to the creation of a regional payments system to promote regional trade.

I was glad to have the opportunity to visit Mexico between 14 and 18 July as a guest of the Mexican Government. My talks with Mexican Ministers covered a wide range of topics of mutual interest and helped strengthen an already excellent bilateral relationship, which we look forward to developing further.

The collapse of communism in eastern Europe and the spread of pluralist democracy in Latin America have left the unreformed communist regime in Cuba increasingly isolated. Far from adopting perestroika or democratisation, it is offering the Cuban people purification and the prospect of still greater sacrifices. Recent reports of further repression of human rights activists show the regime's contempt for basic human rights. The recent cases of people seeking asylum in embassies in Havana are an eloquent commentary on what ordinary Cubans think of the system under which they live. I hope that if we have a debate next year I shall be able to report progress to democracy in Cuba. Sadly, there is little sign of it at present.

[Mr. Tim Sainsbury]

Hon. Members mentioned the environment, and the significance of the huge and beautiful expanse of Latin America in the global environment picture needs no emphasis from me. Every region has some part to play, from the rain forests of central America to the Antarctic ice cap.

In the interests of time, I propose to concentrate on the largest country in the sub-continent, Brazil—indeed, it is approximately half its land area—as did my hon. Friend the Member for Walthamstow (Mr. Summerson). I do not believe that it is necessary to remind hon. Members of the overwhelming importance of Brazil in these matters. I am happy to say that we are playing a key role. The benefits of the memorandum of understanding that we signed with Brazil last year are becoming apparent. A significant forestry project on climate research has been agreed with the Brazilian authorities. We recently told them that we are ready to provide finance to a forest management project in the Tapajos reserve sponsored by the International Tropical Timber Organisation, the detailed project agreement for which is under discussion between Brazil and the ITTO. A further dozen proposals are under preparation or are being considered by the Brazilian Government and we hope to reach agreement shortly on some of them.

On my visit to Brazil for the inauguration of President Collor de Mello, I was glad to see some of the rain forest, although I was told on arrival that it was not really a rain forest but a tropical forest. However, the experts had given up persuading anybody that that is its proper designation and said that it would be called a rain forest whether it was or not. Much excellent work is being done in the area and I am glad to say that the British Government, our aid programme and British people are playing a major role in that work.

To underline the importance that we attach to our relations with Brazil, their royal highnesses the Prince and Princess of Wales will pay an official visit to Brazil in the autumn and I am sure that discussion of environmental issues will play a large part in their programme. A seminar has been arranged on these issues in Brazil sponsored by the Overseas Development Administration and ICI to coincide with the royal visit.

It is not so long ago that the first word that sprang to mind on hearing any reference to Latin America was "debt", but hon. Members who follow Latin American affairs closely know that that is less and less the case. I attended a conference of *The Economist* recently, which had the nice title of "Life After Debt". It was clear from that conference that the Governments of Latin America have, on the whole, learnt the hard lessons to be drawn from the failures of the 1970s, have overcome the sense of hopelessness of the 1980s and, like so much of the rest of the world, are on their way to transformation in the 1990s.

To some extent, Latin America was the victim of negative external trends. Declining prices of major export commodities and high international interest rates were two obvious examples. The role of domestic policy for Latin American countries cannot be neglected. Inappropriate economic models and theories which led to policies that made the situation much worse contributed to the problems of the 1970s and 1980s. I am happy to say that Governments in Latin America, as elsewhere, now recognise the need to jettison outdated ideologies. That does not mean abandoning fundamental principles, but it means making a radical reappraisal of the assumptions that determine how we pursue our common goals.

One lesson that has been learnt is that social equity and economic development are not incompatible. They can and must be successfully combined, as has been shown in, for example, Bolivia. I therefore particularly welcome the evidence that almost all Governments in Latin America now recognise that sensible economic policies are a prerequisite for establishing credibility and recreating confidence. Without those important steps, the vital inflow of foreign direct investment and the repatriation of flight capital are unlikely to occur.

In most Latin American countries, confidence remains fragile. Gains won at heavy cost over a number of years could evaporate at the first sign of backsliding and weakening commitment to the economic changes. It is crucial that efforts should not be prematurely relaxed and that rapid action is taken to tackle any adverse shocks. It is encouraging that most of the countries in the region have liberalised their foreign exchange regimes and done away with the absurdly overvalued currencies which allowed an import boom, but, equally, led to the collapse of competition in exports.

Trade at correct prices is crucial. Exposure to international competition may be a shock to start with, but in the long run it is beneficial. The efficiency of domestic industry is sharpened, inputs can be obtained more easily and foreign companies provide new sources of investment and state-of-the-art technology. Countries can assess more accurately the areas in which they have advantages. Effective employment of these allows countries that have felt themselves marginalised for too long to make progress.

The importance attached by the region to the multilateral trading system is seen in the positive contribution made by many nations to negotiations in the multilateral forums. Countries are increasingly using the general agreement on tariffs and trade as an instrument to support their developmental aims—we welcome particularly Mexico's membership of the organisation.

This must, however, go hand in hand with reform in the economy. It is surely unsustainable that in Argentina recently only 40,000 people out of a work force of 12 million paid income tax and that in Sao Paulo state only 58 per cent. of the assessed taxes were collected, leaving aside what was not assessed; yet is it not impossible to overcome this fiscal black hole. Bolivia has shown that simplification of taxes and transparency of administration can yield startling results. The tax take has increased dramatically from 1 per cent. of GDP in 1985 to 8 per cent. in 1988. This was achieved through cutting the number for taxes from over 400 to seven and significantly broadening the tax base. Mexico has followed a similar path, cutting punitive top rates of tax and increasing the efficiency of tax collection, leading to greater tax receipts.

I am happy to report that the zeal for privatisation in Latin America outstrips even that of the British Government, as my hon. Friend the Member for Gravesham pointed out. Chile privatised twice the assets in half the time. Mexico shows signs of following the same road, particularly through the privatisation of the banks. Argentina and Brazil both have ambitious plans to introduce the virtues of private enterprise into previously stagnant state sectors. Combined with the opening of the region to foreign investment, this should return the private

sector to its proper role as the motor of growth. In countries with the courage to try them, such changes are a breath of fresh air.

Outside help is also needed, and in this context there is much to welcome in President Bush's initiative. The Houston summit concluded that the United States efforts "hold great promise for the region, and shall help improve prospects for sustained growth in the Americas". Some aspects naturally require further discussion, such as implications for debt strategy, and the proposed multilateral investment fund. While the initiative largely involves bilateral actions by the United States, we shall be considering carefully the elements in which the United States is seeking European participation.

My hon. Friend the Member for Gravesham spoke of the fear that was felt by many Latin Americans about the diversion of resources from Latin America to eastern Europe. This seems to me to be one of those myths that grow constantly in the telling, and I should like to scotch it here. The return to democracy in eastern Europe—nearly 10 years after the same phenomenon started in Latin America, incidentally—is a thoroughly good thing for humanity, and will, I hope, remove a dangerous area of instability in global politics.

Of course we pay closer attention to what is happening in eastern Europe, and of course we shall help the fledgling democracies there. For decades, tension in Europe was of vital concern to our national security; now that that era is coming to an end, no one should be surprised at the enthusiasm with which we support the changes. But let us ditch the idea that eastern Europe will starve Latin America of investment. In 1989—a difficult year for Latin American economies—United Kingdom companies were the second largest investors, after the United States of America, in many Latin American countries, and in Colombia they made more investment applications than all other countries combined, including the United States. Many United Kingdom investors tell us that this or that country in the region yields them the highest returns in the world.

What will determine commercial investment in Latin America is not what is happening in eastern Europe, but the opportunities for attractive investments in Latin America. Investments go where the conditions are right, and only regional Governments can create those conditions.

Human rights have been mentioned, quite correctly. Hand in hand with the return to democracy in Latin America goes a welcome improvement in the human rights performance. We warmly commend the Governments in Argentina, Uruguay and, most recently, Chile for the way in which they have put paid to torture, arbitrary arrest, military courts and "disappearances". We sympathise with the democratic leaders who are trying to come to terms with the damage and polarisation of society brought about by such abuses. The hon. Member for Hamilton referred to a number of individual cases; I shall not respond now, but perhaps I could write to him later.

We shall maintain the pressure on countries in the area whose human rights performance remains unsatisfactory. It is not difficult to see how pressure from ruthless opponents may tempt Governments to respond in kind. That is no excuse, however, and we and the rest of the international community expect such Governments to observe the norms of international law.

Hon. Members will be aware that there are continuing and increasing demands on our aid programme. They will also be aware that, for good reasons, United Kingdom aid is targeted at the poorest countries in the world, and at the Commonwealth. None the less, we have been able to maintain, and indeed increase, our aid provision for Latin America. The relative prosperity of the area as a whole, when compared with the world's poorest nations, means that only a small proportion of our overall financial aid is directed towards Latin America—Bolivia benefits from that. The remainder of our aid activity is in the form of technical assistance, and we propose to increase it to assist forestry projects with an environmental aspect.

I conclude that the three interrelated elements for sustained prosperity in Latin America are now in place: a flexible and well-managed domestic economy, a positive world environment and an appropriate balance of external financial support. If the trends of the recent past are continued, the future for Latin America is bright indeed, and a return to the years of rapid growth and fulfilment of the region's huge latent potential will again become a real possibility.

It is almost exactly a year ago that I made my first speech in the House after taking up my responsibilities at the Foreign and Commonwealth Office. It was in reply to a debate on a similar occasion on Britain's relations with Latin America. Since then I am delighted to have seen much of Latin America, met many of the leaders, politicians and business men and learnt a lot more about the area. Perhaps it is appropriate that, 363 days later, the last remarks I shall make before moving to the Department of Trade and Industry are also in reply to a debate on Latin America. I am delighted to have had the opportunity to do so and I am grateful to my hon. Friend the Member for Gravesham for making it possible.

Training Programme (Wales)

8.35 am

Mr. Ray Powell (Ogmore): I congratulate the Minister of State, Welsh Office on avoiding all the shuffling that has gone on over the past 24 hours and coming out on top. I also congratulate him on the sympathetic ear he usually lends us when we are discussing training, employment and unemployment in Wales.

I hope that during this short debate the Minister will take note of the introduction of the new scheme under employment training and the contracts that have now been issued to those who have been managing employment training in Wales for some years.

Although this is the last debate on the Consolidated Fund (Appropriation) Bill, I am sure that it is of great importance to Wales, the House and the nation.

The Department of Employment issued a document about the challenge of jobs and unemployment. It referred to the Madrid European Council in June 1989 and said:

"12 Community countries put the creation and development of jobs and the reduction of unemployment at the top of Europe's agenda for the people of the Community.

All Community countries know that creating more jobs will do more than anything else to improve living standards . . . because throughout the Community it is unemployed people whose living standards are the poorest.

With over 14½ million people unemployed in the Community, over half of whom have been out of work for a year or more, the importance of jobs should cover everything we do as a Community."

On vocational training it said:

"If Europe is to prosper in the 1990s, investment in training for skills and jobs is vital . . . We know we cannot afford our work force to be undertrained and undereducated compared with our competitors.

We need to place new emphasis on the importance of vocational education and training throughout working life."

It said that the Government must help young people in the transition from school to work, help the unemployed to learn the skills to find jobs and establish an education system which meets the needs of the labour market.

On that basis, it is important for the Minister, the Welsh Office and the Government to appreciate that more funding is needed for employment training in Wales. Because of the shortage of time I recommend that all hon. Members re-read the third report of the Select Committee of Employment on employment training. I cannot go into detail because of the lack of time, but it is necessary to mention that report. The Committee spent considerable time examining witnesses and took a great deal of time to prepare the report. I commend it to hon. Members. It highlights the problems of employment training throughout the United Kingdom.

When we talk about employment and unemployment we should mention certain people who are in employment. In particular, we should mention the people who met hon. Members last week when they presented a petition signed by 1,500 Remploy workers and 10,000 members of the public calling for increased taxpayer support for Remploy so that the company can pay its workers a decent wage.

Remploy was set up in 1946. It is supported by the taxpayer and its main remit is to provide useful sheltered employment for people with disabilities. Over the past 10 years the level of support has been cut and that in turn has led to lower wages. Under the agreed pay formula, the basic rate should be £124 a week. At the moment it is only £96·54. The latest review proposes to raise it to £105, but that has been rejected and the workers are currently holding a ballot to decide upon industrial action for the first time in their history. That is an indictment of the Welsh Ofice and of the Government.

In the short time left, I want to refer to the CATO organisation in Ogmore in the Ogwr borough. As a result of the escalation of unemployment in my constituency in 1979, we set up CATO to combat the massive redundancies at the Port Talbot steel works and those arising from the closure of so many collieries in my constituency. When the Welsh Office and Ministers refer to the reduction in unemployment, they should be aware that they are reducing the unemployment that they have created since 1979. We used to have 3·7 per cent. unemployment in Ogmore, but within two years it escalated to 23 per cent. As a result of that, CATO was set up to retrain the large number of people who were made redundant.

CATO was set up in 1980 and within two years we had 650 places and 150 on YTS. That provided employment for nearly 800 which we would not have had without the establishment of CATO.

The Minister visited a farm in the Garw valley which CATO, a registered charity, had set up. CATO purchased 88 acres of agricultural and horticultural land to train people in those areas. Its investment commitment was £100,000. However, overnight the Government decided to relegate the importance of training agricultural and horticultural workers to the third standard of priority. Despite all its investment on employment training, CATO is no longer recommended for consideration, despite the fact that only a few years ago it appeared high on the list.

CATO provides different training routes including modern office technology, horticulture, agriculture, graphics, computers, driving instruction, motor vehicle technology, caring, catering, caretaking, child care, plastering, carpentry, bricklaying, painting, music, drawing office practice, literacy and numeracy.

Within a matter of days CATO was offered a 44-week contract under the new scheme, which meant, in effect, that the number of places that it had in employment training would be reduced from 280 to 217—a loss of 63 places. In his answer to a previous question by me, the Minister of State claimed that CATO had not filled all those places. One of the reasons for that was that, under the new scheme, it was not allowed to fill its own places—they had to be recommended by the training agents. It was not allowed to recruit at the start of ET. Now it is allowed to recruit, and it could get well over the number that it was allocated on the old scheme.

The new scheme, with a loss of 63 places, with a loss of grant per trainee of 98p, and with a grant over the 44-week period, would have meant CATO accepting a contract at a loss of more than £109,000. All training agencies throughout Wales are suffering as a result of the new contract that the Government have offered.

In Mid Glamorgan the training managers association has met and outlined numerous problems with the funding of the new contract. Its main concern is a serious cut in funding brought about by a cut in the number of places allocated to each training manager, and no increase in the allowance per trainee to take into account inflation since 1988. Training managers are being penalised because the number of trainees directed to them by employment services are low. Subsequently, they have had to use their own limited resources to recruit. Training managers are

expected to supplement income by placing trainees with employers. In practice, as ET is a voluntary scheme, trainees refuse to go on placement with employers who may be approved for practical training.

Many trainees are low achievers, and have personality, character and domestic problems. Following interview by potential host employers, they are found to be unsuitable. Many training managers feel that 60 per cent. of their intakes fall into that category. In addition, many training managers are owed large sums from employers who have taken trainees for practical experience. Deductions are now being made in the allowances afforded to training managers for unauthorised absences of trainees. Overheads still have to be met by training managers, even if the trainee is absent. The Minister of State should take that point into consideration.

Many large companies do not wish to participate in employment training for fear of internal personnel problems such as using trainees to fill job vacancies. The Government have greatly publicised their dedication to providing training for the future work force of the country. Why has funding across the board been cut at the level of the organisations that are expected to provide the quality training that they demand? Again, there has been much publicity of the Government's eagerness to see women returners to the labour market. Why have those people been categorised as non-mainstream trainees? If the Government are so keen to see them back into the world of work, why are the training providers' number of places limited to such returners?

It is obvious that the Government expect quality training with recognised qualifications. Surely they realise that the 12-month period allowed on ET does not give enough time for all trainees to achieve such qualifications. Although extended training may be allowed in exceptional circumstances, the numbers that CATO is allowed to offer are limited.

I have a great many notes which I shall have to throw away as a result of the curtailment of the debate. Part of the problem of training organisations in Wales is not just the financial problem and the contract for which they had only a few days to accept, sign and agree. Part of the problem is that the Training Agency is holding back the up-front funding, which has put all the training agencies into arrears. As a consequence, they have had to borrow from the banks and to arrange overdraft facilities to pay the salary bills. The Minister should consider that problem soon.

We all know about the Tory record on training, but Labour plans to introduce a properly funded scheme for young people with real qualifications at the end of it and union rates of pay while on placement. I feel like an Opposition Front-Bench spokesman describing what Labour will do, while speaking from the Back Benches. The new opportunities training scheme will enable people in work to have the chance to gain new skills or retrain with paid time off work. We will give unemployed people, including those over 50, the chance to train in the most marketable skills with a training allowance equal to the national minimum wage. We shall give women the chance to retrain in the new skills needed when they return to work after having children. We shall ensure that all children have equal access to higher education.

We will give priority to developing skills in the new industries that will spearhead the development of the British industry. I hope that it will not be long before we are in government to introduce the schemes on employment training that I have outlined.

8.50 am

Mr. Paul Murphy (Torfaen): I congratulate my hon. Friend the Member for Ogmore (Mr. Powell) on introducing the debate. One of my hon. Friend's greatest heroes was Aneurin Bevan who talked about the commanding heights of the economy. We all agree that, now, the commanding height of the economy is the training of our young people in preparation for 1992 and the next century.

In Wales training in the manufacturing and engineering industries has unquestionably declined in the past decade. In 1981 there were 8,000 manufacturing trainees, but by 1988 that figure had dropped to 3,500. In 1978 there were 896 trainees in engineering, but now there are about 310.

The past decade has been marked by the Government's miserable training record. Our schools have been under-resourced and we face a massive shortage of skilled workers, but compared with other countries, fewer young people under 16 now stay on for education and training. A third of such young people stay on in Britain, compared with 44 per cent. in West Germany, 68 per cent. in France, 87 per cent. in the United States and a record 89 per cent. in Japan. There are fewer trainees in Britain than there are in South Korea or Taiwan, which suggests that we had better have a serious rethink about our training policies.

In Wales we do slightly better than the United Kingdom as a whole. However, only 36 per cent. of young people stay on at school or college after 16—48,000 out of 130,000. We believe that the Conservatives' remedies, designed to improve training, have signally failed. There has been no overall strategy—we have been treated to schemes, more schemes and nothing but schemes.

We do not believe that market forces provide the answer. The TECs are wholly unrepresentative, their budgets have been reduced and their targets already ditched. In Wales the budget of the Training Agency has been halved from £10 million to £5 million. The sell-off of the Skills Training Agency amounts to nothing short of a public scandal.

The youth training scheme has been cut by 40 per cent. In the Principality only three out of five trainees obtain any sort of qualification from YTS and 27 per cent. go back on to the dole.

Many of us believe that employment training has become almost a joke in the Principality. There has been a 15 per cent. cut in its budget, but there are thousands of vacancies. Above all, our young people are disillusioned by, and lack confidence in, the training schemes.

I declare an interest as a consultant for the further education teachers' union. Having said that, I remind the House that in the years that I spent in further education in Ebbw Vale in south Wales, the greatest problem for young people was unquestionably that of trying to get a decent training after the age of 16. That has not changed in all these years.

My hon. Friend the Member for Ogmore mentioned what Labour's plans are likely to be. We will set up "Skills Wales" for adult training with training and enterprise councils. Training and enterprise councils will be more broadly based and will include representatives of trade unions and of local authorities and communities. We shall

[Mr. Paul Murphy]

set up clear, nationally accredited training qualifications. We will end any compulsion to participate in ET, and we do not believe that such training should be related in any way to benefit.

Training is not about massaging the unemployment figures but about securing the future of Wales and its young people, and we are grateful to my hon. Friend the Member for Ogmore for bringing the matter to the attention of the Principality and the House.

8.55 am

The Minister of State, Welsh Office (Sir Wyn Roberts): I thank the hon. Member for Ogmore (Mr. Powell) for his opening remarks. I am glad to hear the hon. Member for Torfaen (Mr. Murphy) at least say that if the Opposition were returned to government, they would retain the training and enterprise councils that the Government have set up.

Let me make it absolutely clear that the Government attach enormous importance to training. We regard it as the most important factor contributing to the development of Wales in the years ahead. Government expenditure on training is nearly three times more in real terms than it was in 1978-79. It has increased by 60 per cent. over the past four years, while over the same period unemployment has fallen by 45 per cent.

It would be unrealistic to expect the previous high level of expenditure on training to be maintained while unemployment has fallen dramatically. It is only to be expected that there should be some downward adjustment in the Government contribution to training, simply because fewer people now need support on Government training programmes. The case load is down and therefore expenditure is down. Opposition Members may find that unpalatable, but they cannot argue with the logic.

Nevertheless, the funding is considerable: for training and enterprise programmes, it is more than £91·5 million this year. The combined budget for youth training and employment training is more than £76 million. Those are substantial sums of money, particularly when set against the fact that unemployment in Wales has tumbled by no less than 94,000 over the past four years.

The hon. Member for Ogmore mentioned the recontracting process between the Training Agency and its training providers. Much of the concern arose at the start of the negotiating process into which the Training Agency entered with training providers, but in the event, I am glad to say, it has proved possible to reach agreement on almost all cases and most contracts have been signed. In fact, in the end, the main providers have settled at higher levels of funding. The purposes of the recontracting exercise were to introduce new flexibilities into the funding and delivery of employment training to prepare the ground for TECs to take them over; to pave the way for the introduction of the new youth training scheme from May 1990; and to reduce overcapacity and introduce better cost-effectiveness.

Our primary concern has been to ensure that the right sort of training is available for individual people and we shall continue to cater for a full range of clients.

The hon. Member for Ogmore is well known for his work as a director of Community Activities and Training in Ogwr, or CATO. It is true that there has been a decline in the number of places offered, but that is because the places previously on offer were not completely taken up. The occupancy rate for 1989-90 had declined from a peak of 292 to 220 by 9 May this year. So the offer for 1990-91 is for 217 places.

I understand that the Training Agency has held a constructive and amicable meeting with CATO at which certain problems were identified and possible solutions discussed.

The hon. Gentleman also referred to Remploy. It is not a training agency as such: it provides sheltered work, not training, but I shall bring his remarks to the attention of my right hon. Friend——

It being Nine o'clock, the motion for the Adjournment of the House lapsed, without Question put.

SITTINGS OF THE HOUSE

Ordered,

That—

(1) this House do meet on Thursday 26th July, at half-past Nine o'clock;

(2) notwithstanding the provisions of paragraph (2) of Standing Order No. 17 (Questions to Members), no Questions shall be taken, provided that at Eleven o'clock Mr. Speaker may interrupt the proceedings in order to permit Questions to be asked which are in his opinion of an urgent character and relate either to matters of public importance or to the arrangement of business, statements to be made by Ministers, or personal explanations to be made by Members; and

(3) at half-past Three o'clock Mr. Speaker do adjourn the House without putting any Question, provided that the House shall not adjourn until Mr. Speaker shall have reported the Royal Assent to any Acts agreed upon by both Houses.—*[Mr. Chapman.]*

Community Charge (Service Men)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

9 am

Dr. Charles Goodson-Wickes (Wimbledon): I am delighted to have the opportunity of introducing the Adjournment debate, the more so as it is being held at a civilised time of day. I believe that the effects of the community charge on service men should be discussed before the House rises for the summer recess and that remedial action should be taken sooner rather than later.

I raise this subject at an appropriate time, following the dramatic political developments in eastern Europe in the past few months and, more parochially, the statement by my right hon. Friend the Secretary of State for the Environment on local government finance last week.

Whenever major legislative changes are mooted, they inevitably cause disruption, uncertainty and occasionally dismay. The introduction of the community charge has been particularly difficult because, although there has been recognition—by Conservative Members at least—that the rating system was both discredited and unfair, an equitable alternative has proved elusive.

Following these fundamental changes, Members from both sides of the House will have taken up cases of constituents whose circumstances have highlighted the anomalies in the application of the new system. It is thus not surprising, although hardly excusable, that the lot of service men seems to have been dealt with inadequately. My purpose today is not to lay blame for the situation at any particular door, although I suspect that my hon. Friend the Minister and those responsible in the military hierarchy will acknowledge that there have been some deficiencies in the presentation and the application of this new form of local taxation. My purpose is to identify areas of apparent difficulty—I emphasise "apparent" knowing that my hon. Friend has the facilities to rebut my arguments—in the hope that any injustices can be rectified in the interests of the welfare of our armed forces.

I have consistently, both in the spoken word and in political pamphlets, urged the need for greater accountability of local government. Now is not the time to rehearse the general arguments, but I should like to examine their application in the context of the armed forces.

First, I ask the House to consider the principle of accountability. Service men are usually registered as either postal or proxy voters, and thus are unlikely to have a vote in the area in which they pay the community charge. By the nature of things, service men are less likely to register than civilian voters. I recently visited, on an informal basis, a United Kingdom-based regiment in which fewer than 60 per cent. of the strength was registered, and of that group only 2·5 per cent. was eligible to vote in the local area. There are many examples of military units with lower percentages in both categories. Indeed, if there is no local recruiting, the latter percentage may fall towards zero.

The principle of local authority accountability is therefore not applicable. By definition, service men are unable to vote with their feet by moving to a local authority with a more acceptable community charge, as their duties decree otherwise.

Secondly, I draw my hon. Friend's attention to the position of single soldiers in barrack accommodation. I do not pretend that they are unique, but without doubt they are unusual because they are expected to pay for local authority services such as refuse collection, road sweeping, grass cutting, sports facilities, housing, street lighting, pre-school education and even cemeteries although another authority, the Army, provides for them in all respects.

One of the main tenets of the community charge legislation was that people should pay for the services that they use. The fairness of that at least was recognised by most of those who were liable for the charge. It is a good deal less justifiable in a service context and the situation is aggravated if, because of the moratorium on service contracts, soldiers themselves are doing jobs that were previously carried out by the Property Services Agency or other contractors. An added irony is the total exemption from community charge of, for example, United States and German service men who are stationed in this country and who use local services as little as their British counterparts.

The problem is worsened by the change in eligibility for rebates. Under the rating system single soldiers who went on exercise received a rebate on rates. Now the rebate is available only if they go on exercise overseas and clearly, when a soldier is in the field he obtains no benefit from the local authority. I understand that there is an exemption for a single soldier if he is posted for more than two months. But for married men the exemption becomes operative only after six months and one day. In Northern Ireland, where no community charge is payable, a typical posting varies between four and six months. Thus, the regulation is a strange one indeed. My hon. Friend the Minister is aware that accommodation in Northern Ireland is often spartan, to say the least.

A single soldier in barracks in Great Britain is liable for community charge at a rate levied by the relevant local authority which, although capped—I use the term in this specific context—still allows for variations of up to £52 per year. That soldier may have to sleep four to a room and exceptionally—I have seen it for myself—there may be up to eight to a room in substandard accommodation with a 9 ft by 6 ft bed space in a barrack block of 50 men.

The equity of the system is difficult to perceive, although no service man would wish to expect to be mollycoddled. While serving overseas a service man will be expected to pay a facilities charge. I understand that that charge is designed to replace the rates element of the accommodation charges overseas. But there is considerable confusion in the services about the reason behind what is being paid for and who receives the funds that are levied.

In this debate I do not wish to go into the finer points of the argument, but I urge my hon. Friend the Minister to review the logic of this new system, if only to make it simpler to explain and administer. Last week my right hon. Friend the Secretary of State for the Environment not only ironed out anomalies but achieved greater simplicity in the interpretation of the law without the need to bring forward new legislation. I trust that my hon. Friend will be able to apply the same yardstick to the facilities charge.

Service men will have welcomed the fact that the Government are now to impose rules for the multiplier for the standard community charge. The abuse by local authorities of their discretionary powers was outrageous, with an almost uniform use of a factor of two. That was especially onerous for people who had to live in particular premises as a condition of their job.

[Dr. Charles Goodson-Wickes]

A service man is of necessity a nomad. The proposed maximum multiplier of one will certainly alleviate the lot of a married service man posted overseas, but it still may not go far enough.

The changes in transitional relief were also welcomed by the population as a whole, but my hon. Friend will be aware that single service men in barracks in this country were particularly hard hit by the introduction of the community charge because the rates were administered through their pay. They could now still be liable to pay over £5 a week more, without being eligible for transitional relief. If my facts are correct, and if the position cannot be justified, I hope that my hon. Friend the Minister will act to rectify matters.

Lastly, we must consider the sensitive matter of so-called winners and losers. I do not wish to weary the House with the old arguments about the ability to pay. Knowing the considerable contribution made through central Government to local government expenditure, I have never had significant reservations in that respect. If I may be allowed to digress, I congratulate my hon. Friend the Member for Ealing, Acton (Sir G. Young) on his new appointment. I regret that it will mean a lull in his carefully argued contributions to debates in the House which were always well worth listening to. My hon. Friend produced a telling phrase when he declared that the losers felt livid and the gainers felt guilty. Service structure and discipline are such that that would be an overstatement in the context in which I use the phrase.

The fact remains that the figures that I have been given for a regiment in the south of England show that the greatest loser is the married private or lance corporal, and the greatest gainer is a married commanding officer. The middle of the pendulum swing—the point at which losers become gainers—could not be more inappropriate. It is precisely between the figure for a married warrant officer and a single subaltern. As we await the publication of the "Options for Change" study, that position can lead only to more uncertainty with the added element of resentment within the services.

As my hon. Friend the Minister and I have served in the Army, we are well aware that to refer to a regiment as a family has a sound basis. Unless the position that I have highlighted is remedied, it is likely to cause unease—I put it no higher than that—in the family. It may be stretching a point, but it has been suggested that promotion of the welfare of the family should be a feature of the Government's next term.

Furthermore, if, as expected, the strength of our services is reduced—not I trust, at a precipitate rate, in view of the inherent danger of a changing but unstable world—more demobbed soldiers will face housing problems in local authority areas. I am already aware of the cases of two soldiers and their families who are having to live in hostels because no council housing is available. Although the services do much to promote home ownership during military service, that cannot be universal. It is to be deplored that such cases can occur after soldiers have given 12 to 15 years' service to the Crown.

I suggest to my hon. Friend the Minister that the best solution to many of the problems that I have outlined would be a flat-rate capped level of community charge to apply to the services on a nationwide basis. I was tempted to use the word "uniform" but I suspect that opportunities for a pun on the word could make it inappropriate. My suggestion would reduce bureaucracy, which often ties up one officer full time in every unit to record a complex pattern of postings. It would promote fairness and it would eliminate the problem of a soldier based, for example, in Yorkshire doing the same job as a soldier in Wiltshire but paying different rates of community charge.

I have heard that the extra financial difficulties are becoming a major contributory factor in persuading service men to leave the service. I know that my hon. Friend the Minister has no illusions about the importance of retaining trained soldiers.

The armed forces have been put at a particular disadvantage in the application of the community charge. Its implications have been badly received and more so as they have become clearer. Service men have been inhibited in their ability to complain. Not only are there conventions about individual representations to the press, but often there is no easy access to a Member of Parliament.

The strength of the British service man is that over the years he has shown that he can adapt to almost anything. The perceived unfairness of the community charge at a time of general uncertainty is placing his tolerance and resilience under severe pressure.

I trust that my hon. Friend the Minister will be able to offer some constructive comments, to make up part of the service dividend that is so vital for the well-being and morale of our service men, for whatever tasks lie ahead.

9.15 am

The Minister of State for the Armed Forces (Mr. Archie Hamilton): I congratulate and compliment my hon. Friend the Member for Wimbledon (Dr. Goodson-Wickes) on securing this debate at such a human hour. If we could always guarantee to have Adjournment debates at nine o'clock in the morning, I am sure that there would be a dividend for all right hon. and hon. Members in terms of our quality of life.

I welcome this opportunity to debate the general subject of the effect of the community charge on service men and to comment on many of the specific points that my hon. Friend raised. He was kind enough to give me advance warning of some of them, and I hope to consider many of them in the time available. I will of course write to my hon. Friend with any outstanding answers.

The introduction of the community charge signalled a sea change in local government finance, spreading the responsibility for the cost of local services and amenities across a far broader range of the population than was the case under domestic rating—highlighting costs and increasing the accountability of local authorities to their residents. As a per capita levy, the community charge is essentially fairer than domestic rates because it is the number of individuals rather than the size of property that influences demand for the various local amenities and services funded through the charge. All residents may benefit from such services and amenities, irrespective of whether they personally paid rates.

All those fundamental arguments apply to service personnel as strongly as they do to other members of the community at large. At a very early stage, therefore, the Government decided after careful consideration that members of the armed forces should, in general, be subject

to the community charge in the same way as the remainder of the population. They would be directly liable for the personal community charge to the local authority in whose area they had their sole or main residence.

Before the introduction of the community charge, service personnel paid elements for domestic rates within their standard accommodation charges. They were derived from the average contributions paid over to local authorities in lieu of rates by the Government for each broad type of accommodation, and those elements were reduced for worse quality accommodation. Now that the community charge applies, those domestic rate elements have been removed altogether, providing amounts that may be offset against liability for the charge.

Service personnel living in public accommodation—be it a married quarter, mess or barracks—have no choice at all over where they live, as my hon. Friend said. They are ordered to a particular place, and are allocated a particular unit of accommodation, with no choice or control over its location. They could therefore find themselves compelled to move to an exceptionally high community charge area, whereas a colleague might be sent to a lower charge area nearby.

We recognised that degree of unavoidable liability, and made arrangements under which no member of the armed forces—or their spouse—living in service accommodation effectively has to pay more than the average community charge for such accommodation, plus £1 per week, by a scheme of accommodation charge refunds.

For the current year, the service average community charge is £325, so the maximum individual liability is £377 including the £52 added on, against an overall national average of £357. The cost of this scheme—estimated at £1·1 million in the current year—has been taken into account by the Armed Forces Pay Review Body in setting the general level of accommodation charges.

Our personnel in public accommodation are therefore able to benefit from low levels of community charge, yet their maximum potential liability is generously limited. This year, the community charge payable in service accommodation ranges from if one can believe it, low points of £87 in the Shetlands and £150 on the mainland, which is the Wandsworth community charge, to £377, net of the accommodation charge refund payable in high charge areas. Without our refund scheme, the maximum would be £548.

My hon. Friend mentioned that these personnel make little call on local facilities, but they are available for use should they choose to do so or, in the case of emergency services, if they need them and the locally provided infrastructure of roads, lighting and so on will be supporting or surrounding the establishments where they work. Service personnel of course already contributed to the cost of local services through their rates elements. Doubtless most members of the population could think of particular services or amenities that they do not use, but it is an established principle that payment cannot be on an a la carte basis. My hon. Friend made the point that people should pay for the services that they use, but, as I am sure that he would acknowledge, much of local expenditure goes on education, and people without children, or those who send their children to private schools, could argue that they should not be contributing to it.

Personnel living in their own homes are a different case. They can take account of varying levels of community charge in deciding where to establish their homes, in just the same way as they could take different levels of domestic rates into account in the past.

As my hon. Friend pointed out, service personnel are an exceptionally mobile category. The average length of their tours of duty is measured in months, rather than years, and at the end of each tour there is almost invariably a geographical move. Because of this, and because many of them may transfer for short periods to other service locations—for a training course or exercise perhaps—we felt that it would be helpful to agree guidelines with community charge registration officers, about the location of the "sole or main residence" of personnel in common circumstances, to help ensure equity of treatment, and minimise delays in effecting the correct registration for service personnel. These guidelines were published as a community charge practice note. They have been promulgated widely throughout the armed forces, and copies were placed in the Library of the House. The guidelines include the general presumption that a service man's sole or main residence is where he lives at his place of duty, although he may claim different treatment if the facts of his case justify it.

One consequence is that all service units pass brief details of their personnel on a regular basis to community charge registration officers. This places an additional administrative burden on units, but one which we judge to be in the best interests of our personnel. It helps to minimise the action required by individuals on posting, and ensures that people moving away—perhaps overseas where no community charge applies—are transferred from the old register without delay. It also represents a considerable help to registration officers in their maintenance of accurate registers. We provide only the minimum information necessary for the administration of the charge. We do not specify military ranks, nor do we give subordinate addresses within the confines of unit boundaries.

My hon. Friend's point about the principle of local authority accountability is well taken. Service personnel are advised on entry of the existing special arrangements to enable them to vote in United Kingdom elections. Annual reminders are given through notice board displays, while further advice is always available. My hon. Friend said that many service personnel vote by proxy or postal means. Currently some 65 per cent. of service personnel have registered to vote. In my opinion that is much too low a figure. My hon. Friend made the point that in one unit he had visited the figure was 60 per cent.

We are implementing a number of measures aimed at increasing this figure. We are improving both our records of those who have registered and our methods of informing and advising those who have yet to register. Registration for local government elections in the area where the service man is living at the time is a different matter, however, and it is quite true that very few personnel take the trouble to register for and vote in local elections. We are looking at ways in which this position might be improved, and I will write to my hon. Friend about our intentions when these become clearer.

My hon. Friend mentioned that many service personnel would have preferred there to be a common averaged or standardised rate of community charge payable by all members of the armed forces, irrespective of where they were serving. This would have been administratively simpler, without the need for re-registering with every

[Mr. Archie Hamilton]

move of location, but it would have cut across the fundamental principle of local accountability that the community charge regime aims to strengthen. It would have broken the key link between the amounts that charge payers actually pay and the level of local services that they enjoy. It would also have been hard to justify to our personnel living in low community charge areas why they should pay a higher charge than their civilian neighbours for precisely the same services and amenities.

A limited number of service personnel are exempt from the formal provisions of the legislation on liability for the personal community charge and registration. This applies to personnel in short-stay accommodation, where registration would not be practicable and to those whose registration would not be in the interests of national security. The Ministry of Defence makes payments in lieu to local authorities on their behalf, and recovers these contributions from them at the local community charge rate. In effect, we operate a collective community charge regime for this group.

I mentioned earlier that the former rates elements in accommodation charges worldwide had been removed with the introduction of the community charge. Overseas, the facilities charge has now taken their place. That charge represents a contribution to the costs of facilities and amenities available to members of the services and their families overseas, from which they continue to derive the same benefit as before. They include infrastructure items such as lighting, refuse disposal, fire and other emergency services, through education—for children and adults—to sports or leisure activities and welfare services. The facilities charge this year is set at a maximum of £246 per head, or £492 per married quarter, and is reduced for lower ranks and those in worse-grade accommodation. No one is currently paying more than 50p a week above last year's equivalent domestic rates element, uprated to April 1990 prices. For a typical soldier's married quarters overseas, the total charges payable rose by about 7 per cent. in April, almost exactly the same percentage as the first stage of the 1990 pay award.

Very many service personnel own their own homes, but not all of them wish, or are able, to buy and sell every time they move from one duty location to another. In the past they would have had to meet the rates liability on those homes, but now they are potentially liable for the standard community charge if the property is no one's sole or main residence. The rules for the standard charge permit local authorities to set standard community charge multipliers of various levels up to twice their personal community charge for different categories of property. Some authorities have been exercising their discretion reasonably, setting a multiplier of zero—in effect levying no charge—or one, or allowing an initial period of grace. But other authorities have been applying the maximum multiplier of two times the personal charge. One, the city of Lincoln, even discriminates against the service home owner working elsewhere by applying a multiplier of two for this category, while granting civilians in the same position the benefit of a multiplier of zero.

I am happy to say that one of the new measures arising from the Government's review of the community charge, as announced by my right hon. Friend the Secretary of State for the Environment last Thursday, is the prescribing of a maximum multiplier of one for property that is empty because the owner has to live elsewhere as a condition of his or her employment. This will apply from next April and should benefit service home owners whose homes are empty because they are "following the flag" and living at their unit. It will remain open to local authorities to set a multiplier lower than one, and I hope that this option will continue to be exercised in future.

Under existing legislation, letting out such a property on a lease of six months or more normally transfers the community charge liability to the tenants. We already give financial assistance to personnel who wish to let their property when they are serving elsewhere, and will pay the costs of drawing up the tenancy agreement and inventory, and of recovering possession, should that unfortunately prove necessary. Many of the other costs associated with letting, such as advertising or agents' fees, may additionally be offset against tax.

The community charge is a complex subject, particularly as it affects service personnel. We have issued copious guidance to service units and for wider dissemination, and have circulated leaflets on an individual basis to every member of the armed forces. Copies of that material were placed in the Library of the House at the time of issue. We have also published articles in service newspapers, broadcast on British Forces Broadcasting Service and given a number of local presentations.

All in all, I believe that we have responded appropriately to the introduction of the community charge. We have recognised the particular needs of service personnel and balanced them fairly against the other interests involved, without breaching the principles of the charge.

Question put and agreed to.

Adjourned accordingly at half-past Nine o'clock.

House of Commons

Tuesday 24 July 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

MESSAGE FROM THE QUEEN

INCOME TAX

The Vice-Chamberlain of the Household reported Her Majesty's Answer to the Addresses as follows:

I have received your Addresses praying that the Double Taxation Relief (Taxes on Income) (Italy) Order 1990 and the Double Taxation Relief (Taxes on Income) (Netherlands) Order 1990 be made in the form of drafts laid before your House.

I will comply with your request.

PRIVATE BUSINESS

PENZANCE SOUTH PIER EXTENSION BILL

BRITISH RAILWAYS BILL *(By Order)*

Orders for consideration of Lords amendments read.

To be considered tomorrow.

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

Order for consideration, as amended, read.

To be considered tomorrow.

HEATHROW EXPRESS RAILWAY BILL *[Lords]*

Motion made,

That the Promoters of the Heathrow Express Railway Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session:

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time.

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented with the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House—*[The Second Deputy Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered tomorrow.

KILLINGHOLME GENERATING STATIONS (ANCILLARY POWERS) BILL *[Lords]*

Motion made,

That the Promoters of the Killingholme Generating Stations (Ancillary Powers) Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Second Deputy Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered tomorrow.

KING'S CROSS RAILWAYS BILL

Motion made,

That the Promoters of the King's Cross Railways Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the

time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House—*[The Second Deputy Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered tomorrow.

Midland Metro Bill

Motion made,

That the Promoters of the Midland Metro Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Second Deputy Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered tomorrow.

Cardiff Bay Barrage Bill *[Lords]*

Motion made,

That the Promoters of the Cardiff Bay Barrage Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That, if the Bill is brought from the Lords in the next Session, the Agent for the Bill shall deposit in the Private Bill Office a declaration signed by him, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph (b) of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House—*[The Second Deputy Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered tomorrow.

Oral Answers to Questions

EMPLOYMENT

Footwear and Textiles

1. **Mr. Vaz:** To ask the Secretary of State for Employment if he will make a further statement about job losses in the footwear and textile industries.

The Parliamentary Under-Secretary of State for Employment (Mr. Eric Forth): The unprecedented job growth achieved under this Government is testimony to the success of their policies, which have allowed industry and workers to adapt to changing circumstances and seize new opportunities. It would be counterproductive to try to bolster uncompetitive sectors.

Mr. Vaz: Nothing that the Minister has said will give comfort to those who work in the footwear and textile industries. Is he aware that since 1979, 197,000 jobs have been lost in those two industries—2·5 jobs for every hour that the Government have existed? Will he, please, as a matter of urgency, in consultation with the Department of Trade and Industry, set up a task force to look at the specific problems of the footwear and textile industries in order to save them from devastation? If he continues to fiddle, by the end of the decade there simply will not be a British footwear and textile industry left.

Mr. Forth: Of course, we are conscious of the problems in those industries, but it is worth stressing that both, in their different ways and in certain sectors, are successful. I am rather surprised that the hon. Gentleman should try to give the impression that we can magic away any problems with a wand, or even with a task force. Apart from anything else, he must realise that about 38 per cent. of imported footwear comes from the EC, and he and his party, with their belief in all that is good in the EC, must realise that no measures that even they would want to take could possibly do anything about that. I hope that the hon.

Gentleman will recognise that unemployment in his constituency, at 4·4 per cent., is lower than that for the United Kingdom.

Mr. Marlow: May I say that we in Northampton are proud that we produce the best footwear in the world and have one of the lowest levels of unemployment in the country? Is not that something to do with the fact that we do not whinge, we are proud of ourselves and we get on with the job?

Mr. Forth: Yes, that well illustrates the difference in attitude between the Government and the Opposition. My hon. Friend is proud of his constituency and of the companies in it, whereas Opposition Members can only decry what happens in their constituencies and constantly talk it down.

Mr. Beggs: Will the Minister continue to bear in mind the importance of the textile industry in Northern Ireland, where there has been rapid growth and where many new jobs have been created? Will he bear that in mind especially when negotiations on the importation of textiles are taking place?

Mr. Forth: I am delighted to join the hon. Gentleman in recognising the achievements in his part of the world. He is entitled to be proud and to bring to the attention of the House the fact that people in Northern Ireland are working very hard to built up those key sectors, and to demonstrate their capacity to be competitive and productive. We can all share the hon. Gentleman's pleasure and pride in that.

Dock Labour Scheme

2. **Mr. Nicholas Bennett:** To ask the Secretary of State for Employment whether he has received representations seeking the reintroduction of the national dock labour scheme.

The Secretary of State for Employment (Mr. Michael Howard): I have received no such representations.

Mr. Bennett: Does my right hon. and learned Friend recall the words of the hon. Member for Kingston upon Hull, East (Mr. Prescott), who said that the scheme provided what Labour wanted all industries to have, and the words of the hon. Member for Oldham, West (Mr. Meacher), who said that to abolish the scheme was a wilful act of sabotage against the country's economic interest? Will my right hon. and learned Friend say what has happened to productivity and to industrial relations in the docks since the dock labour scheme was abolished?

Mr. Howard: Productivity has increased. We have lost only two days since the collapse of the strike against abolition, compared with an average of three disputes a week when the scheme was in operation. The national dock labour scheme provides an object lesson in what life would be like if we were ever to have another Labour Government.

Dr. Godman: Whatever the merits of the national dock labour scheme, it provided our maritime communities with highly skilled workers. It is essential that the training facilities for those workers are maintained. In terms of industrial relations and productivity, the few Greenock dock workers who are still at work are among the best. They may take a few minutes off their work tomorrow to welcome the QE2 as she berths at the container terminal in Greenock.

Mr. Howard: I am delighted that the abolition of the scheme has given new opportunities to port workers at Greenock, as elsewhere. However, the hon. Gentleman is entirely incorrect if he suggests that there has been any deterioration in training since the abolition of the scheme. All surveys show that training has improved, that more of it is available and that it has been of a better quality since the scheme was abolished.

Mr. Rowe: Is my right hon. and learned Friend aware that it comes as no surprise to the people of Medway that he has received no representations about the scheme, as both the Medway ports authority and the new container port on the Isle of Grain could be there, thriving and increasing the number of people in employment, only once the scheme had been removed?

Mr. Howard: My hon. Friend is right. Only a week or so ago, I opened a new facility at Sheerness for fruit storage, which cost £3·5 million. It was conceived, designed and executed after the abolition of the scheme and it certainly would not have been there if the scheme had still been in existence.

Rural Employment

3. **Mr. Pike:** To ask the Secretary of State for Employment if he has any new proposals to increase job opportunities in rural and semi-rural areas.

Mr. Howard: Rural areas have shared in the increased job opportunities that have become available on an unprecedented scale in recent years. Training and enterprise councils are introducing new initiatives to reinforce that trend.

Mr. Pike: Let us dismiss the nonsense with which the Secretary of State started his comments. Does he accept that in rural areas there is a lack of choice of jobs and that there are many low-paid jobs? Will he do something to increase the opportunity for choice of jobs and for higher pay in rural and semi-rural areas?

Mr. Howard: But choice and job opportunities are increasing constantly in rural areas. They are sharing in the increased job opportunities that are becoming available. We have 3·5 million more jobs than we had in 1983 and rural areas have fully shared in that prosperity.

Miss Emma Nicholson: Does my right hon. and learned Friend agree that when he came to my constituency on Friday, he saw a welcome increase in excellent and well-paid jobs that require high qualifications in several parts of my constituency? Does he further agree that the increase by one quarter in jobs in the south-west—which is, in essence, rural—since 1983 is laudable and that we have a magnificent increase in jobs in the tourism industry?

Mr. Howard: My hon. Friend is absolutely right. I was delighted to join her on Friday in her constituency, where we saw some magnificent examples of the dynamic enterprise which has flourished under this Government and which is providing job opportunities in rural areas. My hon. Friend, unlike the hon. Member for Burnley (Mr. Pike), is living in the real world.

Mr. Kirkwood: Will the Secretary of State undertake to look carefully at the way in which the new regime under which the training centres are operating is discriminating against potential trainees from rural areas? Is he aware that the amount of money that the Government give to the training centres per head must embrace an element for expenses? It is obviously more expensive to travel the 50 miles from my constituency to Edinburgh than it is to go round the corner. Will he make sure that potential trainees from rural areas are not discriminated against in that way?

Mr. Howard: The hon. Gentleman will appreciate that one reason behind the setting up of the training and enterprise councils in England and Wales and the local enterprise companies in Scotland is to enable training to be provided that more closely fits the needs of local areas, including rural areas. They will be able to take the needs of their areas into account in a way that will be far more responsive than has previously been the case.

Labour Statistics

4. **Mr. Speller:** To ask the Secretary of State for Employment what are the unemployment figures in the towns of Barnstaple, Ilfracombe and South Molton in 1979 and the present day; and if he will make a statement on the future employment prospects in this area.

Mr. Forth: The figures are 1,441 and 1,656, although they are not comparable, the travel-to-work area having been redefined and changes having been made in the coverage of the count. With unemployment at only 4·5 per cent. for the Barnstaple and Ilfracombe area, prospects for future employment are excellent, bearing in mind the fact that there are over 500 vacancies locally.

Mr. Speller: Does my hon. Friend accept that the figures of 4·5 per cent. unemployment in the Barnstaple and Ilfracombe area and a mere 2·5 per cent. in South Molton show how wise we were to take away grant that was based on development areas and to substitute good roads and infrastructure? Can he promise me that when we get our downstream bridge, unemployment may virtually disappear in north Devon?

Mr. Forth: I join my hon. Friend in celebrating the success in job creation in his constituency in the past few years. He is tempting me on to the territory of another Department. I shall resist that temptation, but I undertake to raise the point that my hon. Friend raises with the Department of Transport to see what can be done.

Youth Training

5. **Mrs. Maureen Hicks:** To ask the Secretary of State for Employment if he will list the improvements made by switching from YTS to youth training.

Mr. Howard: New youth training builds and improves on the achievements of YTS. It offers the promise of a level 2 qualification or more for every trainee who can achieve it. It offers flexible design and duration of training and wider eligibility. It will provide improved help for those with special training needs and those seeking employment after training.

Mrs. Hicks: Does my right hon. and learned Friend agree that, while a disappointing number of youngsters over 16 are staying on for further education, it is vital for the career development of young people and for the needs of the economy that we offer each and every young person who wants it, a tailor-made training, which truly assesses their individual needs, which, we hope, matches the needs of industry, particularly in relation to skill shortages, and which, most of all, guarantees them a good qualification that will be welcomed in the workplace and be highly regarded?

Mr. Howard: I entirely agree with my hon. Friend. The combination of new youth training and the training and enterprise councils offers us the best possible prospect of achieving the objectives that she identified.

Mr. Leighton: Will the Secretary of State please try to do better this year in protecting the budget of his Department than he did in last year's autumn expenditure round, when several hundred million pounds were lopped off the expenditure on employment training and youth training? In particular, will he note that the London borough of Newham feels cheated as do 20 other local authorities, because they wanted to co-operate with the Government on the technical and vocational education initiative but now find that the cash for it has been substantially cut? Does he appreciate that investing in the technical and vocational education of our young people is the best use that can be made of public money?

Mr. Howard: The hon. Gentleman, who follows those matters closely as Chairman of the Select Committee on Employment, will know that in the past four years funding for training has increased by 60 per cent. in real terms at a time when unemployment has halved. That is the context in which this year's settlement must be seen.

Mr. Andrew Mitchell: Will my right hon. and learned Friend confirm that two members of the England World cup football squad first acquired their footballing skills under YTS? Will he further confirm that the same opportunities for young people to develop their world-class football skills will be available under youth training?

Mr. Howard: My hon. Friend is entirely right. David Platt and Paul Gascoigne, who combined to score the goal that put England in the quarter final of the World cup, were both YTS trainees. I am confident that youth training will enable the England World cup team to do even better in 1994 than in 1990.

Mr. Blair: Will the right hon. and learned Gentleman confirm that even after the recent Cabinet discussions, and despite the chaos caused by the cuts in the youth training budget for this year, he still intends to cut next year's budget by over £120 million? What went wrong? Did the right hon. and learned Gentleman lose or did he simply not fight?

Mr. Howard: As the hon. Gentleman knows perfectly well, there is no chaos. As I said to his hon. Friend the Member for Newham, North-East (Mr. Leighton), the Chairman of the Select Committee on Employment, and as he too knows perfectly well, spending on training has increased in real terms by 60 per cent. in the past four years at a time when unemployment has fallen by 50 per cent. That is a measure of the Government's commitment to training.

Work Permits (Hong Kong Nationals)

6. **Mr. Stern:** To ask the Secretary of State for Employment how many work permits were issued to Hong Kong nationals in the latest available year.

The Parliamentary Under-Secretary of State for Employment (Mr. Robert Jackson): The number of work permits issued to Hong Kong nationals during the 12-month period ending on 30 June 1990 was 868.

Mr. Stern: I am grateful to my hon. Friend for that answer, and should like to take this opportunity to congratulate him on his latest appointment. Will my hon. Friend offer some reassurance to those who are concerned about the total number of permits to be issued under the British Nationality (Hong Kong) Bill, that the issue of work permits to people coming to this country and applying for permits once here will not be used as a means of circumventing the provisions of that Bill?

Mr. Jackson: I think that I can give my hon. Friend the assurance that he seeks. The strict conditions of the main work permit scheme will not be relaxed for Hong Kong citizens. Under the main scheme, work permits will continue to be issued only to those Hong Kong nationals who are recruited by employers for employment in high-level jobs that employers are unable to fill from resident labour.

Mr. Madden: Will the Minister confirm that, come the single market, 300 million EEC nationals could—I emphasise the word "could"—seek employment in this country without the need to obtain a work permit? Against that background, does he agree that the number of work permits issued to Hong Kong nationals pales into insignificance?

Mr. Jackson: Of course, European Community nationals will be able to seek jobs in this country and British nationals will be able to seek jobs in European Community countries.

Mr. Dicken: Is my hon. Friend aware that a few years ago a lot of illegal work permits were issued from his Department? Has he been in the Department long enough to know for certain whether that practice has ceased?

Mr. Jackson: I thank my hon. Friend for that question. When I have got my feet under the desk—when I have even seen the desk—I shall look into that point.

ILO Convention 111

7. **Mr. Archer:** To ask the Secretary of State for Employment when Her Majesty's Government will ratify International Labour Organisation convention 111 on discrimination, employment and occupations.

Mr. Howard: Convention 111 was adopted by the ILO in 1958. Every United Kingdom Government since then have declined to ratify the convention, and the present Government have no plans to do so.

Mr. Archer: Are the Government proud that standards in this country are so far below those of other countries? Is the reluctance to ratify the convention possibly connected with the findings of the committee of experts that the Government are in breach of the ILO conventions that they have ratified?

Mr. Howard: Certainly not. Convention 111 has nothing to do with standards. Indeed, the Act of Parliament that is expressly inconsistent with convention 111 is the Race Relations Act 1976, which was passed when the right hon. and learned Gentleman was Solicitor-General.

Mr. Simon Coombs: Is my right hon. and learned Friend aware of the growing concern about the difficulty in obtaining employment that is faced by ex-offenders? Will he undertake to look at that matter with a view to improving the regime under which they seek jobs?

Mr. Howard: My hon. Friend raises an important matter, which gives rise to concern. I entirely accept his concern about this problem, which, with the training and enterprise councils, we are taking forward positively and realistically.

Mr. Tony Lloyd: May I congratulate the Secretary of State on his productivity today, which is an enhancement on previous Question Times? Do the Government have any difficulty with the parts of the ILO conventions on employment that allow for greater disclosure? Does the right hon. and learned Gentleman accept that the concept of disclosure would mean that the report by the accident prevention unit of the Health and Safety Executive into the channel tunnel, where so many people have died and where there is clearly a real problem with management, should be published and come into the public domain, to ensure that we could have a sensible and rational debate about the quality of safety on that project?

Mr. Howard: The hon. Gentleman will know that the reports to which he refers are compiled by the HSE and rely on the full co-operation of employers. If that co-operation is to be continuing and available in future, it is important that confidentiality should apply. That is why it is unlikely that that particular report will be published, but the hon. Gentleman will know the recent action taken by the HSE in relation to the channel tunnel.

Labour Statistics

9. **Mr. Boswell:** To ask the Secretary of State for Employment what was the increase in the numbers of people self-employed during 1989.

Mr. Forth: Between December 1988 and December 1989, the number of self-employed people in the United Kingdom rose by nearly 200,000 to reach 3·3 million.

Mr. Boswell: I thank my hon. Friend for that reply and congratulate him on his translation. Can he confirm that that was the 10th successive year of increase in self-employment and that the figures are now some three quarters higher than when the Government took office? Will he take it from me, from personal experience, that it is a satisfactory way of employing oneself and serving the customers?

Mr. Forth: Indeed. My hon. Friend has made the point better than I could. We know that the main hope for future wealth creation and growth in employment is precisely the growth of the self-employed sector. The Government have demonstrated that we welcome and encourage self-employment. Our track record is excellent and we intend to maintain it.

Ms. Short: I do not suppose that the Minister has had time yet, but if he looks at the figures for the incomes of self-employed people, he will find that large numbers of them are on very low incomes. Given the stress that his Government place on self-employment, will he consider securing better standards of protection against unemployment, sickness and low income levels for the self-employed, most of whom are extremely low-paid workers?

Mr. Forth: The answer must be no, because the great strength of the self-employed sector is precisely that most self-employed people do not want intervention, interference, or the pseudo-protection that the hon. Lady suggests. Self-employed people are vigorous, self-maintained people; they want to get on with wealth creation and job creation unencumbered by the measures for which the hon. Lady asks.

Mr. Butler: Does my hon. Friend agree that the number of self-employed people would be much higher had the Inland Revenue not engaged in a campaign classifying entire groups of people from the self-employed to the employed?

Mr. Forth: On my first day in the job, I welcome the advice that my hon. Friend has given. He has given me a broad hint as to the direction that I might take better to discharge my responsibilities and I am most grateful to him.

Disabled People

10. **Mr. Ashley:** To ask the Secretary of State for Employment if he is taking any steps to introduce anti-discrimination legislation for disabled people.

Mr. Howard: The consultative document, "Employment and Training for People with Disabilities", which was published on 29 June, sets out various options for encouraging the employment of disabled people. I shall be considering what action to take in the light of the comments that we receive.

Mr. Ashley: Is the Secretary of State aware that good intentions and guidance may influence good employers, but will not affect bad employers who discriminate against disabled people? That is why the United States Government are enacting legislation outlawing unjustifiable discrimination. As many disabled workers in Britain suffer discrimination, why cannot we have the same legislation?

Mr. Howard: We see considerable difficulties in the way of following the path that the United States Government have chosen, but that is one of the matters on which we have consulted in the document, and I certainly should not want to prejudge the result of that consultation in responding to the right hon. Gentleman this afternoon.

Mr. Thurnham: Will my right hon. and learned Friend expand the numbers of sheltered placement schemes? Is not the success of the Government's voluntary schemes demonstrated by the fact that nearly 1 million disabled people are in jobs?

Mr. Howard: My hon. Friend is absolutely right. The sheltered placement schemes represent one of our great successes. There have been huge increases in the numbers on those schemes in the past few years and we look forward to an expansion of the schemes as resources allow.

Mr. Alfred Morris: Do not the disturbing figures for unemployment and low pay from the Office of Population Censuses and Surveys point to widespread discrimination? Is the right hon. and learned Gentleman aware that the major disability organisations accept that disability can be relevant to job performance? They are asking not for deaf piano tuners or blind bus drivers, but for the outlawing of unjustifiable discrimination. Is he further aware of the findings of the Spastics Society that job applicants are 1·5 times less likely even to be interviewed if they are disabled? Will he consider the case for legislation? Does he agree that there should be an early parliamentary debate on the consultative document?

Mr. Howard: I understand the right hon. Gentleman's point and am aware of the research conducted by the Spastics Society. It has welcomed our consultative document, which canvasses a wide range of options. We shall consider the responses to that document with great care.

Part-time and Temporary Work

11. **Mr. Michael Brown:** To ask the Secretary of State for Employment what assessment he has made of the impact upon those in low-paid employment of the European Commission's draft directives on part-time and temporary work.

Mr. Howard: The draft directives would require an extra 1·75 million low-paid employees to pay national insurance contributions. I shall shortly be issuing a consultative document asking for comments on the proposals. A copy of the document will be placed in the Library.

Mr. Brown: In the light of my right hon. and learned Friend's answer, is not it clearly the Government's duty to do everything possible to ensure that the draft directive in its present form does not become European law?

Mr. Howard: My hon. Friend is absolutely right. I hope that Opposition Members, who are so quick to leap to the defence of the low paid, will join us in ensuring that they will not be docked a significant proportion of their income as a consequence of that directive.

Mr. John Evans: Will the Secretary of State confirm that while it is the European Commission's policy to try to increase the wages of the low paid, it is the Tory Government's policy—especially through the privatisation programme—to reduce those wages?

Mr. Howard: The hon. Gentleman is wrong. The result of this and other draft directives emanating from the Commission would be to destroy jobs. We have an unrivalled record of job creation during the past few years, and we do not intend to have it put at risk by directives from the Commission or any other source.

Mrs. Currie: Is my right hon. and learned Friend aware that many businesses such as those in the retail sector which rely heavily on part-time labour, especially women, are already giving pro-rata benefits, including pensions? Does he agree that that is a most welcome development

which should be encouraged as it will mean that, in future, such staff will not be dependent on the public purse for pensions and other benefits when they retire?

Mr. Howard: As usual, there is a great deal of substance in my hon. Friend's point. These matters are best left to the workers and the employers. It is not appropriate for burdens to be imposed on employers that they may not be able to meet and which will lead to a fall in the number of jobs available.

Mr. Blair: So that the Secretary of State does not mislead the House, can he tell us the Government's policy towards the proposal that part-time workers should be given the same rights of maternity leave, so that more women can return to work as part-time employees?

Mr. Howard: That directive has not yet been published. We shall consider its text as and when it becomes available, and regard it on its merits, as we regard all the other directives that emanate from the Commission.

Mr. Bill Walker: Does my right hon. and learned Friend agree that in the rural parts of Scotland, where part-time and temporary work are an essential part of the local economy, there could be a devastating effect if anything was done to put such jobs in jeopardy?

Mr. Howard: My hon. Friend is right, which is why we have approached these matters with such care and caution —apparently in contrast to the hon. Member for Sedgefield (Mr. Blair), who is prepared to give a warm welcome to directives that have not yet been published, and to sign a blank cheque to the Commission without knowing what costs are involved.

Disabled People

12. **Mr. Wigley:** To ask the Secretary of State for Employment if he will make a statement on his Department's proposals for employment services for disabled people.

Mr. Jackson: The consultative document "Employment and Training for People with Disabilities" sets out our intentions for the development of services in the 1990s. These take forward themes established in the 1980s of integration into the work force and the active commitment of employers to good practices in creating employment opportunities for people with disabilities. The document has been widely distributed and the period for consultation lasts to 31 December.

Mr. Wigley: Does the Minister accept that disabled people need legal protection at work? Has the Department studied practice in France and Germany, which operate a quota and levy system? If not, will he undertake to study it before the conclusion of the current consultations?

Mr. Jackson: Much work lies behind the consultative document to which my right hon. and learned Friend referred. We shall consider all the submissions and comments made, and they will be taken into account before decisions are taken.

Mr. Soames: I warmly welcome my hon. Friend to his new job. Will he discuss these new services with the architects responsible for designing many of our industrial buildings to ensure that they are far more user-friendly for disabled people, to the advantage of those who would like to employ more disabled people?

Mr. Jackson: I thank my hon. Friend for his welcoming remarks. His comments about the adaptation of buildings and the construction of new buildings that are user-friendly for disabled people are important and we shall pursue them.

Mrs. Heal: Does the Minister recognise that the review that the Department is about to undertake should not reduce the length of courses for disabled people who are on assessment, nor reduce the level of skills of the people who assess them?

Mr. Jackson: The hon. Lady makes an interesting point and I should like to consider it further with her later. This is an important debate which is not yet concluded.

Mr. Conway: When my hon. Friend has had an opportunity to catch his breath, will he consider the work of the Shropshire committee for the employment of disabled people, which does a spendid job in the county promoting the employment of disabled people in not only the municipal sector but private business? Will he take the earliest opportunity to come to Shropshire to see the excellent work that it does in encouraging placement?

Mr. Jackson: I thank my hon. Friend and I shall accept his kind invitation.

Rev. Martin Smyth: In view of some of the concerns expressed in the Department's review of July 1989, will there be any resource implications or will additional funds be made available to implement the recommendations?

Mr. Jackson: We have a good record for expenditure on supporting employment among disabled people. Last year about £400 million was spent on 225,000 people, which is an increase from expenditure of £270 million on 165,000 people. Resources are under constant review, but the record speaks for itself.

Labour Statistics

14. **Mr. Amos:** To ask the Secretary of State for Employment if he will make a statement on the unemployment figures for the Hexham constituency for May.

Mr. Jackson: In May 1990, in the parliamentary constituency of Hexham, unemployment was 19·4 per cent. lower than a year ago.

Mr. Amos: Does my hon. Friend agree that the Government policies that have reduced unemployment in my constituency by more than half since June 1987 contrast strongly with the policies of the Labour party, which deliberately seek to undersell the region on every possible occasion by spreading doom and gloom, which simply is not true?

Mr. Jackson: I can confirm what my hon. Friend says. Unemployment in Hexham has fallen by 59·8 per cent. since 1986. I visited the north-east frequently in my former capacity at the Department of Education and Science and saw the work done by its higher and further education institutions, and I look forward to visiting the training and

enterprise councils that are being established so effectively in the area. Much good work is being done, which is reflected in the figures.

Mr. Bell: As a former candidate in Hexham, may I ask the Minister to give the House the exact numbers, not percentages, of unemployed people in Hexham?

Mr. Jackson: I shall have to look that up. The exact number of those unemployed in Hexham is 1,036.

Tourism

15. **Mr. Harry Greenway:** To ask the Secretary of State for Employment what was the total amount spent in the United Kingdom by overseas visitors in *(a)* 1988 and *(b)* 1989.

Mr. Forth: It is estimated that overseas residents spent £6,184 million in the United Kingdom during 1988 and £6,877 million during 1989.

Mr. Greenway: Does my hon. Friend accept that, welcome though that money is for our poor country, some of our institutions are being swamped by visitors? Will he use his weight to secure a second daily changing of the guard ceremony? Will he persuade my right hon. and learned Friend the Secretary of State to put his Department's weight against pressure for the interchange for the proposed new underground service at Parliament square? This would have a detrimental effect on the 4 million people who visit Westminster abbey each year. It could be, and should be, relocated to the St. James's park area.

Mr. Forth: I am disappointed that on this first occasion at the Dispatch Box in my new incarnation, I must slightly disagree with my hon. Friend. I cannot endorse his description of our country as poor. I cannot undertake to deliver him a second changing of the guard, no matter how desirable that may be. As for the location of interchanges, that is a matter which, in all conscience, I must leave to my right hon. and hon. Friends in the Department of Transport, but I shall, of course, draw his points to their attention.

Mr. Cryer: Will the Minister assure the House that he will not encourage tourism and jobs in tourism at the expense of manufacturing? He will be keenly aware that some 200,000 jobs—*[Interruption.]*

Mr. Speaker: Order. Carry on, please.

Mr. Cryer: The hon. Gentleman will be keenly aware that some 200,000 jobs have gone from textiles and clothing, which is a major manufacturing industry. Will the hon. Gentleman use all his efforts to ensure that the Department of Trade and Industry renegotiates the multi-fibre arrangement to ensure that textile jobs continue to survive?

Mr. Forth: May I join all my colleagues in welcoming to the Chamber my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley). It is most gratifying to see him here.

I see no conflict or contradiction between employment in tourism and employment in manufacturing. This country is outstandingly successful in both regards and will continue to be so. It is significant that 54,000 new jobs have been created in tourist-related industries over the past year alone. We can be proud of that record. We shall continue to encourage tourism and manufacturing.

Mr. Butterfill: I congratulate my hon. Friend on the action that he and other members of the Government have taken to encourage tourism, especially improved standards. This drastically contrasts with the Opposition's attitude. What representations has my hon. Friend received about the operation of the 100-day rule for business rating?

Mr. Forth: I join my hon. Friend in paying tribute to everyone involved in tourism—the British Tourist Authority and tourist boards throughout the country—on doing an excellent job. They will continue to have the fullest possible support of the Government.

Having recognised the difficulties that have arisen from the 100-day rule, the Government will consult on alternatives to it. We regard it as unworkable and unfair.

Construction Sites

16. **Mr. McAllion:** To ask the Secretary of State for Employment how he intends to improve health and safety on construction sites.

Mr. Howard: The prime legal responsibility to bring about improvements rests with the industry itself. As part of a continuing process to promote long lasting change in the industry, the Health and Safety Commission is to take forward proposals for new legislation to strengthen the legal requirements relating to the management of health and safety on construction sites.

Mr. McAllion: Why is it that in a high-risk industry such as construction—where, according to the Health and Safety Executive 90 per cent. of the deaths that occur could be prevented—there are only 20 overworked specialist construction inspectors for the whole country?

Mr. Howard: As the hon. Gentleman should know, I recently approved the Health and Safety Commission's plan for 1990-91. I look forward to attending its launch at a ceremony on Monday. The Health and Safety Executive is aware of the need to make proper arrangements to deal with monitoring and safety at construction sites.

Mr. Ian Bruce: Does my right hon. and learned Friend agree that however much one legislates, and however many inspectors one employs, at the end of the day it is a question of the employees and their employers taking action to protect themselves? Does he further agree that we have seen a great improvement in the way in which the major national firms in the construction industry look after their employees?

Mr. Howard: My hon. Friend is absolutely right. As is recognised by the more enlightened Opposition Members, it is absurd to suggest that the number of inspectors is the chief determinant of safety on construction sites.

Mr. Heffer: Does the Minister agree that what is now required is a strengthening of the legislation to deal with instances of genuine criminal activity on the part of employers who do not provide proper safety for their workers? Perhaps if some of the directors thought that

they might have to go to prison and not just pay a miserable fine, there would be an improvement in the position.

Mr. Howard: The hon. Gentleman will know that there is concern in all quarters about some of the fines that have been imposed. One of the first things that I did on assuming my present responsibilities was to write to the chairman of the Magistrates Association asking him to examine the level of penalties that are being imposed.

PRIME MINISTER

Engagements

Mr. John Garrett: To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Mr. Garrett: The Prime Minister has now had 20 major ministerial reshuffles during her reign. As a result, 115 Ministers and Whips have been sacked or disposed of. By and large, what was wrong with them?

The Prime Minister: We have a lot of good talent on these Benches waiting to come in. My second and third team could knock the Opposition's top team into a cocked hat.

Mrs. Maureen Hicks: Can my right hon. Friend believe that, once upon a time, only half my constituents paid anything for their services? The other half were totally subsidised. Can my right hon. Friend imagine going back to the bad old days, and explain to my constituents what a rating revaluation would mean—the removal of a spending assessment providing my authority with a guideline on what it should be spending, and hence no accountability whatever?

The Prime Minister: To go back to rates would indeed be a step backward. It was the most unpopular tax that we have ever had; it was also totally unfair. A system that permits 35 million or 36 million people to vote for local authorities and taxes only half of them is totally unfair and unaccountable. I understand that the Opposition are totally against capping local authority expenditure. That would mean higher rates, higher local authority spending and higher taxation all round.

Mr. Kinnock: Will the Prime Minister confirm that she is willing—even eager—to sell off PowerGen at a knockdown price to Lord Hanson, another friend of the family?

The Prime Minister: As my right hon. Friend the Secretary of State for Energy said yesterday, the Government have a duty to get the best deal for the taxpayer. The right hon. Gentleman takes his customary swipe at private enterprise: he cannot stand it. He would far rather have nationalisation, run by politicians who know nothing.

Mr. Kinnock: There is private enterprise, and there is looking after your friends. I think that the country can tell the difference between the two. [HON. MEMBERS: "Withdraw!"] How can anyone who is selling off the electricity industry say that he is trying to get a good deal for the country, in any case? Most of all, how can anyone who is selling off that industry at a third of its value say that he is getting good value for the country? Whatever happened to the undertaking given by the Secretary of State for Energy that no one—neither organisation nor individual—would ever be allowed to own more than 15 per cent. of the company?

The Prime Minister: PowerGen will be sold off at the highest price. My right hon. Friend the Secretary of State for Energy has an indicative price and other bids will be asked for. Is the right hon. Gentleman against selling it off at the highest price? Or does he allow his prejudices against private enterprise to dictate his every sentence?

Mr. Kinnock: The Prime Minister can twist and turn all she likes. The truth is that, in breach of the promises that she has already made, she is selling off at a fraction of its value a highly profitable company to a bosom chum and major contributor to the Conservative party. Is not it obvious that this Session is ending as it began—with sleaze and shadiness at the heart of the Government?

The Prime Minister: In one respect the Session is ending as it began, with the right hon. Gentleman not listening to any reply, but going on with a supplementary question that he had worked out before the reply. My right hon. Friend the Secretary of State for Energy indicated that he will maximise the price, and he is duty bound to do that to get the best value for the taxpayer. However, other bids will be asked for. If the right hon. Gentleman thinks that PowerGen is being sold at a knockdown price, why do not he and some of his trade union friends put forward a consortium and bid at a higher price? No, the right hon. Gentleman is talking nonsense as usual. *[Interruption.]*

Mr. Speaker: Order. Settle down now.

Mr. Gerald Howarth: As this is the last Prime Minister's Question Time before the 50th anniversary of the battle of Britain which will be celebrated in September, will my right hon. Friend take this opportunity to pay her tribute to the heroism of the few and assure those 1,000 or so who remain that they are not forgotten? Will she join me in commending to the British public the Reach for the Sky appeal to raise £20 million so that those who so valiantly fought for the freedom that we in the House take for granted today will not be forgotten?

The Prime Minister: I am sure that hon. Members in all parts of the House will gladly respond to my hon. Friend's invitation. We shall never forget and can never repay the debt of gratitude that we owe in particular to those pilots and to the other people who lost their lives during the second world war. I hope that people will respond gladly to that appeal.

Mr. Ashdown: Did the Prime Minister notice yesterday that her Chancellor of the Exchequer said that the alternative to his plan was a two-speed Europe? Would the Prime Minister prefer that to Britain joining a single currency and a central bank?

The Prime Minister: I believe that the plan that we have put up can gather support from all European countries. It will be an effective next stage to Delors stage 1. I think that we all approve of Delors stage 1, or at least most of us do,

and we are prepared to have a stage 2 which would unite people. Why is the right hon. Gentleman constantly trying to divide them?

Mr. Boswell: Will my right hon. Friend find time to commission a special inquiry into the administrative cost and duration of a revaluation of every house in the country to effect a return to the rating system, or would she rather proceed with figures that are 20 years out of date?

The Prime Minister: I did at one time consider a rating revaluation which would have been 17 years after the previous one. However, we had enough experience in Scotland of a domestic rating revaluation only seven years after the previous one. That resulted in a bigger proportion being paid by the domestic ratepayer and rates on individual ratepayers which were utterly intolerable as well as grossly unfair.

Q2. **Mr. Ron Davies:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Davies: Is there any truth in the rumour that the hon. Member for Ealing, Acton (Sir G. Young) is still a man of principle, that he has not sacrificed his beliefs for a little patronage and that he has been appointed to the Government Whips Office only to mastermind the repeal of the poll tax?

The Prime Minister: My hon. Friend the Member for Ealing, Acton (Sir G. Young) shares those characteristics with every other person on the Government side of the House.

Mr. Thurnham: Will my right hon. Friend give strong guidance to local authorities on their priorities for community care? Is she aware that the 64-year-old mother of my constituent Paul Hargreaves cannot go on holiday tomorrow because Bolton council says that his disabilities are too severe for it to look after him? Should not local authorities get their act together before taking on more responsibilities?

The Prime Minister: I am sure that we all sympathise with that family. I know of the particular attention that my hon. Friend pays to those with disabilities and the amount of work that he has done for them. I hope that he will be able to get the mother a holiday.—[HON. MEMBERS: "Aah."] Yes, I do. Most of us have experienced cases of that kind in our constituencies and know that, during August, hospitals will frequently take in for a fortnight people who are in need of attention to permit their parents to go away.

Q3. **Mr. Alan W. Williams:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Williams: As a chemist, and having been Prime Minister for 11 years, which environmental achievement would the Prime Minister like to be remembered for—the deterioration in Britain's beaches, the continued dumping of sewage sludge in the North sea, the 10-fold growth in the import of toxic waste, the continuing increase in carbon dioxide emissions, Britain's exports of chloro-fluorocarbons—*[Interruption.]*

Mr. Speaker: Order. Normally we have one question.

Mr. Williams: Or the fact that when this Government leave office not a single one of our power stations will have been fitted with desulphurisation equipment. Is it any surprise that Britain is now the dirty man of Europe?

The Prime Minister: Like many other people, I could scarcely hear what the hon. Gentleman said, except for his remarks about beaches and water right at the beginning. The hon. Gentleman asked me which I prefer to be remembered for. I should like to recall to the House that the European Community sent a directive in 1975 to the then Labour Government requiring that all beaches that were not up to standard or in accordance with the directive be identified and that something be done about them. The Labour Government did absolutely nothing. It took a Tory Government—*[Interruption.]*

Mr. Speaker: Order. It takes a lot of time to answer multiple questions.

The Prime Minister: The Labour Government, I am reminded by one of my right hon. Friends, promptly cut capital expenditure on water. It took a Conservative Government to come in and increase capital expenditure on water, to identify those beaches, to deal with three quarters of them in the first 11 years, and, in the next few years, to have a £3 billion investment programme to bring all those beaches up to standard. I am glad to go on to answer the rest of the hon. Gentleman's question. I have a lot of information. For example, on achievements since the 1987 election, the national debt has been reduced by £30,000 million—*[Interruption.]*

Mr. Speaker: Order. I have already said that multiple questions always take more time.

The Prime Minister: Two hundred thousand more businesses opened than closed, we had the top number of jobs in this country ever, and the 1988 Budget reduced basic income tax to 25p—et cetera, et cetera, et cetera.

Mr. Barry Field: Did my right hon. Friend see the report in *The Sunday Times* that the Roman Catholic and Anglican bishops of Liverpool have requested a meeting with my right hon. Friend the Secretary of State for the Environment because of the financial chaos into which Liverpool city council has been plunged as a result of the Liberal Democrats voting with Militant Tendency? Is not that the worst case of political prostitution we have ever seen?

The Prime Minister: I accept what my hon. Friend says and it shows precisely what happens when local government gets into the hands of Labour authorities with no overall control. That is precisely what would happen if socialism ever got in charge of Britain.

Q4. **Mr. Campbell-Savours:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Campbell-Savours: As the Prime Minister was so keen to defend the right of Mr. Salman Rushdie to publish his book "The Satanic Verses", may we have an assurance that she will be equally diligent and vigorous in defending the rights of Muslims who want the film "International

Guerillas" to be distributed, particularly as Mr. Rushdie has said that no question of criminal libel arises, or are we simply to have double standards?

The Prime Minister: I am grateful to the hon. Gentleman. The decision to refuse the film "International Guerillas" a certificate was taken by the British Board of Film Classification which, having received legal advice that the recording might constitute a work of criminal libel, decided in accordance with normal practice that it would not be appropriate to issue a certificate. The board is an entirely independent body and if the distributors of the recording wish to appeal against its decision, they may apply to the Video Appeals Committee in the usual way. That is what the House decided and we cannot overturn it.

Civil List

3.30 pm

The Prime Minister (Mrs. Margaret Thatcher): With permission, Mr. Speaker. I should like to make a statement on future arrangements for expenditure on the civil list for the support of Her Majesty the Queen in carrying out her duties as Head of State. I shall also announce some changes on the management of the occupied royal palaces.

The Government propose, with the Queen's agreement and following consultation with the right hon. Gentleman the Leader of the Opposition, that Civil List provision should return to the form recommended by the 1971 Select Committee on the Civil List and contained in the Civil List Act 1972. Under those arrangements, the Consolidated Fund made a fixed annual payment related to the anticipated expenditure over a period of years. The Queen's official expenses will thus revert to a standing service on the Consolidated Fund. The need for annual voted supplements under the Civil List Act 1975, introduced as a temporary expedient, will cease.

As the House will know, the financing mechanism in the Civil List Act 1972 supplies, in the early years, provision in excess of need. That surplus will be accumulated as a reserve for use in due course to deal with any future shortfall in income towards the end of the period. If provision is to be adequate to support the Civil List over a decade, the annual payment needs to be set at a realistic level.

Subject to the agreement of the House to the necessary statutory instrument, the Government propose that, from 1 January 1991, the yearly sum for Her Majesty's civil list should be about £7·9 million per year for 10 years, which the Select Committee recommended as the appropriate review period.

The yearly sum is the average of estimated need over the period. It is built up by taking the civil list sum for the present year of £5·09 million—increased by agreed additions for current and capital expenditure—and increasing that sum at 7·5 per cent. per year. That is the average annual rate of inflation over the past decade. The yearly sum also allows for efficiency savings which the Royal Household is expecting to make from continuing improvements in management, in line with the best financial practice.

Should the provision be more than necessary, the surplus at the end of the 10-year period would be carried forward and taken into account by the Government in setting the figure for the new period. Should the proposed provision prove insufficient, there would be a report from the Royal Trustees, and the Government of the day would bring forward proposals for a new settlement. The Civil List Act 1975 and the powers that it contains for additional payments from the Treasury vote will be left in place as a means of financing of last resort.

The same principles have been constructed in adopting a yearly sum for each of the other households that receive annuities under the Civil List Acts. I will, with permission, circulate in the *Official Report* a note about the Queen's civil list, which will also show the amounts for the other annuitants. The total net cost to the consolidated fund of the other members of the royal family will be about £1·9 million a year after taking account of the amounts that the Queen will continue to refund to cover the payments made to three of the annuitants.

The Government will present a Royal Trustees report on civil list expenditure later in the year together with a new civil list order-making provision for the new arrangements to come into effect from 1 January 1991. The order is subject to negative resolution.

The Government also propose that the Royal Household should be given greater responsibility for the management of, and expenditure on, the occupied royal palaces. This change is also in keeping with modern financial management. The new arrangements will not disturb the source of finance, so that my right hon. Friend the Secretary of State for the Environment will continue to ask Parliament to vote annually moneys to provide for the necessary maintenance of the occupied royal palaces. Operational responsibility for the upkeep of the palaces within the moneys provided will in future rest with the Royal Household.

The arrangements will be settled under an agreement between the Royal Household and the Department of the Environment. The Comptroller and Auditor General will continue to audit moneys in the hands of the Secretary of State. Expenditure provision will be included as is it now in the civil estimates provided to Parliament. The Government propose that the changes will come into effect on 1 April 1991.

The arrangements that I have announced for the civil list and the occupied royal palaces are, in the view of the Government, in tune with modern financial management. Moreover, they are in keeping with dignity of the Crown and with the esteem and affection in which the royal family are held.

Mr. Neil Kinnock (Islwyn): I thank the Prime Minister for her statement. May I tell her that there will be widespread support for the decision that the basis of civil list expenditure should be that set out by the 1972 Act, as it obviously serves the purposes of good management? The practical commitments to modernised administration, to the improved efficiency of the Household and to a planned basis for Household expenditure are all welcome.

Can the Prime Minister tell the House what steps have already been taken by the Royal Household to improve efficiency in the use of publicly provided resources? Will she confirm that, because of the assumed efficiency savings to which she referred, the cost to public funds will actually increase by less than 7·5 per cent. in all but one of the years in the 10-year programme?

Finally, will the right hon. Lady accept that the new arrangements under the statute will provide for greater continuity and more effective planning in the financing of the Royal Household and therefore commend themselves to the House?

The Prime Minister: I am grateful to the right hon. Gentleman for his support. He asked what steps had already been taken to improve efficiency. The Household has engaged management consultants to advise it upon these matters. It has had a study made of the use of information technology and, as the right hon. Gentleman knows, some of the extra requirements in the first year will go to providing information technology.

The role of the Lord Chamberlain has been crucial in getting extra good financial management. The appointment of a Director of Property Services will shortly be

announced so that the Royal Household can the better manage the moneys that are available for the upkeep of the occupied palaces.

As for the right hon. Gentleman's question as to whether the cost will go up by less than 7·5 per cent.—which, he said, happened in every year except the first—the efficiency savings over the period will amount to some £5 million. In the last three years, the increased Civil List expenditure by the Queen has been of the order of 18 per cent. That compares very well with local authorities, whose expenditure in the last three years has been up by 34 per cent.

Mr. Toby Jessel (Twickenham): Is my right hon. Friend aware that my constituents cherish Hampton Court palace as a royal palace and that they want it to remain a palace, not to become merely a museum? Will my right hon. Friend confirm that it will retain its status as a royal palace?

The Prime Minister: Yes, Hampton Court is one of the unoccupied royal palaces. The arrangements will continue precisely as now for the upkeep of that palace.

Mr. Robert Sheldon (Ashton-under-Lyne): Since the Royal Household is to be responsible for the expenditure of the greater amount of the moneys concerned, can the Prime Minister say something about the accounting arrangements? She mentioned the responsibilities that would be attached to the National Audit Office, but since the financial arrangements have changed, will a memorandum be published? If there is to be a memorandum, will it be made available to the Public Accounts Committee, if it should wish to see it?

The Prime Minister: The amount spent on the upkeep of the occupied royal palaces will be detailed, as it has been in the past, in the usual Department of the Environment estimates. That sum will be negotiated each year and will be reported in the supplementary estimates. The sum will therefore be subject to audit by the National Audit Office. The civil list will be subject to Treasury audit.

Sir Alan Glyn (Windsor and Maidenhead): May I join my right hon. Friend in welcoming the new proposals, which give financial continuity to the royal family, who render singular service to the nation? They will also allow the royal family to plan their arrangements in advance. I welcome also the new arrangements for the royal palaces and the very clever and clear study that was undertaken before the proposals were made.

The Prime Minister: I am grateful to my hon. Friend for his support. The new arrangements for the civil list, which revert to the Select Committee proposals in 1971, will give much more dignity and continuity to the Crown and enable its administration to be much more efficient than was previously the case.

Mr. James Molyneaux (Lagan Valley): May I be permitted to add to the tributes that have been paid to Her Majesty and to the members of the royal family, not least for their frequent visits to Northern Ireland which do so much to stabilise the community in Northern Ireland? My party is, in principle, in favour of reversion to the 10-year period, as laid down in the 1972 Act, but we wonder about the timing. Does not the Prime Minister feel that it will prove somewhat difficult to fix the allowance for inflation some 10 years ahead?

The Prime Minister: I am grateful to the right hon. Gentleman. We have made no prediction; we have taken the average annual increase in the retail price index, which was 7·5 per cent. in the decade 1979-89. That sounds a lot, but in the previous decade, 1969-79, the average annual rate of inflation was 12·5 per cent. Therefore, we have taken what it was and said that the annual amount will be increased by that figure. If that is too much, there will be a surplus in the fund, which will be taken into account when the Government of the day look at the next 10 years. They will then be able to see what the surplus was.

Mr. Terence L. Higgins (Worthing): Does my right hon. Friend recall, as I do, that in 1971 the Select Committee spent many months devising a sensible system for this arrangement, and that the reversion to it now is greatly to be welcomed? May I also welcome the improvements in efficiency, which in future will give us even better value for money?

The Prime Minister: I am grateful to my right hon. Friend. In 1971-72, the Select Committee went into the matter more thoroughly than ever before and came up with the good proposal that we are restoring today. The 1975 arrangement was the exception, and now we have reverted to the rule.

Mr. Tony Benn (Chesterfield): Is the Prime Minister aware that many people believe that the sums paid to the royal family far exceed the services rendered? Can she give us an assurance that, when the order comes before the House, the House will have an opportunity to consider the functions and role of the Crown in modern society, so that people can strike a proper balance on those matters?

The Prime Minister: I think that the right hon. Gentleman will also agree that an overwhelming number of people in the nation regard the royal family as the greatest asset that the United Kingdom has and greatly admire everything that it does. A report of the Royal Trustees will be laid before the House and a new order brought and that order will be subject to negative resolution so that, if the right hon. Gentleman wishes to debate it, he will have an opportunity to do so.

Mr. Patrick Cormack (Staffordshire, South): Is my right hon. Friend aware that in answering that question she spoke, as always, for more people than the right hon. Member for Chesterfield (Mr. Benn)? But does she agree that, in the commendable and proper search for economy and efficiency, it is important that the royal family do not forget that the British people like pomp and circumstance?

The Prime Minister: The royal family are a great asset and everything must be done in keeping with the role that they play so superbly.

Mr. Dennis Skinner (Bolsover): Will the Prime Minister confirm that we are talking about a woman who is the wealthiest person in Britain and who does not pay the poll tax? If almost 10 million old-age pensioners can be robbed of the £13·20 that they would have received if the 1979 formula still existed, why should the taxpayer hand out large sums of money to the Queen and all the hangers-on at the palace?

The Prime Minister: I think that most people in Britain will thoroughly disagree with the hon. Gentleman and wish to be totally and utterly dissociated from his words.

Rev. Ian Paisley (Antrim, North): Does the right hon. Lady agree that Her Majesty the Queen and the royal family do a service to this country that could not be done as well or as efficiently under any other system of government, and that the nation prefers a monarch and prefers to pay the monarch the proper rate for the job?

The Prime Minister: The deal under the original civil list was a good one for the Treasury, and we must now make proper provision for Her Majesty and the royal family, which I believe has widespread support.

Mr. John Evans (St. Helens, North): Is the Prime Minister aware that I fully support the principle of the royal family being protected from the ravages of inflation, but can she explain why, in its standard spending assessment last year, St. Helens council was given an allowance of only 4 per cent. for inflation? Surely the people of St. Helens are entitled to the same treatment as the royal family?

The Prime Minister: As I told the Leader of the Opposition, Her Majesty the Queen's civil list expenditure during the past three years has increased by 18 per cent., but during the same period local authorities' expenditure has increased by 34 per cent.

Mr. Ian Gow (Eastbourne): Since my right hon. Friend formed her first Administration 11 years and more ago, has she not stressed the importance of getting value for public expenditure? Is there any area of the nation's life where value is better secured than the value from the expenditure to which my right hon. Friend has referred in her statement?

The Prime Minister: The value from the expenditure of this money is supreme. It will be much easier for the Royal Household to look after the occupied palaces under the new arrangement than under the old. It will be much better for them to plan for the future with the 10-year arrangement to which we have now reverted.

Mr. Eddie Loyden (Liverpool, Garston): Does not the Prime Minister agree that it has been the policy of this Government and of previous Governments that, when the state is handing out benefits, they are subject to a means test? Does she not think that, if that is the case, it should be applicable to the civil list?

The Prime Minister: I have set out the new arrangements for the civil list. They will be overwhelmingly welcomed and accepted in the House.

Mr. Julian Brazier (Canterbury): Does my right hon. Friend agree that, at a time when there are many instabilities and insecurities in different parts of Europe and of the rest of the world, the royal family provide a rock with which the British nation can identify and that those hon. Members who seek to pour scorn on them show how little they care about the tranquillity of this realm?

The Prime Minister: I believe that the royal family are a focus of patriotism, of loyalty, of affection and of esteem. That is a rare combination, and we should value it highly.

Mr. D. N. Campbell-Savours (Workington): May I press the Prime Minister on the question of any memoranda that Sir Terence Heiser may produce? May we have an assurance that such documentation would go before the Public Accounts Committee?

The Prime Minister: It will come, as now, in the Department of the Environment estimate in the published supply estimates, and in the same form as it does now, because the property sum for the occupied palaces has to be negotiated each year between the palace and the Department of the Environment. Instead of it going through the Property Services Agency and the Department of the Environment, that sum will go to the palace after agreement, and details will be published, as now, in the supplementary estimate.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend accept that most of us think that this is a proper and dignified way in which to deal with the problems of sovereignty and with the way in which the royal palaces are run? There is something terribly undignified about having almost a row each year about how much money is spent on maintaining a superb system of royal government. However, does my right hon. Friend agree that it would be even better if the private wealth and private income of however high a person, even the sovereign, were taxed, as is the case for everyone else? That would seem proper, just and laudable government.

The Prime Minister: No, Her Majesty the Queen has not been subject to tax for a long time. It would require a major change, and that is not a change that I would support.

Dr. Norman A. Godman (Greenock and Port Glasgow): In light of what the Prime Minister has said this afternoon, has not the time arrived for the House to modify the Crown Estate Act 1961 and, in particular, should we not be arguing the case for a curtailment of the power exercised by the Crown Estate Commissioners, especially in maritime communities and in the management and ownership of the sea bed? Many people in Scotland living in maritime communities, who are loyal subjects of the Queen, actively desire such a change in the power of those shadowy figures in Edinburgh's New Town.

The Prime Minister: If the hon. Gentleman wishes to debate that, I am sure that he will request to do so. It has nothing to do with my announcement this afternoon.

Mr. Ron Brown (Edinburgh, Leith): We live in a democracy. Is not that the case? Who elected the royal family? I will answer that question for the Prime Minister: no one. Why should they get a penny, bearing in mind that they live in splendour while millions of people live in poverty, thanks to the policies of the Prime Minister and of the ruling class?

The Prime Minister: I will refrain from answering the last point of the hon. Gentleman's question. As he knows, all people of all incomes have increased their standard of living under this Government. I am amazed by what he says in the main part of his question. Most of our actions, whether under the law or as Government, are taken in the name of the Crown.

Following is the note:

The Civil List Proposals: Reversion to the 1972 Act

1. Subject to the preparation and passage of the necessary order, the yearly sums proposed for Her Majesty's Civil List will be about £7·9 million. This is the simple average

of the estimated annual provision over the period 1991-2000. Provision, in round terms, for Her Majesty is as follows:

Her Majesty's Civil List

	£ million (rounded)
1991	5·9
1992	6·2
1993	6·6
1994	7·0
1995	7·5
1996	8·0
1997	8·5
1998	9·1
1999	9·8
2000	10·4
	79·0
£7·9 million a year	

2. The annual estimates are arrived at by adopting the 1990 Civil List of £5·09 million, allowing for necessary current and capital expenditure on information technology, and increasing the total by 7·5 per cent. a year. The result for each year is then adjusted downwards by a percentage factor each year to reflect efficiency.

3. The proposed yearly sums for the other members of the royal family have been calculated consistently with the approach adopted for the Queen's Civil List. The sums are:

	£ million
The Queen Elizabeth, The Queen Mother	0·64
HRH The Prince Philip, The Duke of Edinburgh	0·36
HRH The Duke of York	0·25
HRH The Prince Edward	0·1
HRH The Princess Royal	0·23
HRH The Princess Margaret, Countess of Snowdon	0·22
HRH Princess Alice, Duchess of Gloucester	0·09
HRH The Duke of Kent, HRH Princess Alexandra, HRH The Duke of Gloucester	0·63
	2·52

As the Queen has agreed to continue to refund the annuities made under section 3 of the Civil List Act 1972, the annual net cost to the Consolidated Fund for the other members of the royal family is thereby reduced to £1·88 million.

BILL PRESENTED

Tampons (Safety)

Mrs. Maria Fyfe, supported by Ms. Jo Richardson, Mrs. Alice Mahon, Ms. Joan Walley and Ms. Joyce Quin, presented a Bill to make provision for tampon packaging and advertisements for tampons to carry certain warnings and information, and to require the Secretary of State to make regulations for these purposes; to lay upon the Secretary of State duties with respect to research into, and publicity for, tampons and health; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 191.]

STATUTORY INSTRUMENTS, &c.

Ordered,

That the Police and Criminal Evidence Act 1984 (Codes of Practice) Order 1990 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

Poverty Statistics

3.54 pm

Mr. Michael Meacher (Oldham, West): On a point of order, Mr. Speaker. Yesterday at about 6.30 in the evening the Government placed in the Press Gallery a copy of the latest poverty figures for which the House has waited more than five years. The figures were sneaked out without reference to the House, without a press conference and without even a single ministerial comment on the press statement.

They are sensational figures. They rebut what the Prime Minister said a few moments ago about all sections of the population having gained. They show for the first time that the 10 million people in this country on the lowest incomes —*[Interruption.]*—were worse off in real terms in 1987 than they were in 1979——

Mr. Speaker: Order. What is the point for me? Does the hon. Gentleman think that I can do anything about it?

Mr. Meacher: The Minister has so far refused to come to the House, and I am raising this point of order in an endeavour to ask you to use your good offices, Mr. Speaker, with the Government to ensure that they come forward with a statement urgently tomorrow so that the Minister who has evaded the House may now answer for his deplorable record.

Mr. Speaker: The hon. Member knows, as I think the whole House knows, that that is not a matter for me. But it will certainly have been heard by the Patronage Secretary on the Government Front Bench, and I am sure that it is a matter that he will calculate tomorrow.

Local Authorities (Elections) Bill

3.56 pm

Mr. Gary Waller (Keighley): I beg to move,

That leave be given to bring in a Bill to provide for annual elections to all local authorities; for one third of the members of each local authority to stand down each year, by rotation; and for connected purposes.

The electoral pattern of local authorities in England and Wales is, to put it bluntly, a mess. It is not governed by logic or reason, and it is overdue for reform. That fact was recognised by the Widdicombe inquiry into the conduct of local authority business, the report of which was published in 1986. It pointed out that, for county councils, elections take place every four years, with all members retiring simultaneously. Of the shire districts, about 60 per cent. have whole council district elections, while the remainder have elections by thirds. Whether district councils fall into one category or the other essentially seems to depend on whether or not they were boroughs before the 1974 reorganisation.

The metropolitan districts already have elections by thirds, but since the abolition of the metropolitan county councils, there is curiously now an off year, every fourth year, when no elections take place. Finally, in the London boroughs, all members retire simultaneously every fourth year, although, as in other councils, there is considerable variation in the number of members per ward.

This lack of uniformity owes nothing to recent ideas, being attributable to provisions laid down in the Municipal Corporations Act 1835 and the Local Government Acts 1888 and 1894 and being dependent on the changing fashions of the time. It has been criticised by successive committees of inquiry and royal commissions.

The Widdicombe committee considered the choice between elections by thirds and all-out contests, and got it wrong, almost certainly because of its possibly misplaced attraction towards single-member wards, which are at odds with annual elections for a proportion of each authority. The Government wisely rejected all-out elections every four years but failed to substitute any other system in its place.

The House now has an opportunity to consider an alternative, the time for which has truly come. Conversations that I have had with colleagues suggest that electing a third of all authorities each year would enjoy great support.

Perhaps the strongest argument relates to accountability, a case made stronger by the introduction of the community charge, although not exclusively linked to it. In all too many cases, councils can arrange their programmes, and distort their spending, in such a way as to match the electoral cycle. They can ensure that any overspending hits the community charge payers' pockets at a time when the electors have no opportunity to cast a verdict on what is done with their money. My right hon. Friend the Member for Henley (Mr. Heseltine) recently proposed the introduction of a referendum on overspending. In my view, annual elections are a more realistic and more viable alternative.

Perhaps Widdicombe unconsciously put the strongest case against his report's own conclusions when he pointed out that, in Liverpool, a preoccupation with annual elections was a factor in the period 1974-83 when rate levels were kept under tight control, but when important expenditure decisions were deferred. I suggest that a greater preoccupation with the attitudes of charge payers could only be beneficial.

Another factor is continuity, which would surely be greater if all-out elections ceased. There have been numerous examples of the exaggerated effects of swings in political opinion. Is it really beneficial to the democratic process that, in Greater Manchester, for instance, the Conservatives swung from 82 to 19 seats between the 1977 and 1981 elections, while Labour jumped from 23 to 78 seats? In similar circumstances, new controlling parties have sometimes had to appoint to their senior committee chairmanships people with no local government experience.

It is argued that annual elections discourage forward planning. However, local authorities do not have powers to legislate. Annual elections would be nonsense for the House of Commons, because there would never be an opportunity to assess the effect of a new law before it had to be judged. Nobody is talking about elections each year for the whole council, but the fact that a proportion of members was answerable to the electorate would concentrate minds wonderfully. A similar benefit would flow from a change from four-year to three-year terms for councillors.

Others claim that annual elections would put too much of a burden on party machines. In essence, however, political party organisations have no other purpose than to nominate candidates for election and to campaign for their success in those elections. Everything else is subsidiary to that aim. If they cannot contest elections

once a year, they are not worthy of their role. I am sure that annual elections would encourage all parties to keep their machines in good trim.

In short, the reform that I propose would create a system that is simple and uniform, encourages continuity and, above all, accentuates accountability. I hope that it will commend itself to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gary Waller, Sir Rhodes Boyson, Mr. James Pawsey, Mr. Graham Riddick, Mr. Jerry Hayes, Mr. Donald Thompson, Mr. Chris Butler, Mr. Cecil Franks, Mr. Gerald Bowden, Mr. Richard Alexander, Mr. William Powell and Mr. Simon Coombs.

LOCAL AUTHORITIES (ELECTIONS)

Mr. Gary Waller accordingly presented a Bill to provide for annual elections to all local authorities; for one third of the members of each local authority to stand down each year, by rotation; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Monday 15 October and to be printed. [Bill 192.]

Opposition Day

[18TH ALLOTTED DAY, SECOND PART]

The Economy

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

4.2 pm

Mr. John Smith (Monklands, East): I beg to move,

That this House deplores the mismanagement of the economy which has resulted in crippling interest rates, damagingly high inflation, and the largest balance of payments deficit in history; condemns the neglect of investment in the public sector and in public services, which has damaged the economy and diminished the quality of life of the nation; urges the Government to adopt a strategy for economic recovery which promotes innovation in industry through the application of science and technology and the promotion of new products and processes, which realises the potential of the whole of the United Kingdom through an imaginative and sustained regional economic policy, and which, by means of a thoroughgoing commitment to the improvement and expansion of education and training, aims to develop to the full the skills of the people; and concludes that if the decline in the economy and in public services is not halted and a programme of recovery embarked upon, Britain will continue to fail to reach the levels of economic success and social progress enjoyed by other nations in the European Community.

On the verge of the summer recess, we look back on a parliamentary Session that has been bad news for the Government. Perhaps the announcement last week, that the plans for improving community care had to be shelved for years because of the poll tax, was symptomatic of a Session in which the Government have become increasingly entangled in snares of their own making. As the Chief Secretary has already warned his colleagues, there will be fierce struggles over the summer between the Treasury and other Departments because inflation has disrupted the Government's spending plans.

As I look at some of the disappointed faces on the Government Back Benches, I am reminded that yesterday—[HON. MEMBERS: "Not many."] Indeed, there are not many of them, because some hon. Members are concealing their disappointment elsewhere. Yesterday we had the diversion of yet another ministerial shuffle, a rather purposeless rearrangement of the chairs on the middle and lower decks. With no disrespect to the feelings of those included—or of those excluded—that was small beer compared with the other changes that we have seen over the Session.

It all started in a different tone when the Chancellor of the Duchy of Lancaster addressed his first Conservative party conference as chairman. Last October, under the banner

"The Right Team for Britain's Future",

the right hon. Gentleman had stirring words for the delegates:

"this is not the time for fretting, this is not a time for poring over opinion polls. This is not a time for being faint-hearted. The fight is on. And, in the words of Henry, before Agincourt, 'he which hath no stomach to this fight, let him depart.'"

That is just what they have done. The first to depart was the right hon. Member for Blaby (Mr. Lawson), trailing Sir Alan Walters, that other family concern of the Prime Minister, in his wake. The process ended just a few days

[Mr. John Smith]

ago with that spectacular display of teamwork which marked the exit of the right hon. Member for Cirencester and Tewkesbury (Mr Ridley) from the Cabinet. In between, it is worth noting that so right was that team for Britain that only nine months later we have a new Chancellor of the Exchequer, a new Foreign Secretary, a new Home Secretary, a new Secretary of State for Trade and Industry, a new Secretary of State for Employment, a new Secretary of State for Wales and even a new Chief Whip. So imbued was the team with the spirit of Agincourt that four of them have left the Government completely, demonstrating a novel facet of the new concern for family life.

Bad though the personnel position is, demonstrating the confusion and disarray in the Government, the Government's main problem and the nation's main concern is their woeful mismanagement of our economy. We hold the Government to account for bringing Britain to a position in which we are the worst of all performers among the leading industrial nations. The facts are clear and they cannot be seriously in dispute. I take the OECD as a objective source. I understand that the statistics for the individual countries which that organisation deploys are approved by individual member Governments.

Let us look at the growth league. The growth in real gross national product for 1990 predicted for Japan is 4·7 per cent. That for West Germany was 3·9 per cent., now revised upwards to 4·4 per cent. The figure for France is 3·1 per cent.; for Italy 3·1 per cent.; for the United States 2·3 per cent.; and for Canada 2 per cent. For the United Kingdom, it is 0·9 per cent., against an average of 3 per cent.

Let us consider the league table for the projected increase in investment in 1990. The figure for Japan is 10·2 per cent.; for Germany 6·6 per cent.; for France 6·5 per cent.; for Italy 5·7 per cent.; for Canada 4·1 per cent.; and for the United States 3·2 per cent. For the United Kingdom, it is minus 1 per cent.—a negative projection for investment in the United Kingdom, against an average for the G7 countries of 5 per cent.

What about inflation? We are top of the league with 9·8 per cent. The figure for Italy is 5·7 per cent.; for Canada 4·5 per cent.; for the United States 4·4 per cent.; for France 3 per cent.; for Japan 2·7 per cent. and for West Germany 2·3 per cent. Britain has an inflation figure of 9·8 per cent. against an average of 4·3 per cent. Those facts show our position among the G7 countries.

Mr. Phillip Oppenheim (Amber Valley): Will the right hon. and learned Gentleman give way?

Mr. Smith: I shall give way to the hon. Gentleman in case he wishes to challenge.

Mrs. Oppenheim: As the right hon. and learned Gentleman is so keen on OECD figures, he will be aware that the latest set shows that, during the 1980s, productivity in British manufacturing rose at the fastest rate of any industrial country and that manufacturing output in Britain rose by one quarter—the best performance in Europe. That compares with the experience under the last Labour Government, for which OECD figures show that manufacturing output fell and that during the 1960s and 1970s, our manufacturing output and productivity rose more slowly than those of all other European countries.

Mr. Smith: First, let me correct the hon. Gentleman on one fact. Productivity in the manufacturing sector did not fall under the Labour Government. However, it is interesting that the hon. Gentleman takes much the same line as the Government appear to do in their amendment. They look back to what they claim as some credits during the 1980s. There was a one-off improvement in productivity caused by running down the work force at the beginning of the decade, but the problem is that it is not sustained productivity. If I were the hon. Gentleman, I would not pursue the point about productivity because the figures are already turning against the Government, and will continue to do so.

I noted that the hon. Gentleman did not challenge any of the OECD figures on Britain's relative position on growth, investment and inflation—three important criteria.

Sir William Clark (Croydon, South) *rose*——

Mr. Smith: No doubt the hon. Gentleman wishes to correct me, so I shall give way to him.

Sir William Clark: I am grateful to the right hon. and learned Gentleman. I am sure that he wishes to be fair. If we are to compare like with like on inflation, the underlying rate of inflation in Britain is 6·9 per cent., not 9·8 per cent.—*[Interruption.]* It is. Indeed, it is unfair to take different arithmetical calculations in the retail price index than other countries that do not include mortgage and housing costs. Surely the right hon. and learned Gentleman agrees with that.

Mr. Smith: I intend to deal with precisely that point during my speech. If the hon. Gentleman or the Government think that there should be some other means of assessing the rate of inflation, they should make representations to the official committee that regulates the basis on which the RPI is composed. I understand that the Government put to that committee the questions of both mortgage interest and the poll tax, and the committee said that they should be included, as most of us think they should be.

As Conservative Members would judge other Administrations on the basis of the RPI figures, I hope that they are prepared to be judged on that same basis. The whole reason for the exercise is because the hon. Gentleman, like his colleagues, is acutely embarrassed that inflation is knocking 10 per cent.

There has been a steady increase in inflation since 1988—two years of remorseless increases. I shall remind the House of the Government's technique with economic problems. From their foundation, the Government have always been about hype rather than reality; about presentation rather than achievement. When inflation had almost doubled in 1988, the former Chancellor of the Exchequer told us not to worry because it was just a blip, a temporary phenomenon. The Government's first approach to the problem is to claim that it does not exist. Unfortunately for them and for us, inflation has continued to blip upwards, until it is now knocking 10 per cent.

The next technique is to rejig the figures, and that was most blatantly shown in the perpetual readjustment of the unemployment figures in the Government's favour. We

had another example of that yesterday, which my hon. Friend the Member for Oldham, West (Mr. Meacher)—the shadow Secretary of State for Social Security—drew to the attention of the House on a point of order only a few minutes ago. The Government surreptitiously had to admit that their figures for poverty in Britain were hopelessly out of line with reality. I remind the House that, once again, the Government's defence was to say that increasing poverty did not exist in Britain, although Opposition Members knew from their constituency experiences that increasing poverty was precisely what was happening.

The Government not only claimed that the trickle-down from those whom they favoured at the top benefited the poor, but that their relative position had improved. The trouble with using statistics to belie reality is that reality has a disconcerting habit of breaking through. That is what happened in the new figures that were so shamelessly and covertly issued last evening. They revealed the extent of the Government's error and the fact that the living standards of 10 million people in Britain have declined while the Government have been in office.

All the figures to the contrary that were issued previously, and which were the basis not only of criticism but of justification of the Government's position, have turned out to be bogus. At the very least, a Minister should come to the House as soon as possible to explain why the Government have misled both Parliament and the nation for so long, and why it has taken them three years to admit that. Those of us familiar with the Government's techniques are not surprised by the way that they have dealt with the matter.

The handout from the Department of Social Security last night stated:

> "Net incomes of the population as a whole rose by about 20 per cent. in real terms over the period 1981-87. The incomes in the lower income groups also rose in real terms, but less rapidly."

The actual figure for the average was 20 per cent., but for those in the lower income groups it was 2 per cent. What a euphemism for the difference between 20 per cent. and 2 per cent. to say "less rapidly". That shows the technique, the Government's sleight of hand and how they choose to deploy their statistics.

Mr. Canal Gregory (York): The right hon. and learned Gentleman will recall that, under the Labour Administration, inflation rose to about 27 or 28 per cent. Does he share the view of the Leader of the Opposition, who, when asked on "The World at One" how he would control inflation, said:

> "To cut a long story short, we don't know."

Mr. Smith: The hon. Gentleman has a selective memory. Under this Administration, inflation reached 22 per cent. and, in case he wants to blame the last Labour Government, his party doubled VAT from 8 to 15 per cent. We have persistently and consistently set out our policies to control inflation, which we believe are an important objective of Government policy. We are not in a mood to take lectures from a Government who have so lamentably failed to control inflation.

The statistics on inflation and the balance of payments show once again that the Government's first reaction when things start to go wrong is to claim that it is only temporary, a blip for inflation. The Prime Minister told us, the first time that the balance of payments deficit for the month was more than £1 billion, that they were freak figures. Almost every month, those freak figures have reasserted themselves. Every month has been a freak month since the Prime Minister announced that that was the explanation for our deteriorating balance of payments.

The next stage is to misrepresent the figures—the exercise on which the hon. Member for Croydon, South (Sir W. Clark) was embarked. Because the high RPI is embarrassing, two other versions are being introduced—RPI minus mortgage interest and RPI minus mortgage interest and the poll tax. Those two alternatives are being trailed across the scene. The hon. Gentleman selected the first alternative, and with a bit of encouragement he would probably adopt the second.

In the first version for which the Treasury produces figures, mortgage interest is struck out as though it did not exist, as though it were not paid and were not afflicting families in this country. Unfortunately for the Government, the figures are still embarrassingly high—too high for presentation—so what do they do? They fiddle the figures again. They briefed and encouraged willing participants in the press to devise a new method of assessing it—RPI minus the poll tax.

The Government know that the official committee which regulates the basis of the RPI thinks that mortgage interest rates and the poll tax should be included. If the Government have nothing to do with this, I hope that they will take the opportunity to criticise the *Sunday Times* and the Institute of Fiscal Studies and tell people not to believe them.

Mr. Robert Sheldon (Ashton-under-Lyne): The Government are not only trying to fiddle the figures downwards but have succeeded in fiddling the RPI because it does not take account of exchange rate changes, which would have put it well over 10 per cent., and perhaps up to 11 per cent.

Mr. Smith: I am grateful to my right hon. Friend for a wise and apt observation, which adds to the strength of the attack that we are making on the Government on this point.

The Government cannot exclude mortgage payments, because the public cannot exclude them. Other countries include different housing statistics because they are organised on a different basis. There is a different pattern of house ownership in comparable countries, with much more rented accommodation, but they take account of them in their prices index and do not strip them out, as the Government propose.

To try to remove the poll tax from the RPI is the worst example, because rates were always included in it. What is embarrassing for those who argue that the poll tax should not be included because it is alleged to be a tax is that they called it the community charge. They want to call it the community charge, and when we say "poll tax", they wince and say "community charge" back at us. If it is a charge, it is a charge and it should stay in the RPI.

Mr. Tim Smith (Beaconsfield) rose——

Mr. Smith: It is a short debate; I must get on.

The Chancellor is adopting a new approach, a wholly new wheeze, the "proximate" rate of inflation. That applies solely to our relationship with other European Community countries. Proximate is not exactly precise; it

[Mr. Smith]

gives the Chancellor a certain amount of flexibility and movement, because he has only approximately to meet his figures.

That is just as well in relation to the so-called Madrid conditions for joining the exchange rate mechanism. I remind the House that inflation had to come down to the Community level before Britain could contemplate joining the ERM. As inflation is now higher than it was when those conditions were outlined, the Chancellor has a bit of a problem, so that is why we are into the "proximate" dodge.

The Chancellor cannot dodge the fact that inflation is higher than it was when the conditions were set. When we consider the Government's record over the decade, we go back to their early days and to the setting out of the medium-term financial strategy of happy memory. We hear little about it today. The truth is that there is now no effective strategy. The medium-term financial strategy did not even rate a mention in the Chancellor's Budget speech.

The Government are now involved in a new stratagem —the STES, or short-term election strategy. The plan is to maintain high interest rates—as indeed the Government must—until Britain joins the ERM and then, in the period of lower interest rates which may occur following entry, to encourage a boomlet to coincide with the election at a time when, for statistical reasons, the headline RPI is falling, although the underlying rate may be rising.

The Government do not reveal that all the economic commentators who have speculated on this outturn of events—which they note will be a politically favourable scenario for the Government—point out that not long afterwards the problems get worse, and that every economic indicator goes in the opposite direction, contrary to the national interest. Why? There is a simple reason: because the underlying problems will not have been tackled by that device. That is the heart of the matter and, I hope, of our debate.

The Government have not tackled the underlying problems of the British economy, although their hype proclaimed until relatively recently that they had overcome them. The Government started the decade with the bonus of North sea oil. Eleven years and £91 billion-worth of North sea oil revenue later, we are at the bottom of the G7 leagues for growth and investment and the top for inflation.

There was a period when Conservative Members almost believed their propaganda. On 26 April 1988, speaking in the debate on the Finance Bill, the Chancellor, who was then the Chief Secretary, said:

"During the 1960s we praised and envied the German economic miracle. In the 1980s the situation has been precisely reversed."—[*Official Report*, 26 April 1988; Vol. 132, c. 214.]

Note the careful words "precisely reversed". There can be only one meaning for that—Britain now has the economic miracle, and Germany has to learn from the British model.

This reminds us that the fascination with West Germany goes back some time before the inglorious seminar at Chequers which received extensive publicity recently. That seminar revealed some curious attitudes to West Germany, with an obsession with German history and a patronising and insulting identification of so-called German characteristics and habits. The habits relate to the economic success and the characteristics to the foreign policy fears that the Government detect at every hand. These characteristics were identified, in the careful hand of the Prime Minister's perpetual private secretary, as "angst, aggressiveness, assertiveness, bullying, egotism, inferiority complex, sentimentality". Many might think that, with the exception of sentimentality, all those characteristics could be applied with some appropriateness to the present British Administration and its head.

In the record of that seminar, was there any substantial reference to the German economic success, still less to how it had been achieved? Going through what I am sure was the full record, I noted that any notion that Britain had overtaken Germany was not mentioned in those private discussions. That was for the House of Commons. When one gets down to the real discussions at Chequers, one does not delude oneself with any of that nonsense.

The seminar did not spend time considering that matter, because the Chancellor's claim is absurd. If we have precisely reversed the position with West Germany, why is its projected growth rate for this year 4·4 per cent., while ours will be lucky to reach 1 per cent.? Why is its inflation rate 2·6 per cent., while ours is 9·8 per cent.? Why are its interest rates 8 per cent., while ours are 15 per cent.? Why has its growth in output since 1979 been twice ours? Why is the percentage of its work force who are skilled 62 per cent.—according to the European Commission—while our figure is only 38 per cent.? Why did a British balance of payments deficit of under £1 billion in 1979 become a balance of payments deficit of £9 billion today?

The Government have been hoist by their own petard: they chose Germany as the comparison, but the most cursory analysis confounds their claim, and reveals that the weakness of the British economy is alarming in comparison with German success. I hope that the Government, in their slightly more subdued mood of recent months, will appreciate the point.

To establish that, it might be sensible for the Prime Minister to organise another seminar at Chequers—this time, to examine German economic achievement; this time, not to patronise but to learn. In the course of such an examination of the experience of West Germany since the war, the seminar would learn that the keys to a modern successful economy are—as Opposition Members maintain—to initiate supply-side policies, to increase investment in research and development, education and training and regional economic development, and to give proper and sustained priority to manufacturing industry.

Mr. A. J. Beith (Berwick-upon-Tweed): Surely, when the right hon. and learned Gentleman mentions the German success in interest rates and inflation rates, he should not omit from the list the existence of an autonomous central bank with a responsibility for price stability?

Mr. Smith: I do not believe the superficial analysis of the position indulged in by the hon. Gentleman and his colleagues. The German success in countering inflation has been achieved over a much wider front than the existence of an autonomous bank. It has much to do with popular culture and a partnership economy——

Mr. David Shaw (Dover): Are you in favour of that?

Mr. Smith: No, I am not in favour of having an autonomous bank. I do not know why the hon. Gentleman is in any doubt about that, as we have stated clearly that

we are not in favour of an autonomous bank in Britain or in Europe. On that, we disagree with the hon. Member for Berwick-upon-Tweed (Mr Beith) and his colleagues. It is taking superficiality to excess—I know that that has long been a habit of the Liberal party, but it should not persist in it—to think that there is a casual connection between an autonomous central bank and a low rate of inflation. After any serious analysis, I do not think that that idea can be maintained.

Mr. Ian Gow (Eastbourne): Should the proposed Chequers seminar examine the contribution that socialism has made to the German economic miracle?

Mr. Smith: I think that it should. I am grateful to the hon. Gentleman for adding an interesting extra half-hour to the discussion. It would be constructive for the Prime Minister and her colleagues to examine the success of the SPD-led coalition Government Germany, during whose time in office a great deal of German economic success and social partnership was achieved. If the hon. Member for Eastbourne (Mr. Gow) gets any more bright ideas, will he speedily communicate them to me? I feel almost like writing to the Prime Minister, saying that this is not my suggestion but that of her former Parliamentary Private Secretary, and that it must therefore be treated with some respect.

When we compare West Germany's investment in research and development with that of Britain, we discover what a state Britain is in. West Germany spends £432 per employed person, compared with £265 in the United Kingdom; in industrial development, its Government funding for research and development is 61 per cent. higher than that of the United Kingdom; its investment in pure science is 135 per cent. higher, its spending on transport and communications research is 194 per cent. higher; and its spending on environmental planning is 225 per cent. higher.

Worst of all is the comparison on training. Germany really does invest in training: more than 2 million people in West Germany are constantly in training. That is why it has technicians and craftsmen who are paid well because they produce well and sustain a productive and competitive economy.

More than 70 per cent. of engineers in West Germany have recognised qualifications, compared with only 40 per cent. in Britain after 11 years of Conservative government. Only 30 per cent. of our work force have recognised qualifications equivalent to at least one O-level, compared with 70 per cent. in West Germany. I hope that Conservative Members will ponder that—only 30 per cent. of our work force are qualified to the standard of one O-level. How are we ever to compete with the new circumstances in 1992 if we neglect education and training on that scale? I do not need to go into the figures in more detail.

Mr. Nigel Forman (Carshalton and Wallington): The right hon. and learned Gentleman has an important point about education and training. I notice that the Opposition motion refers to education and training as an Opposition commitment. To what extent would the right hon. and learned Gentleman finance that expansion of education and training, to which he attaches such importance, from taxation or borrowing? If it is the latter, as I suspect it would be, what would be the implications for interest rates?

Mr. Smith: The hon. Gentleman is making a valiant effort in that respect, but he must know that we have made it absolutely clear that our spending programme will be related to the capacity of the economy to sustain it. For education and training, I believe that that is an absolutely fundamental investment which must be made by this country. I suggest that the hon. Member for Carshalton and Wallington (Mr. Forman) should read an editorial which I believe appeared in *The Independent* yesterday, which attacked the Labour party for not promising to spend more than we had announced.

It is absolutely crucial that the investment is made. We will consider how best that investment can be made when we become the Government in the light of the economic circumstances that we inherit. If the concern of the hon. Member for Carshalton and Wallington for education and training is genuine, what does he think about the record on that over the past 10 or 11 years? Does he believe that it has been a good deal for Britain to neglect our investment in education and training so that we have the most demoralised teaching force ever this century, and when our industrial training is pitiful when compared to training in other countries? As an important part of our investment programme, we must finance education and training which will at least raise us to the level of our industrial competitors.

In addition to education and training, we could add as a subject for the seminar the value of social cohesion, indicated by German support for the social charter which the Government always attack. Our most successful competitors embrace and endorse the social charter. It is not even a matter of political controversy. The German Chancellor, head of a CDU-led coalition, went to the German trade unions and told them that he would support their claim for a social charter. Would that our Prime Minister espoused something in the national interest like that. The value of partnership between management and the trade unions in creating a successful economy might also be studied with profit at the seminar.

However, I fear that such a process of self-education is unlikely to happen, demonstrable though its advantages would be. I fear that, in the spending cuts in store over the summer, regional investment which has already been cut by 70 per cent. over the decade will once again be the victim of the foolish priorities of the disastrous Department of Trade and Industry. I fear that the cuts of £190 million in the training budget at a time when our training is pitifully inadequate will not be restored.

Now that the hon. Member for Carshalton and Wallington, who has been asking me about expenditure on education and training, has been liberated to some extent by changes in the Administration—although I commiserate with him on the fact that he has not yet joined it—will he use his freedom to ask the Government why they cut the training programme by £190 million? Why on earth, at this stage in our development, we should be contemplating cutting one penny from the training programme is hard to understand. I hope that that cut will be restored.

On 31 May 1990, the *Financial Times* published some comparative figures with regard to publicly funded training for employed adults, which show how disastrous is Britain's record on training. I will pick the figures at random. The figure is $1,000 per trainee in France, $3,500 in Germany, $5,000 in Greece, $1,000 in Japan and $600

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in Spain; but it is $400 in the United Kingdom. We are not only bottom of the league again, but we are bottom by a very long shot.

Why is it that, every time we look at international comparisons, Britain is at the wrong end of the league? It is at the bottom of the league when we should be at least halfway up, and it is at the top of the league when we should be half way down. It will not do for us to enter the 1990s unless we secure an economic base that can sustain our standard of living and finance our hopes of social progress.

Mr. Michael Grylls (Surrey, North-West): Will the right hon. and learned Gentleman give way?

Mr. Smith: I have given way enough.

The Government claimed that they made a breakthrough to a competitive and productive economy in the 1980s. Anyone who looks at any of the statistics can see at a glance that that manifestly has not happened. One thing is certain—it had better happen in the 1990s, or there will be no economic future for this country.

I do not believe that that can happen under a Government with such a lamentable record for the 1980s. However, it will occur under a Government who recognise the problems we face, but who believe that, with effort and determination, we can overcome them; who face reality—even awkward reality—rather than seek to abolish it by statistical sleight of hand; who recognise the problems but are prepared to develop opportunities; and who, by adopting the policies outlined in the motion, can create a better economic future for this country. The Conservatives have failed. It is Labour's chance in the 1990s.

4.35 pm

The Chancellor of the Exchequer (Mr. John Major): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"congratulates Her Majesty's Government on the improvement in economic performance over the last 10 years, with the United Kingdom's growth of output, manufacturing productivity, employment and investment since 1980 exceeding that of almost any other major European Community country; and endorses the priority the Government attaches to reducing inflation, in order to safeguard and build on these achievements."

For all its customary charm, the speech by the right hon. and learned Member for Monklands, East (Mr. Smith) had a familiar ring. Perhaps a touch scaled, it is an old favourite that the House has heard on a number of occasions. It is no wonder that the right hon. and learned Gentleman delivers it so well, for he has delivered it so often. None the less, as ever, we enjoyed it. Despite that, it was an empty speech because it was empty of the alternatives that he and his colleagues would bring into operation were they in government.

If the right hon. and learned Gentleman wishes to be taken seriously as a potential Chancellor, he will need to produce in some detail policies that, when examined, can be seen to be capable of being carried out and to add up in economic and political terms. The right hon. and learned Gentleman will achieve nothing if he continues to condemn the disease and also condemn the cure, which he should know must involve monetary policy of the sort that we are using at the moment.

The right hon. and learned Gentleman has no policies to curb the central problem that exists at present—the problem of inflation. Neither does he have any policies to prevent it from recurring in future. All that he has to offer are the same old traditional recipes that have been handed down from generation to generation in his party—looser monetary policy and looser fiscal policy, that is lower interest rates and higher spending. Where does the right hon. and learned Gentleman think that that would leave him and his party? That is the classic recipe for the debt and devaluation that have been the legacy of every Labour Government.

I was intrigued a few weeks ago to listen to the leader of the Labour party when he appeared on "Panorama". He said then that, when monetary policy was loosened at the end of 1987 in the wake of the stock market crash, "We"—that is, the right hon. Gentleman and the Labour party—"were saying steady, steady." In retrospect, it would certainly have been right to say, "Steady, steady." However, I was not sure whether that was how I remembered the Labour party's posture at the time, so I had a brief look to see what the right hon. Gentleman was advising at the time, and I certainly did not find "steady, steady" among the right hon. Gentleman's pronouncements. Indeed, I offer a prize to anyone who can find the term "steady, steady" used in any context by the right hon. Gentleman at that time. I found what I had expected to find. Then, as now, the right hon. Gentleman was arguing for lower interest rates and described the modest cuts we had made as "inconsequential". He told us:

"This is a time for judgment, and that judgment should be a big cut in interest rates."—[*Official Report*, 29 October 1987; Vol. 121, c. 446.]

No "steady, steady" there.

Perhaps, I thought, the right hon. Gentleman leads a collegiate team and is remembering the words of his colleagues, so I checked those too. I found that his hon. Friend the Member for Dagenham (Mr. Gould) spoke in the House on 5 November, but he did not say "steady, steady" either. He said:

"If the Americans were to follow the Chancellor's monetarist advice, and if the interest rates and taxes were to be raised or social security benefits were to be cut, it could only bring the threat of worldwide recession so much closer."—[*Official Report*, 5 November 1987; Vol. 121, c. 1154.]

It is clear what the hon. Member for Dagenham had in mind. He was not saying "steady, steady"; he wanted a reduction in interest rates too. I then wondered whether the Leader of the Opposition had remembered the words of his right hon. and learned Friend the Member for Monklands, East—that pillar of fiscal rectitude. I checked and I found it as I remembered. The right hon. and learned Gentleman did not say anything in the House that I could find, but he went to Paris to talk to the OECD on 13 November 1987. Did he tell the OECD that things should be taken "steady, steady"? Did he heck. He called for

"A stimulation of the economy by cuts in interest rates".

Just to make sure that there was no doubt that the right hon. and learned Gentleman wanted to loosen policy he said it again the next day at Airdrie:

"Now is the time for cuts in interest rates to stimulate the economy".

So much for "steady, steady". "Steady, steady" is fiction, fiction. In retrospect we all acknowledge that it was the relaxation of monetary policy that helped cause the difficulties.

Mr. John Smith: As we are trailing over the years since 1987, let us look to the Budget of 1988. Will the Chancellor tell us—given that the situation was so obvious in 1987—what on earth was the justification for the huge tax cuts in 1988, which were attacked by me and my right hon. Friend the Leader of the Opposition, but which the right hon. Gentleman defended?

Mr. Major: I believe that the right hon. and learned Gentleman has just taken economic advice from the leader of the Labour party, and if that is so, he has just made a material mistake. The underlying problem that generated many of the difficulties that we faced was, in retrospect, a relaxation of monetary policy because of fear of a recession. One could see that, with credit growth of £40 billion in the subsequent year, the problems were not caused by the cuts in income tax that amounted to only £4 billion, as a supply-side measure. The figures do not remotely add up and I suggest that the right hon. and learned Gentleman should get a new and better economic adviser than his right hon. Friend.

Mr. John Smith: With the benefit of hindsight, can the right hon. Gentleman tell us whether the Government were right to let a credit boom rip to the extent that he has just described? If so, what on earth was the justification for making tax cuts in such a situation?

Mr. Major: Does the right hon. and learned Gentleman not realise that one of the things that generate a credit boom is lower interest rates, which he was precisely calling for? The reduction of taxation was on the back of a huge fiscal surplus in 1988—a point which the right hon. and learned Gentleman and his right hon. Friend have momentarily overlooked.

Given that the Leader of the Opposition has criticised us for causing inflation, the uncomfortable truth is that, judged by his words and those of his colleagues, he would have made bigger mistakes on monetary policy than anyone else. The problem of the credit boom would have been materially worse. I suspect that the right hon. Gentleman has remembered that only latterly, but it is about time that he admitted that he was wrong in 1987. The uncomfortable truth——

Mr. Neil Kinnock (Islwyn): As a matter of history, it is important to refresh the Chancellor's memory, as I believe that he is trying to offer the view that the difficulties, to which, presumably, he will own up, only began with the relaxation of policy in response to the slip in the stock markets in the back end of 1987. The right hon. Gentleman should understand that, before the 1987 election, in order to make a contribution to try to win that election, policy was greatly slackened with the intention of tightening it up after the election. The Government, however, were taken by surprise and made an utterly incompetent response to the events on the stock markets. Until now I thought that the Chancellor was a candid man; if we are to have a story, let it be the whole story.

Mr. Major: I shall not only provide the whole story, but remind the right hon. Gentleman of the other element he has overlooked.

Just before the November stock exchange crash, in August, my predecessor, my right hon. Friend the Member for Blaby (Mr. Lawson), unexpectedly increased the interest rate by 1 per cent. because of concern about the growth of credit. That was a considerable shock and surprise to people, but he acted so because he wanted to restrain what he thought might be an incipient growth of credit. If the Leader of the Opposition would also care to come to the Dispatch Box again to give me chapter and reference of when he said "steady, steady" in 1987 I shall happily give way. [HON. MEMBERS: "Come on."] I should be happy for the right hon. Gentleman to advise the House on that.

Mr. Kinnock: I shall do so on the understanding that my reply will be given in exchange for the right hon. Gentleman's readiness to get on with addressing the present problems. He is the Chancellor and we want to know what he will do about dealing with the problems, because that is what will most interest the British people, business and anyone else concerned about the future of our economy.

The right hon. Gentleman will recall that, in 1987, and definitely as we came up to the Budget of 1988, which he has defended, we proffered urgent counsel that everything possible should be done—it should also be done now—to assist the supply side of British industry. We included in that the reduction in interest rates and the avoidance of the type of tax cuts the Government were then making. That was the policy for stability, steadiness and production, but instead the Government pursued their policies that have resulted in a disastrous balance of payments deficit and an inflation rate of 10 per cent. "Steady, steady", John.

Mr. Major: That was an amazingly skilful reinterpretation of events, as one would have expected from the right hon. Gentleman. If he will forgive me for saying so, it was more slippery, slippery than "steady, steady". Let me be sufficiently unkind to quote again what the right hon. Gentleman said:

> "This is a time for judgment, and that judgment should be"—

as Leader of the Opposition, his judgment is important—

> "a big cut in interest rates."—[*Official Report*, 29 October 1987; Vol. 121, c. 446.]

That is what the right hon. Gentleman said in October 1987.

Let us leave it to stand on the record between us whether that judgment was "steady, steady" or slippery, slippery. [HON. MEMBERS: "What about inflation?"] I am about to deal with that, because the uncomfortable truth for Governments of whatever complexion is that inflation does not respond to soft options. It certainly does not respond to speeches. It takes tough measures, which are inevitably unpleasant, to defeat inflation. There is no choice in my mind about the necessity to defeat inflation.

It was difficult and often painful and unpopular measures that brought inflation down at the beginning of the 1980s. I understand that monetary policy is often unwelcome to people, but that is how every other major industrial country deals with inflationary pressures. That is why we are using interest rates and that is why the Leader of the Opposition should know that we shall continue to use them. We shall use them for one simple overriding reason: they work. No one should doubt that, and that is the only recipe for getting inflation down.

Mr. John Smith: The Government will ruin industry.

Mr. Major: So the right hon. and learned Gentleman would not use monetary policy, but let inflation rise. That is excellent.

[Mr. Major]

The evidence that interest rates will work is indisputable. It is now there to be seen in the housing market, which has cooled down. It is evident in the high street and in sales of new cars. In recent weeks, it has been evident in slower money growth, in the easing of capacity constraints in industry and in a better export performance.

Mr. John Smith: What about imports?

Mr. Major: Imports are down. They are higher than I would wish them to be, but they are down, and in the past 10 months, exports have grown five times as fast as imports. When did that happen under a Labour Government?

Perhaps the real concern in the Opposition's mind is that the policy is working. In this, unusually, they are right. No doubt that is why the right hon. and learned Member for Monklands, East is so concerned and agitated. But it is perfectly true that although the policy is working, its job is not yet done. I readily concede that the inflation rate is still too high and, because of the time that it takes for policy to have its full effect, it may move a little higher yet before it begins to turn down. But turn down it undoubtedly will, towards the end of this year and on through next year—although perhaps a bit more slowly than we had hoped.

We are determined to keep a tight policy in place to secure this fall in inflation. There should be no doubt about that. I have made it clear before—and I willingly do so again in view of what the right hon. and learned Gentleman said—that this policy is not a short-term attack on inflation. It is not a question of bringing inflation down by a few per cent. and then letting up. There will be no pre-election boomlet of the sort sketched out by the right hon. and learned Gentleman. The policy is a long-term attack on inflation. First, we must get our inflation down to our competitors' average level. Then we must get it down further still, then down to the level of the best and onward down beyond that. That is clearly the policy.

Perhaps I may attract the attention of the right hon. and learned Member for Monklands, East. *[Interruption.]* I shall endeavour to do so, and I shall certainly give way to the Leader of the Opposition if he wishes me to do so.

My remarks about inflation do not mean that I am unaware of, or insensitive to, the difficulties that high interest rates cause. I am fully aware of the feeling that they arouse and I do not ignore them or weigh them lightly. But there is another consideration which any Government are bound to take into account and which, in my view, is decisive: the damage that inflation does if it is permitted to entrench itself. If it entrenches itself and goes unchecked, it can cause long-term damage to the economy, as we saw only too clearly in the 1970s when the Labour party did, indeed, leave it unchecked. The legacy of that was acutely painful.

Mr. D. N. Campbell-Savours (Workington): Has Mr. Leigh-Pemberton made any representations to the Government about a pre-election boom?

Mr. Major: I think that the conduct of monetary policy, and economic policy generally, is a matter for the Chancellor of the Exchequer and not for the Governor of the Bank of England, however distinguished. Moreover, Mr. Leigh-Pemberton's discussions with me, whatever they may contain, are a matter for Mr. Leigh-Pemberton and me and not for the hon. Gentleman. [HON. MEMBERS: "Steady, steady."] I am entirely steady and, as I have been reminded of the matter, I still look forward to the Leader of the Opposition telling me the time and the place at which he voiced that extremely interesting proposition.

I know that some people who are struggling with high interest rates may think that nothing could be worse, but the banana republic rates of inflation in the 1970s were definitely worse. To return to that at a time when—once inflationary problems are stripped away—the prospects in every other respect are extremely promising would be quite unforgivable. Under the right hon. and learned Gentleman's prescriptions, of course, a return to high inflation would be inevitable, for reasons to which I shall come in a moment. If the right hon. and learned Gentleman will forgive me for saying so, the leopard has certainly not changed its spots, even if it has developed a Scottish accent.

I find it truly astonishing that the right hon. and learned Gentleman argues for a let-up on inflation—that is implicit in what he says—on the grounds that that is what business wants and needs. That is the way in which the Labour Government acted and we saw what that did to the condition of British industry. The success that British business men and women have made of their enterprises in the past decade has represented the clearest possible rejection of the misguided economic policies and industrial strategies that the Labour party left to us in 1979. Individual business men and women have shown beyond a doubt the results that can be achieved if Governments spend less time interfering, less time regulating and less time feather-bedding them.

It was precisely because the Labour Government neglected their real duties that business and commerce entered the 1980s in such a fragile and pathetic state. Contrast that with the resilience of the economy today: even with interest rates in double figures for two years, business starts still exceed stops by a massive margin, week after week. That is the clearest illustration of the revitalisation of British industry. We have more people in work than ever before. We have managed to halt decades of decline in our share of world trade, actually increasing it in the past year. None of those points managed to find a place in the right hon. and learned Gentleman's familiar speech, but I offer them to him for the future.

The strong growth in exports over the past year, itself a result of strong investment in recent years, is, in my judgment, the best possible omen for the long-term future of the British economy. I note that the right hon. and learned Gentleman made no acknowledgement of that performance, although I am sure that he would welcome it. Our performance did not fit in with the picture of doom and gloom that the right hon. and learned Gentleman sought to paint. As I said a moment ago, in response to a sedentary comment, in the past few months, British exports have been growing five times as fast as imports. In fact, exports have been growing faster than imports for the past 10 consecutive months.

For the future, the prospects opening up in the single market in the next few years will massively increase the opportunities for British firms to trade abroad. There is still more to come as we free up the areas that remain for the completion of the single market. There is still a considerable amount to be done to achieve that. It is in no sense a remit that we can put on the back burner. Britain

is determined to make sure that the laggards in the Community—and we are not among the laggards when it comes to implementing Community directives—keep up with implementing the single market measures and do so with all possible speed.

We face even more far-reaching questions as we consider proposals by our Community partners to enhance economic and monetary integration beyond what has become known as stage 1. There is not a shred of doubt in my mind that at present that is the most important issue facing the whole Community. But so far, the debate in Europe has not fully covered the many important issues at stake, and in the months to come, we are determined to ensure that it does.

There are undoubtedly significant points of disagreement within the Community about how we progress beyond stage 1. But I believe that there are some important areas of general agreement. First, we agree that it is desirable to move forward together—if we can.

Secondly, I believe that it is generally accepted that to make a premature attempt to introduce monetary union while levels of inflation in the Community are as disparate as at present and before we have much more flexible markets would be to risk great strains and tensions.

Thirdly, I think that we all share the ultimate aims of greater price and currency stability and more fully integrated economies.

We think that it is essential to bring out the key criteria that we should be aiming to meet as we examine options. We believe that it is desirable to achieve a greater economic convergence on the performance of the best in the Community. We must also respect the principle of subsidiarity which—to avoid doubt in anyone's mind—specifically means that nothing should be done at Community level that could better be done at national level. Above all, there is an overriding need to ensure that any future arrangements have a strong anti-inflationary character.

The proposals that we have developed, which are now being studied across the Community, will, I believe, meet those criteria, and we shall be advancing them very forcefully throughout the coming months. The United Kingdom's proposed approach centres on the creation of a new anti-inflationary currency, which we have called the hard ecu, and which would be managed by a new Community institution, a European monetary fund.

We believe that the hard ecu would provide an attractive common currency for the whole Community. It would be for people, businesses, and Governments to choose whether and how much they wished to use it. Our approach is new and different in one important respect from the parallel currency proposals that were examined and rejected by the Delors committee: it has been designed in a way that would strengthen, not weaken, the anti-inflationary forces in the Community. It could not lead to extra money creation. We believe that that is essential, since the concern that a parallel currency would lead to undue growth in the money supply is a legitimate one, which we share.

First, the new currency would be part of the exchange rate mechanism, but, by definition, it would never be devalued at exchange rate mechanism realignments against any European Community currency. It would therefore set a stiff standard of competition for national monetary policies and would reinforce monetary discipline.

Secondly, the hard ecu could be purchased only by surrendering national currencies. Thirdly, the requirement on national central banks to buy back national currency from the European monetary fund would oblige them to run a tight ship. This is a novel requirement which was not considered when previous parallel currency ideas were floated.

Mr. John Smith: And rejected.

Mr. Major: And rejected for good reasons—that absent from the proposals were many of the features that are included in the proposals that we have now put forward. It was right to reject those ideas.

Our proposal avoids falling into the trap of blurring responsibilities for monetary policy. Responsibility for the hard ecu would clearly lie with the European monetary fund, while national monetary authorities would still retain overall responsibility for their own currencies. In particular—this is a point that I shall be making very clear to my colleagues in other European nations—our proposals respect the roles of national Parliaments and, as such, are entirely in tune with the overwhelming consensus in this Parliament, as expressed in our debate on these matters last November.

Mr. David Howell (Guildford): Is not my right hon. Friend right to emphasise that the scheme he is outlining is for the whole Community? Would not the alternative idea of a single Eurofed currency certainly exclude some countries whose convergence with the Community's monetary policy had not been fully achieved, which would lead to the divisive two-tier Europe that most good Europeans do not want?

Mr. Major: I agree entirely with my right hon. Friend. It would either exclude some Community countries or, if they were included, create considerable economic turbulence within the Community. On that basis, therefore, they would clearly in reality be excluded, as my right hon. Friend said.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Does the Chancellor agree that if there were to be genuine competition between the pound and the hard ecu, the hard ecu would need to have the same legal status, the same access and the same ability to be transferred, which would lead to the hard ecu having to be made legal tender? Will the Chancellor confirm that in answer to me he said that the hard ecu would not be made legal tender?

Mr. Major: The hard ecu does not have to be made legal tender in any member state of the Community. If, however, it were to be adopted, many states might choose to make it legal tender. Provided that it were accepted by the parties who consented to a transaction, the hard ecu could perfectly legally be utilised without formally being made legal tender. I suspect that the hon. Gentleman and I may be able to debate this matter at length at the meeting tomorrow of the Treasury and Civil Service Select Committee. I much look forward to that bi-annual encounter.

On the point of our debate last November, there seems to be some common ground between us and a number of Opposition Members. I find it not surprising, although perhaps a little sad, that there is little common ground between us anywhere else. There is certainly no common ground between the parties on public expenditure. Despite

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the appearance of rectitude and virtue that the right hon. and learned Member for Monklands, East seeks to establish, shadow Ministers vie with one another almost daily to pile up more and more spending pledges.

The hon. Member for Derby, South (Mrs. Beckett) made a valiant effort, but her claim that Labour has only two spending commitments—increased child benefit and higher retirement pensions—is, frankly, ludicrous. She says that other spending proposals would be fulfilled only when the money was there. She knows, as everybody else knows, that she has no chance whatsoever of convincing the country of that while the leader of her party, the shadow Chancellor and assorted colleagues implicitly and explicitly commit themselves to extra spending in nearly every speech that they make. The right hon. and learned Gentleman referred to the restoration of cuts, but he must surely realise that to restore something means that expenditure must be increased from its present level. Even today he referred to the restoration of expenditure.

The hon. Lady's trenchant message clearly has not got through to her spending colleagues in the shadow Cabinet. With the solitary exception of the armed forces—and how well we understand that—all Labour spokesmen shadowing a spending Department have promised massive increases in expenditure for their client groups. They have not told us, of course, where the money is to come from. In essence, however, it can come from only two places. It can be funded by increased borrowing, with inevitably higher interest rates, or by increased taxation. We know some of the bad news already. The Opposition are pledged to phase out the married couple's income tax allowance. That would make every married couple in the country worse off. Labour would abolish the upper earnings limit on national insurance, thereby making nearly 3·5 million people worse off.

Mr. John Smith: Where does the Chancellor get that from?

Mr. Major: I get it from the right hon. and learned Gentleman's own commitments.

That would add 9 per cent. to the marginal tax rates of nearly 3·5 million people. Labour would extend national insurance to what it has the temerity to refer to—rather inelegantly, I think—as unearned income: what the man in the Monklands high street might conceivably call savings. So much for the encouragement of thrift.

Mr. Smith: Apart from the fact that there is no Monklands high street—the Chancellor ought to understand that it is a district, not a town—on the question of the upper earnings limit for employees national insurance contributions, what is the justification for asking everybody earning up to £18,200 to pay national insurance on the whole of their salary while those who earn more than £18,200 pay national insurance only on part of their salary, with employers having to pay it in every respect?

Mr. Major: The progressive nature of taxation is in the income tax system, not in the national insurance system, and has been there from the moment that the scheme was first conceived. I apologise to the right hon. and learned Gentleman for having assumed that there was a Monklands high street. I now know that there is not, although the right hon. and learned Gentleman no doubt wishes that there were.

What is perfectly clear from the right hon. and learned Gentleman's policies is that his message to the individual is to spend now and pay later—just like Labour's policies would be as a Government. We know precisely where their policies landed us last time.

The fact is that, if Labour spends as it promises to do, it cannot tax as it implies. I hope that the right hon. and learned Gentleman will absorb that point. If Labour sticks to its tax pledge, its spending pledges are meaningless, for the two are wholly irreconcilable. If they are not irreconcilable, let the Opposition show us their arithmetic. If they cannot do so, we shall assume that the Opposition would do what they have always done: have their hands in taxpayers' pockets more often than taxpayers have their hands in their own pockets. That is precisely the way in which Labour Governments have always behaved.

The Labour party called this debate out of a mixture of timidity and desperation—timidity because it was too timid and nervous to call a censure motion, desperation because its fleeting hopes of last spring are disappearing before its eyes.

Mr. Sedgemore: Go on; let us have more of this.

Mr. Major: Yes, there is more of it. The hon. Gentleman, who clearly had an extremely good lunch, must know that in their heart of hearts the Opposition realise that they will not win and that they cannot win. The Opposition have seen their best days in this Parliament and they have now passed.

When inflation comes down, as it will; when, in due course, interest rates can prudently be brought down, as they will be; when 11 years' improvement to the economy brings more prosperity, as it undoubtedly will, the electorate will know where to turn. They will put their trust, once again, in a Government who believe in the market rather than in paying lip service to it; a Government who deliver freedom rather than just talk about it, and a Government who can deliver prosperity rather than seeking merely to redistribute it. That is why, after the next election, Opposition Members will be precisely where they are now—opposite—and Conservative Members will be on the Government Benches.

5.10 pm

Mr. John Battle (Leeds, West): Despite the television coverage of our proceedings in the House and the need to cultivate our media personalities, a curious paradox seems to be emerging in our politics which could be encapsulated in the words, "Whatever you say, say nothing." That is precisely what the Chancellor has done today and it is precisely what the former Secretary of State for Trade and Industry, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), discovered to his cost from the article in *The Spectator*.

I was interested to note on the midday television news yesterday that, when asked to comment on the deteriorating trade figures, the Chancellor had nothing to say. The Chancellor does not seem to have a word to say either to those who have lost their jobs in the basic manufacturing, textile and engineering industries. I suspect that it is the silences, the gaps, the absences in

Government statements, press releases and the words of Ministers, that show the real underside of the Government's economic policies.

Has the Chancellor nothing to say about the increasing unemployment that is becoming a daily experience with closures and redundancies in many constituencies? We now have the new Cityspeak, with redundancies being described by the euphemism "down sizing". For real people it means losing their source of income.

On 14 June the Department of Employment issued a press notice which said:

"The rise in unemployment is not unexpected".

It went on to say that unemployment in Yorkshire and Humberside is falling. But according to the figures in the Library, at the same time the rate in my constituency was increasing. It had risen to 6·9 per cent. If we take into account the 30 changes in calculating unemployment figures, the real rate in my constituency is 10·4 per cent. —4,478 people without full-time work. That is double the Government's figures of 2,965, twice the rate that the Government calculate and, I assume, on which they base their policies.

Has the Chancellor nothing to say? Perhaps he has said nothing about unemployment because unemployment has never been a priority, an election issue, with the Conservative party in the past. The unemployed can simply be written off because they cannot determine the outcome of an election. Their stake in an election is too low. The unemployed do not matter. They can be made, statistically, to disappear.

I am interested that the Chancellor had nothing to say today about the increase in poverty. He gave not a word of apology for the fact that the Government have repeatedly used figures in the House against our arguments which they have now revealed to be completely wrong and misleading. Only yesterday, a document entitled "Households Below Average Income 1981-87" was published which showed that the number of people living on less than half average income rose by 50 per cent. to 7·7 million in the two years 1985-87.

When they are discussing a policy for the family, I hope that the Chancellor will remind the Prime Minister that in 1981 the number of children living in households on below average income was 1·8 million. In 1987, it was 2·4 million —20 per cent. of children. If we were to look at the facts of poverty, we might start to have policies for the family which address that issue rather than the rhetoric that we have heard in recent weeks.

The facts in the document "Households Below Average Income" show that, in 1979, 9·4 per cent. of the population had incomes below half the average. In 1987, 19·4 per cent. of the population had incomes below half the average. The poorest 10 per cent. saw their real incomes reduced by almost 6 per cent., and that in the face of the overall average going up some 23 per cent.

Mr. Anthony Nelson (Chichester): To put the figures in context, will the hon. Gentleman say what the average incomes were in the two years to which he refers, and what the real increase in average incomes was during that period?

Mr. Battle: The hon. Gentleman will be aware that the average income was £239 a week, well above the incomes of many of my constituents. They would be glad to be on the average income. The Government base their calculations on averages, but some Conservative Members do not seem to realise that, if incomes at the top go up, they will pull that average up at precisely the same time as the incomes at the bottom are going down. They have a Heineken theory of economics. It is as though the adverts have taken on real life.

The document "Households Below Average Income" shows beyond a shadow of doubt that there has been no trickle-down effect in our society, by which with wealth generated in our economy is supposed to reach the poorest. The Government used to claim—the hon. Gentleman might care to reflect on this—that the incomes of the poorest 10 per cent. grew faster than those of the rest of the population. Then, in a footnote to a written parliamentary question, it was revealed that the statistical basis of that calculation was wrong and that the incomes of the poorest 10 per cent. did not grow as fast as those of the rest of the population.

It may be of interest to hon. Members to know that annexe 1, table d, of "Households Below Average Income" shows that the real income of the poorest 10 per cent. between 1979 and 1987 was—wait for it—minus 5·7 per cent.; in other words, a reduction in income, not an increase, as my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) made plain. How can we hide that behind the euphemism that their incomes are increasing less rapidly? They are decreasing, yet the Government's press release which accompanied the publication of that document yesterday claimed:

"More people had below half the average 1987 income, reflecting a wider income distribution."

What a euphemism for the fact that the rich are getting richer and the poor poorer. At last the Government acknowledge the fact, but the next Labour Government will be looking for policies which address that fact.

We effectively have two Budgets. We have the real Budget and we have a statement on benefits some time in advance of that each winter which has always reduced the incomes of the poorest. Yet the Chancellor has the nerve to tell us today that £4 billion of public money was given back in tax cuts and that is now seen to have been a mistake by the former Chancellor of the Exchequer.

Yesterday, the first edition of the new Treasury bulletin was published, for which we are grateful. In the foreword to that document the Chancellor says:

"It is important for public debate that we have accurate statistics and accurate information."

I urge the Chancellor to insist that such accuracy should apply to press releases, answers to written questions and answers at the Dispatch Box. It is all right for Mr. Jim Hibberd, who works for the Treasury, to point out in that bulletin that there were misleading indicators which

"clearly underestimated the buoyancy of the economy."

That underestimate may have misled the former Chancellor of the Exchequer. It also resulted in millions in Britain paying the price for this Government's economic policies and in the rash, tax-cutting, classic Tory, old-fashioned methods which unleashed the consumer boom for which this Chancellor is now having to pick up the pieces.

I noticed that the Treasury bulletin also said that there would now need to be "judgmental revision". I hope that that does not mean that we shall be told that the Government will make judgments about unemployed people. I also hope that that does not mean that the decision will be, as was suggested by one of the institutes,

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that the unemployed should no longer receive unemployment benefit and that people should take out private insurance against times when they might lose their jobs. There would, in other words, be no unemployment benefit as a basic national social security cover. The Treasury is forcing people to pay the price for the decisions of the previous Chancellor.

Over the past 10 years, we have experienced the sustained and systematic statistical abolition of poverty, unemployment, low pay and housing need. Blindness has been deliberately fostered in Government policy to the very existence of the unemployed and of the poor as real people. There has been an insistent silence when appeals have been made to tackle the increasing structural poverty in our society. There have been denials that the divisions have been increasing.

The Treasury bulletin says:

"There are clearly very different stories".

I hope that Conservative Members will listen carefully to some of the stories that they may hear in the recess from their constituents who struggle to pay their mortgages, struggle to pay the poll tax and struggle to find homes that are appropriate to their needs. The poor should not be derided as freeloaders, as one Minister referred to them recently in a televison interview on the poll tax. It may not occur to Ministers when they say that people on rebates are freeloaders that they receive a rebate precisely because their income is too low to enable them to pay their own way. The Government should raise their incomes and we might then tackle the problem of rebates. I remind Conservative Members before they go on television and castigate the poor as freeloaders that the poor are all means-tested before they have access to those rebates.

It is fair to point out that the Chancellor did not refer to the unemployed or to the poor. However, he also says nothing about the report in the *Financial Times* yesterday that, according to the latest surveys, Britain's managers are all on course for a 13 per cent. rise in total pay. The Chancellor says nothing about the fact that former state-owned organisations reacted to their newly found private status by awarding large increases in earnings to their best-paid directors. In four of them—Enterprise Oil, British Airways, the British Airports Authority and Jaguar—the directors all received an initial year's increase in salary of 100 per cent. The Chancellor says nothing about the recent report on City fringe benefits, which include that special perk of a cheap 5 per cent. mortgage. This year alone, for 200,000 people it is estimated to be worth £380 million. The Chancellor says little about how the £91 billion benefits of North sea oil revenues of the past decade, which the Government had at their disposal, have been squandered.

The Chancellor has nothing to say about the recent regional inequality. The regional trends survey published this month showed a widening of the north-south division in terms of regional differences in income, share ownership and the growth in second jobs. The number of people with second jobs increased massively in the south-east—between 1981 and 1988 it increased from 162,000 to more than 300,000. The increase in second jobs is far smaller in Yorkshire and Humberside. The increase in income disparity between 1985 and 1988 was 30 per cent. per head in the south-east, 32 per cent. per head in the south-west and 24 per cent. in Yorkshire and Humberside. If we use an index under which national average income is taken as 100 in 1988, the south comes out at 117, and Yorkshire and Humberside at 89·9, lowest of all and only just above the figures for Northern Ireland. The region that I represent is a low-wage, part-time job area and the Government's policies are intent on keeping it that way.

The Chancellor may be quietly trying to lay the ghost of Professor Sir Alan Walters. The new Treasury bulletin says that the Central Statistical Office will be shifted from the Cabinet Office to the Treasury. The Prime Minister may be quietly undermining that strategy by ensuring that one of the Chancellor's new junior Ministers is a member of the "No Turning Back" group. What characterises that group is that it has a classic formula for turning its back on whole sections of the British population.

When a Government adopt a policy of "whatever you say, say nothing", I am reminded of a comment that was shouted out by Conservative Members about the phrase in the United States election, "Watch my lips". That is the say nothing politics and the ultimate in economic and political body language of 1988. What happened? Last month, President Bush carried out that long-awaited U-turn. He acknowledged that he needed to increase some taxes to bring his runaway budget deficit under control. There will now be new taxes and it is interesting to note that they will be indirect taxes, which are precisely the taxes about which this Government forget to tell the people. They have increased indirect taxes to almost double the level that they were when they came into office.

The people of Britain should be reminded that the overall tax burden of personal tax under this Government has risen from 34 per cent., which it was under Labour, to 37 per cent. of personal income. Yet the Chancellor has nothing to say about the fact that people are paying more tax now. The Government still deny that the Tories tax people; that is not even to be whispered.

The time of the monetarists and of the Chicago school has come and gone. I hope that, when we have a new Chancellor in a Labour Government, the policies of this Government will be rejected and that those who have been marginalised and left out of the Budget will be included.

5.26 pm

Mr. Tim Smith (Beaconsfield): I congratulate my hon. Friend the Economic Secretary on his appointment to the Treasury Bench. I met one of his constituents last night who was bathing in the reflected glory. His constituents have every right to be proud, as he will make a most valuable addition to the Treasury team.

I also congratulate my right hon. Friend the Chancellor of the Exchequer on his speech. I congratulate him especially for one reason. He succeeded in ensuring that the Leader of the Opposition finally conceded that, in late 1987 and early 1988, the Opposition called for substantial cuts in interest rates. I recall that a motion on the Order Paper at that time set out that demand. Everything that the right hon. and learned Member for Monklands, East (Mr. Smith) says now should be seen in that light. There is no credibility in his position now because of his position then. If we had followed his policies then, we should have been back to the 27 per cent. or 28 per cent. inflation that we had in 1975-76. We should have had a complete re-run of the record of the previous Labour Government. We should address ourselves to that record and to the right hon. and learned Gentleman's words at that time, and not

to the hot air earlier in this debate, with little specific information about what he would do to address the country's current problems.

Although the right hon. and learned Gentleman rather pooh-poohed this, there is an important point about the construction of the retail prices index. When the index looks at housing costs, it concentrates on mortgage interest and not on house prices. If house prices were included in the index, we should have had an earlier sign of the inflationary problems to come. Rising house prices are in themselves a useful early sign of coming inflationary problems. If we gave more weight to house prices in the RPI, that would give a better impression of inflationary trends in the economy.

Another important reason why we should address that problem is that the figures that the right hon. and learned Gentleman quoted, as the Chancellor said, are not comparable. Rates throughout the rest of the EC show that the inflation indices of other countries are compiled on a different basis, a subject which the Public Accounts Committee examined recently and to which, in due course, the Retail Prices Index Advisory Committee will have to return.

We must consider the construction of the index in relation to the community charge. The reference on the community charge was made to the advisory committee before transitional relief was announced in the autumn of last year. As a result, the decision to take no account of transitional relief was made not by that committee but by the Central Statistical Office.

It is wrong not to take account of transitional relief, because it is not an income-related relief. It is available automatically to people, regardless of their income, depending on the rateable value of their homes under the previous arrangements. I hope that Treasury Ministers will examine that point, because the committee will soon be publishing a report recommending that the matter be referred to the RPI advisory committee.

I am glad that the hon. Member for Leeds, West (Mr. Battle) has taken part in the debate, because he was unwell recently and was unable to attend some of the Standing Committee meetings on the Finance Bill. I am pleased to see that he is better. He said that Conservatives did not care about unemployment. To suggest that a Government who have presided over a larger increase in the number of jobs in the economy do not care about people without jobs is absurd.

We also share the concern that the hon. Gentleman expressed about people on low incomes. What better solution is there to unemployment or low incomes than to create more jobs? More people now have jobs, providing them with a standard of living that they have not previously enjoyed.

Mr. Battle: I thank the hon. Gentleman for his kind remarks.

Although the Government claim that the total number of jobs has increased, that may be because part-time jobs are included in the statistics. Is it not a fact that the total number of unemployed people has been consistently high under Conservative rule, higher than was ever the case under Labour? In other words, there are more people unemployed now, even though more people may be working in part-time jobs.

Mr. Smith: I would not dismiss part-time jobs as of no value. They are not normally the sole source of a household's income. Indeed, a second earner normally has the part-time job, and such jobs provide a considerable improvement in the standard of living of the avarage family. In the last 10 years, average earnings of the average man with two children have risen by about 30 per cent. That has been an outstanding achievement, especially compared with the situation under the last Labour Government, when the increase was only 1 or 2 per cent. over six years.

I am sorry that the hon. Member for Leeds, West derided the performance of some privatised companies. Privatisation has made a tremendous contribution to the supply side of the economy in recent years. A major improvement during those years has occurred in productivity. The Library recently published a background paper which examined British manufacturing productivity. A table on page 1 showed that, from 1980 to the third quarter of 1989, manufacturing productivity in the United Kingdom rose by 28·5 per cent. whereas the figure for West Germany, about which the hon. Gentleman made such a song and dance, was 13 per cent.

I appreciate that we are still some way behind, but we have narrowed the gap considerably. One example—admittedly an outstanding one, but it is worth considering the best—is the record of the British Steel Corporation, and that document looked into its performance. There are three reasons for the huge increase in manufacturing productivity. The first is the restructuring of British industry, so that it is more efficient. The second is the much higher rate of capital investment—and the main source of funds for that investment has been retained profits, with profits now back at levels not seen since the early 1960s. The third is the degree of improved capacity usage.

That record has been aided and abetted by the many supply side changes that the Government have made in the last 11 years. For example, we have not interfered with business. We have got off the backs of business and have allowed management to manage. I believe that to be the main reason for privatising companies—getting rid of unnecessary bureaucratic regulations.

Also important has been our low corporation tax regime since 1984. That has been attractive for investors at home and abroad. Another factor was drawn to my attention at lunchtime by a business man who said, when I told him that I would speak in the debate, "Don't forget to mention the massive improvement in industrial relations in Britain in the last 11 years, and the fact that we have had a record low number of days lost through strikes."

All those factors have enabled British industry to operate so much more efficiently that we have such a good record on productivity. We have much increased profitability and, as the Chancellor said, we have a good export story to tell. Figures for the last year show that, although we still have a large trade deficit, the trend is now in the right direction. While the volume of exports is rising at about 12 per cent. per annum, the volume of imports is rising at about only 3 to 4 per cent.

What should we do to maintain the momentum in the 1990s? We must maintain our attractive tax regime and not fiddle with it, because it has encouraged much inward investment. We must continue to examine Government regulation, deregulate where possible and make further supply side changes to make the economy more efficient.

[Mr. Smith]

I agree with the right hon. and learned Member for Monklands, East that we need to invest more in education and training, although he should not pretend to the House that it is somehow a short-term solution. I fully support the introduction of the national curriculum, but that is only just getting under way and the first school kids to have gone right through the curriculum will not emerge from our schools for another 10 years. So it is wrong to pretend that the investment will pay off in the next year or two. It is important that the curriculum is adequately resourced, and I hope that that will receive attention in the context of the current public expenditure round.

Most important—this is why the Chancellor paid such attention to it—is the need to get inflation down. That is why I support the tough monetary policy that he has adopted in the last year. In my view, it must be supported by an equally firm fiscal policy.

There are signs, to which my right hon. Friend referred, of a slowdown in the economy. This is a difficult time for public spending, but it is vital that it is kept under firm control. The only Departments that should be allowed a real increase are the Department of Health and the Department of Education and Science, for the reasons I have given. There is room for cuts to be made in the expenditure of other Departments' budgets, such as the Ministry of Defence, the Department of Trade and Industry and the Department of Energy.

The Labour party is always trying to pretend that, in some way, the period 1964 to 1970 was a fine time for public spending, and that since then we have done nothing but cut public expenditure. A significant table in the Autumn Statement sets out trends in public spending over the last quarter of a century. In 1973-74, in real terms, spending was £150 billion, at 1988 prices. In the following year—the first year of a Labour Government—it shot up to £169 billion, an increase of over 10 per cent. in one year.

In every successive year from then on, public spending was cut, and by the end of Labour's period in office it was back down to £165 billion, £4 billion less than it had been five years previously. That was the starting point for this Administration—£165 billion—and this year public spending is £192 billion. That gives the lie to anybody who suggests that in overall terms this Government have cut public spending. They have not. However, what they have succeeded in doing—this is the trick—is to decrease public spending as a proportion of our national income. At the low point under Labour, it was about 48 per cent. of GDP; today, it is 38 per cent.

We should be quite clear about Labour's policy. The right hon. and learned Member for Monklands, East has said that his only spending commitments are to increase child benefit and to increase pensions. However, when asked on "Panorama" where he would find the money for the extra spending commitments, the Leader of the Opposition said that any other spending commitments must depend on the economic situation and on securing economic growth. He was then asked, "That is all very well, but how are you going to secure economic growth?" The answer was, "Ah, well, we must invest more money in education, training and the infrastructure." If that is not public spending, I do not know what is.

The Labour party must make up its mind about what comes first: are we to have more spending followed by economic growth, which is fuelled by that spending, or are we to have the growth first—and if so, where will it come from? The right hon. and learned Gentleman has not answered that question. As long as he fails to do so, his policies have no credibility.

Mr. Jacques Arnold (Gravesham): Has my hon. Friend noticed that the hon. Member for Kingston upon Hull, East (Mr. Prescott) has said that £3 billion will be spent in the early days of the next Labour Government, which he foresees, on the high-speed rail link, which would be financed totally by borrowing, which he seems to believe will have no effect on the capital position, let alone on the revenue costs?

Mr. Smith: My hon. Friend is right to draw my attention to today's spending commitment from the Labour party—another £3 billion on the high-speed link——

Mr. Battle: From where?

Mr. Smith: I do not know—presumably from the channel to London. I think that that is what is suggested, but it is £3 billion——

Mr. Battle: Where is the money coming from?

Mr. Smith: That is the question that the Labour party should answer. There are only two possibilities: either the money is borrowed, in which case interest rates rise, or taxes are increased. There are no other sources of revenue for a Labour Government or for any other Government. It is about time that Opposition Members had the honesty to recognise that and to tell the country how they will finance all their projects.

5.42 pm

Mr. A. J. Beith (Berwick-upon-Tweed): Although the debate began with good-humoured contributions, it seems to be degenerating into an exchange of insults about who will spend what. The hon. Member for Beaconsfield (Mr. Smith) did not really refer to the purposes—and perhaps the achievements—of the Government's economic policy on a broader canvas. If one were looking for some examples of what one thought the Government had been trying to achieve—it is not an easy task—one could pick out certain things.

The hon. Gentleman did refer to the improvement in industrial relations that was brought about when the Government took on some of the measures that we have been pressing on them for years—such as holding postal ballots before strikes and putting unions more effectively under the control of their members through that postal ballot system. However, he could also have turned his attention to the reassertion of the role of private enterprise as the primary engine of economic success in the public mind.

That is one of the most useful things that has happened in the lifetime of this Government. However, there has been a signal failure to tackle the monopoly prevalence in our system. Indeed, the Government have converted public monopolies into private monopolies by the way in which they have carried out their privatisation policy, and have failed to address the consumer protection issues or the social issues, to which the hon. Member for Leeds, West (Mr. Battle) referred, without which the success of private enterprise seems hollow to the people who do not have the means to purchase the goods that are produced.

There seems to be no sense of the Government having any continuing overall purpose to their economic policy, which is a strange thing to have happened after so long. However, perhaps it is not all that surprising, when one considers the way in which the Government are bogged down in their economic failures and the consequences of their mistakes. No one can look at the trade figures, the inflation figures, or the balance of payments figures without seeing a history of failure, which owes its existence to a series of mistakes made by the Government in their economic management, which is the focus of this debate.

The Conservative party now likes to place much emphasis on the failures of the former Chancellor of the Exchequer. There is always somebody previous who is responsible for inflation. It used to be the previous Labour Government or the preceding Conservative Government —the Heath Government—but now the former Chancellor of the Exchequer is recognised as having made mistakes. Some of the most significant mistakes were made in the 1988 Budget, some of which the right hon. Member for Blaby (Mr. Lawson) has now admitted. He has admitted, for example, that it was a mistake to stage the ending of multiple mortgage tax relief until the August of that year because, along with the expansion of the credit, the right hon. Gentleman added another engine of increase.

There is a whole series of mistakes, of which the major one must be the tax cuts themselves——

Mr. Major: I do not recall the hon. Gentleman mentioning those matters as mistakes at the time. I do not recall him criticising the reductions in interest rates in late 1987, and I expressly do not recall him criticising the four or five-month period in which people could keep multiple mortgage interest relief—for the very good social reason, which the hon. Gentleman should understand, that it enabled young people who were purchasing to complete the transactions into which they had entered.

Mr. Beith: The right hon. Gentleman must look at the record. He will then find that I did indeed criticise his predecessor on that count. Interestingly, when his predecessor appeared before the Select Committee on the Treasury and Civil Service to explain why that had been done, he did not give the good social reason that the right hon. Gentleman has just advanced. The right hon. Member for Blaby said that he had been advised by the Revenue that the computer system could not cope with the change as rapidly as he had intended to make it. He did not have a social reason: he had a technical and administrative reason. I pointed out the effects of that measure and of the other measures in the Budget at that time.

However, the present Chancellor himself has made mistakes. In a debate only last week, the hon. Member for Eastbourne (Mr. Gow) pointed out that the Chancellor should have raised taxation in his last Budget, and said that, by not doing so, he had made the current inflationary problems worse. The Chancellor has been slow—his predecessor was also slow—to take any of the voluntary steps to dampen credit that should have been taken, but he has now advised the banks that they should stop their high-pressure circulars that encourage people to take out loans that they cannot afford. That could have been done long ago.

Alongside those management mistakes, it has also been a mistake on the Government's part constantly to encourage high expectations of the Government's success. Even now, the Chancellor seems to have private meetings with Conservative Members, at which he tells them that things are not really going all that well, that it will be a tough winter and that the public expenditure round will be extremely difficult; but he does not often say such things in public.

The Government's practice—this applies even more to the right hon. Gentleman's predecessor than to himself —has been to lead people to believe that everything is fine and that they can reasonably take out large borrowings, because everything will get better and interest rates will come down in due course, although they will have to be kept high for a little longer. All those expectations, which are generated by rosy economic statements, do not help to bring about the self-discipline for which the Chancellor is asking and which he knows the economy requires.

Perhaps the most remarkable errors of all are those that the Government are making over Europe. The Government seem incapable of any clear, settled or united policy towards Europe. The plans for the hard ecu, which the Chancellor has devised with the assistance of Mr. Butler and others, has the singular merit that it enables one set of people in the Conservative party to believe that it will never lead to a single currency, a European central bank and full monetary union, and another set of people in the Conservative party to believe that it is a constructive and significant step along that road, which I suspect is the Chancellor's own view.

The right hon. Gentleman is assisting the Labour party in the same respect, because a number of Labour Members take the same view of the conditions that the Labour party has set down for joining the exchange rate mechanism. I

[Mr. Reith]

believe that it was the hon. Member for Great Grimsby (Mr. Mitchell) who said that he was quite satisfied with the Labour party's attitude to the exchange rate mechanism, because the conditions were such that they could never be satisfied. He is probably right, because the condition that the whole exchange rate mechanism should become a reflationary process, which is effectively one of the four conditions, will not be satisfied. Those conditions also have the merit that they can mean different things to different people.

Mr. Major: I am grateful to the hon. Gentleman for making that point, which in essence is entirely right. People must understand that the specific circumstances under which the Labour party has said that it will join the exchange rate mechanism would mean nothing other than the destruction of the exchange rate mechanism itself. It is a piece of flimsy oratory to cover the fact that the Labour party has no policy. The hon. Gentleman may be right in his implicit criticism that I should have made that point earlier.

Mr. Reith: I hope that the right hon. Gentleman recognises the beam in his own eye, or that of the Government. Setting up structures which mean different things to different people makes a wide political impression.

I was fascinated by the response from the Leader of the Opposition during Prime Minister's Questions the day after the Chancellor's plan was unveiled. He said to the Prime Minister:

"I have read the speech. I wonder whether the Chancellor explained to the right hon. Lady that if the idea that he put forward were accepted, with the European Monetary Fund and the hard ecu, it would be the final surrender of monetary sovereignty by Britain".—[*Official Report*, 21 June 1990; Vol. 174, c. 1107.]

I was most intrigued by that, as it was not clear whether the right hon. Gentleman was saying to the Prime Minister, "How outrageous it is that you, the Prime Minister, should even contemplate the surrender of monetary sovereignty which I, as the Leader of the Labour party, would never contemplate"; or whether he was simply pointing to an obvious inconsistency in the Prime Minister's attitude. I suspect that, when he said that, he thought that the Labour party would never contemplate such a move in any circumstances, so the ambivalence surrounding the Labour party's attitude to Europe is similar to that of the Government.

It is carried through in their attitude to a European central banking mechanism, which is part of the all the plans put forward so far, except that proposed by the Chancellor. The right hon. and learned Member for Monklands, East (Mr. Smith) made Labour's position quite clear in his response to my earlier intervention. He said that the Labour party would have none of that and did not want an independent autonomous central bank. He is at one with the Government in that. There are stages in serious prospect in the minds of our major partners in Europe which neither the Conservative party nor the Labour party is prepared to contemplate. They are key elements in European monetary union.

The refusal to accept what is happening in Europe seems to sow the seeds of downfall for any policy pursued by the Conservative party or the Labour party as long as they retain those prejudices. I do not understand what rôle the Government or the Labour party envisage for Britain in future. I do not believe that the rest of Europe will accept the Chancellor's plan. It has been accepted by many of our European partners as evidence that he is in earnest about trying to find a basis on which Britain can play a part in the future economic development in Europe, and he has dragged the Prime Minister into that testimony of earnestness. However, I shall be most surprised if his plan is preferred to the proposals in the minds of the Germans, the French and our other European partners.

What will the Chancellor do if our European partners decide to go ahead and we are left out? The obvious conclusion is that we will remain in the second division, eventually to be joined by Hungary and Czechoslovakia in years to come, when they become supplicants to join the European Community, and that we shall remain outside the major developments in Europe. That would be disastrous for Britain. It would be disastrous for Britain's industrial position and for the hopes of the City, which could reasonably expect to be the financial capital of Europe when financial and monetary union is achieved. It would leave Britain in a very much weaker position.

Within that argument about our future there has suddenly broken out the row about what we think about the Germans—a most extraordinary episode. The remarks subsequently disowned by the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), which seemed to be fuelled by a mixture of malevolence and jealousy against a nation that has succeeded where Britain has failed, were given substance by that extraordinary Chequers seminar and the assortment of prejudices drawn up there.

Why was there no serious analysis about what has made Germany a successful economy in the post-war years? The writings of the commentators on what has happened in Germany show common agreement on a number of key elements. Some of those elements are political, such as having a decentralised system of government with centres of power away from the capital and the consensus produced by a fair electoral system which ensures that Governments have to carry wider support than that of their own party. Some of them are about economic decision-making, in particular having a central bank which has an autonomous responsibility for price stability and therefore effective control of monetary policy.

That is not a superficial claim about the German economy. No serious economist would not regard that as having played a major part in Germany's success in fighting inflation. Yet today the Chancellor made it clear that the Chancellor of the Exchequer and not the Bank of England will have responsibility for monetary policy in future. Can he or the official Opposition pretend that Britain can demonstrate that it has been more successful by leaving the control of inflation solely in the hands of the Government than has a country which has given its central bank a major rôle in the control of inflation? Of course they cannot.

Among the other features which have been important in Germany's success is the record of training through the education system and in employment. The hon. Member for Beaconsfield referred to the budgets of Government Departments. He should remember that the Department of Employment's budget was one of the casualties of the last public expenditure round. Just when we should have been increasing expenditure on training, it was cut.

In Germany, trade unions have played a more constructive role than has traditionally been expected or encouraged in Britain. I took part in a discussion in Germany in which a Labour Member asked, "Surely what you say will happen in East Germany will not happen because the trade unions will insist that they do not suffer all those job losses as the firms are made more efficient."

The German officials to whom we were putting those questions were amazed, because the idea that a trade union would not understand the need to increase efficiency had not even crossed their minds. In Germany, the trade unions traditionally have operated a more progressive approach to industrial change, and that has been a major factor in Germany's success. Germany has also recognised the need for essential public investment in the transport system, for example.

We are not learning the lessons of German success. Instead, we are complaining about that success. Decentralised government, a fair electoral system, an autonomous central bank with responsibility to deal with inflation, training, investment and constructive trade unions do not form a package that the Government or the Labour party can accept in its entirety. They should be part of a package of change for Britain. They have long been part of the policies of my party. That is why our approach to Britain's economic policies has proven marks of success.

Why do those who believe that leaving the field open to German dominance in the European Community poses a danger to Britain persist in supposing that the proper response is to keep Britain on the sidelines, to resist the development of the policies that I have described and to leave Britain in Europe's second division? That would be a recipe for economic failure.

5.57 pm

Mr. John Browne (Winchester): I congratulate my right hon. Friend the Chancellor on a quite outstanding speech and support him and the Government's policies in the proposals submitted to our European partners on economic and monetary union. As the Chancellor said, they are based on the so-called hard ecu. Our economy has been and will be vitally affected by currency and interest rates.

At the outset, I declare a financial interest that may be affected by European monetary union or the strength or otherwise of the European economy. At the heart of European monetary union lies the political and economic integration of Europe. Economically, the forces are for integration in economy of scale and flow production, and the lowering of customs barriers. These factors force us towards economic integration.

But the key to integration is political. The political elements often hold back for understandable reasons, such as the protection of jobs and prices, and even for cultural reasons. Those are two competing forces—one to integrate and one to hold back. Political integration is all about sovereignty, but sovereignty is an emotional matter of the heart. We must ask why politicians would willingly yield sovereignty. I submit that the answer is similar to that given by entrepreneurs when they yield equity or sovereignty in their companies—that it is survival. The survival of Europe must mean the yielding of sovereignty. It is a question of how far and how much at any time.

European monetary union is mainly dependent on the outlook for Europe. What are Europe's prospects until the turn of the century? The evolution of the 1990s in Europe has been already dramatically affected by one man, Mr. Gorbachev—or Gorby, as he is known at the grass roots. He has unlocked the static trench warfare of the cold war and has challenged the world to mobile competition. Gorbachev has issued the world a new challenge which, unusually, is not of war but of peace. He proposes to change the nature of peace itself, from the peace of nuclear deterrence under which we have lived for 45 years, to a peace of detente. It is to swap mass mutual destruction for the hope of mutual trust.

Mr. Gorbachev's new challenge has successfully removed the bogey man from the strategic scene. It has also had other interesting consequences, which will crucially affect the future of Europe.

First, it has heralded the end of the second world war. I sometimes find it hard to remember that the losers of the hot part of that war were Japan and Germany.

Secondly, it has catapulted Europe back to the centre of gravity in world politics. The main question is, what Europe? Is it a Europe that ends in Berlin, or a Europe that ends in Moscow? Thirdly, Gorbachev's new challenge has catapulted Europe back on to the centre stage of world politics. But it is an uncertain Europe. It has changed so much. The two clenched fists—the Warsaw pact and NATO—have now opened. At one time they faced each other antagonistically, with great forces for union within their membership. Now, individual nations wish to do more of their own thing.

Mr. Gorbachev has also lit the fire of freedom throughout central and eastern Europe. When the Governments of the west lit the fires of freedom in the western economies, the problem that had to be faced was greed. With the lighting of the fire in totalitarian states, the problem that must be faced is revolution.

Europe is at the centre of a world stage that is showing signs of an ominous growth in trade blocs. I am thinking especially of the United States and Canada, of Japan and China, and of the European Community. There is potential for those three trade blocs to become isolated from each other. However, there is the counter force of globalisation. The lesson of Chernobyl is that to love one's country is no longer anywhere near good enough in itself. If we really love our country, we must watch and take interest in what is happening in neighbouring countries.

Fourthly, Mr. Gorbachev's new challenge has exposed a change in the super-power structure. In 1945, Great Britain was replaced as a super-power by Russia. Now, 45 years later, Russia itself is being replaced as a super-power. The question is, by whom? Will it be the new Europe or the new Germany? The new Europe is big—some 350 million people and an economy of $4 trillion accounting for about 20 per cent. of the world's free trade. What is more, that trade is balanced, with about $400 billion of exports and $400 billion of imports a year. That is a powerful bloc.

What form will the new Europe take? Economic and monetary union is crucial to that decision. Will it be a Europe of member sovereign states; will it be a Europe of one federal state; or will it be a Europe dominated by a single member state?

Germany is a country of about 100 million people. Even the Romans failed to conquer it. The praetorian guard was heavily Germanic. It was the protector of

[Mr. John Browne]

Europe for many years under the Teutonic Knights. The West German miracle is a modern example of the strength and vibrance of the German nation.

What has Germany already achieved and what will it possibly achieve now that it is united? What will it achieve as a member of the EEC and adjacent to central European and Soviet Union markets? A major force has suddenly erupted within the EEC. The vital question that the whole of Europe must answer, including the Germans, is how Europe can best assimilate Germany in the longer-term interests of Europe in general. At the heart of that answer will lie our policies towards European monetary union.

I believe that the headlines of history will record this time as one of legend, of great opportunity and of risk, of unprecedented change, and of uncertainty—almost the fog of a sudden peace. At a time of such great uncertainty, risk and opportunity, the House and many like it throughout Europe are being asked to make a dramatic decision about something that is dear to us and to the hearts of our constituents—the future of our national sovereignty. In this uncertain world, we are being pressed to go ahead with European monetary union or a single European currency, yet that proposition is being put to us before the establishment of a single European market, let alone a single European economy.

We are being asked to join the exchange rate mechanism. It is clear that it is dominated by the deutschmark. An illustration of that is the Government's action in the wake of the financial near-crash of October 1987, when there was a risk of a resultant economic crash. The Governments of most western nations correctly injected a great deal of cash into their systems. It is easy with hindsight to say that that was incorrect, but at the time we all believed that it was correct. That cash injection was highly inflationary. Germany, with a much more disciplined economy, brought its inflation under control much more rapidly than we did, and it started to drop deutschmark interest rates. However, Britain had shifted its focus from the Unites States dollar to the deutschmark, and to keep the sterling-deutschmark parity we also started to drop our interest rates. Economically, it was far too soon and inflation kicked up yet further and brought the Government under great strain. It even called into question the future of the Prime Minister. The "Thatcher factor" in the value of sterling should not be underestimated.

The vital lesson of that example was that the interests of the deutschmark are not always or necessarily the same as the economic interests of the other member countries. While joining a deutschmark-dominated bloc may be seen as anti-inflationary on the surface, we must question whether that is true in terms of members' individual economies. The answer is far from clear and can often lead to an inflationary impetus in a domestic economy within the EEC. The ERM is certainly no panacea for sterling or the United Kingdom economy.

European monetary union is the ultimate surrender of sovereignty. History shows that the old Saxon capital of England, Winchester, was taken over by the Normans in 1066 or thereabouts. Winchester and London were then the joint capitals of England. When the Treasury and the mint were moved from Winchester to London in 1240, London became the undisputed capital. There is a lesson in that, because where the mint, the Treasury and the money go is where sovereignty goes.

At this time of uncertainty, we must question how much sovereignty we should yield, particularly as European monetary union is based not on gold, which is supranational, but on paper currencies, which are geared to politics and over which politicians have influence. There is not even a single European market, let alone a single European economy, and paper currencies tend to reflect the political aspects of economies. Before we reach that stage, is it wise to contemplate moving to a single European currency?

The deutschmark is strong and reflects an extremely strong German economy. If the economies of less competitive nations of the EEC are exposed to the full gale of German economic competition in one sudden blast, many companies, even entire industries, will be blown away, causing massive unemployment in some regions, and Britain will become a region. There could be massive unemployment and much suffering. It is in the interests of member states to bide their time not only to allow members to grow more competitive but to adjust our economies. In other words, we need an economic shield, an economic greenhouse, such as we use for young plants. The Government discriminate quite heavily in favour of small and new businesses in terms of employment legislation and tax, and we should do that in Europe. We need time to allow for the evolution of European currency and to avoid European currency revolution.

We are at a crossroads in Europe. We face the options of an EEC of sovereign nations, a federal state or a state dominated by a single country. We are an amalgam of widely disparate economies reflecting different strengths and weaknesses, and until the disparity of EEC nations is resolved we should avoid any sudden or abrupt move to a single currency.

The EEC is young, it is not yet a single market and it is facing uncertainty. It needs time to develop, by evolution rather than revolution. At the same time, there is pressure to do something because, if Governments do not do so, the grass roots may take the initiative and select their own single currency, which is likely to be the deutschmark.

The British proposal for evolution based on the hard ecu is good. It is non-inflationary and I particularly welcome the buy-back provisions for the central banks. It allows time for EEC members to adjust to the international competition of a single market and to harmonise or converge their economies in the single market of 1992. It will allow for politically humane economic adjustment within EEC countries and it offers the flexibility which any prudent person or banker would demand when facing an era of such change and uncertainty. Most important, it is in the best interests of Europe in general.

The British proposal should be adopted by all EEC members and I wish my right hon. Friend the Chancellor good luck in persuading his colleagues in the EEC to adopt it.

6.14 pm

Mr. Joseph Ashton (Bassetlaw): I shall make an astounding revelation for tomorrow's *Financial Times* by saying when interest rates will change. There will be a full 1 per cent. cut at 3.30 pm on Thursday 11 October, and it will be announced at the Conservative party conference.

Mr. Irvine Patnick (Sheffield, Hallam): That is my birthday.

Mr. Ashton: Mine is the day before, and it is the Prime Minister's two days afterwards, when she will be 65 and ready for the old-age pension.

It will be announced then because the only economic plan is to get the Tories elected at every election and it does not matter a damn what happens in between. If they have their eyes set on October next year, they will try to reduce interest rates by 5 per cent. between this October and next October to give them a chance in the general election. I think that they have left it too late and that they will have to wait until 1992, but that is obviously their plan. Let us not hear any nonsense from Conservative Members; the Government are rigging the economy.

That put us in the mess that we are in now. Immense numbers of credit cards were given out in 1985 and 1986 to get the Tories elected in 1987. Anyone, whether they were unemployed, had tuppence in the bank, could not read or write or had a long history of bad hire purchase payments, was allowed to walk into Debenhams, Marks and Spencer or Rackhams and take on a credit card.

Newspapers sent 17 and 18-year-olds to see how much they could borrow. They bought £10,000-worth of high-fashion clothes, and that was all geared to the Tories winning the 1987 election. Industries were sold off, British Gas was sold to Sid, who never bought a share in his life, and we were allowed to believe that he was becoming rich. People were allowed to take on massive mortgages until it all collapsed.

What happened when we were younger? There was no such thing as a credit card, but we had normal, old-fashioned hire purchase. You could not borrow more than a certain amount of your wages and had to pay a deposit to show that you had cash to start off with. It was paid back over two years a little bit at a time, and you could not get one thing without paying for the first. If you wanted a fridge, you had to wait until you had paid off the carpet. That system discouraged people from getting into debt.

When I bought my first house, I could borrow two and a half times my annual income and had to have 10 per cent. to put down. That worked, house prices increased with wages and we did not have a rocketing boom as in 1986 and 1987. People could afford to buy a place to live.

What happened? The Tories removed controls in 1986 and people were allowed to borrow £50,000 or £60,000 when they were earning only £10,000. The two-and-half-times annual income limit for borrowing on mortgage went through the window. People were allowed to borrow three, four or five times their annual income. No wonder house prices rocketed.

I shall reveal another secret of the universe. Everybody wants to know the magic moment in time when house prices take off. It is about three months after the Prime Minister buys one. If hon. Members want to buy a house and see its price double, they should wait until the Prime Minister buys one. They all do it. Harold Wilson bought one in 1969, Denis Healey bought one in 1977, the Prime Minister bought one in 1985 and within months prices rocketed.

Mr. Jacques Arnold *rose——*

Mr. Ashton: I am sorry; I am limited for time.

The Tories are always attacking the Labour party for the inflation of the mid-1970s. That inflation was caused not by the Labour party but by oil prices, and they know it. They kept on blaming the Labour Government until it stuck in people's minds. The Arabs fought the Israelis, the price of oil trebled and it caused inflation in every country in the civilised world. It was not just the Labour Government. We reacted to that inflation with the co-operation of the unions and with an incomes policy until we reduced inflation from 25 per cent. to 8 per cent.

The Government cannot blame other countries, because we have had the benefit of oil. Inflation, which is much higher than in other countries in Europe, must have been caused by the Government. It was caused in 1985, 1986 and 1987 by indiscriminate borrowing from anyone, for anything, at any interest rate. Gullible people borrowed.

Many people were encouraged to buy their council house. I am not knocking that, because the authorities in Bassetlaw sold council houses long before the Tories thought of it. Many people paid £6,000 for a house worth £20,000, but then the loan sharks came knocking on their door, asking, "Do you realise that your house is worth £20,000 and that you owe only £6,000 on it? Why don't you borrow with an additional loan?"

Cedar Holdings used that approach on many people in mining areas who bought National Coal Board houses. Some gullible people thought that they could borrow £2,000 or £3,000 and that it did not matter if they could not pay it back. They thought that, somehow, the difference between the £6,000 and the £20,000 would be reduced a little. They thought that they could not be turned out of their house. Many families were turned out of their houses because they did not realise that they had to make repayments each month to Cedar Holdings and similar companies.

There was a Niagara of debt. Obviously, such a debt will mean that more people will demand bigger wage rises, especially given the massive profits made even today by many firms. The Government complain about inflation, but they do nothing about bringing down prices and controlling inflation. They do nothing to alter the rate of VAT. Why is there a flat rate of 15 per cent? Why do not the Government cut the VAT on British fish and chips to 4 per cent. and increase the VAT on Japanese microwaves to 25 per cent? In that way, we might save a few jobs. That might be a better way of functioning. I offer those ideas because new thinking is needed, and nothing comes from the Government.

6.21 pm

Mr. Conal Gregory (York): We have the opportunity of an important, wide-ranging debate on the economy. It might be prudent at the beginning of my short speech to remind ourselves of the economic indicators which have been the success of our strategy.

Britain has had some eight years of sustained economic growth, averaging over 3 per cent.—a period unmatched since the second world war. The growth rate in the United

[Mr. Conal Gregory]

Kingdom has been faster than that in France, West Germany and Italy. In the 1960s and 1970s, Britain was at the bottom of the growth league of the major European states.

The average family of a husband, wife and two children have seen the real value of take-home pay increased by one third under the Conservative Administration. Under Labour, there was an increase of 0·6 per cent. That is not a comparison which I should like to take with me into the next general election if I were a Labour parliamentary candidate. Fortunately, I shall not do so, because I shall be proud of our record. Industry is more effective and more competitive than ever. Manufacturing productivity has increased by 60 per cent. In the three months to May there was an increase in production of 1·5 per cent. on the previous three months.

Any hon. Member can see that, with such a catalogue of success, a prosperous economy is necessary to ensure investment in British Rail, which is the highest for 29 years; an increase of more than 60 per cent. in road building, after allowing for inflation; almost 350 major hospital schemes finished since 1979; and a real-terms increase of almost one quarter in benefits for the family. An expanding economy needs innovation and new companies. I praise the net increase in business start-ups. Between the end of 1981 and the end of 1988, business start-ups exceeded stops by 238,000, with an average net business start-up of 1,600 each month last year. What a contrast with the Labour party.

The Labour party's policy document "Looking to the Future", which in many ways is a misnomer, as it looks to the past, contains 81 spending commitments. The hon. Member for Kingston upon Hull, East (Mr. Prescott), who is not in the House at present, gave another major commitment today, making it 82. Even allowing for the 81 commitments, Midland Montagu has calculated that Labour's pledges will cost £50 billion—equivalent to doubling the basic rate of income tax. That is the message from this debate, apart from the great address by my right hon. Friend the Chancellor. That is a scandalous amount, as I hope the hon. Member for Derby, South (Mrs. Beckett) will confirm.

There are two taxes about which the ordinary man or woman must be concerned. The first is Labour's savings tax, which would penalise the thrifty. It would be levied on the investment of anyone who has more than £3,000 in a piggy bank, or £5,000 a year for pensioners. The second is Labour's jobs tax, which would be a cost on the payroll. It would punish British industry and increase unemployment. Fixed capital expenditure in my region of Yorkshire and Humberside increased from £346 million in 1979 to more than £606 million by 1987. Private sector manufacturing investment increased by £1,981 million in 1979, when we took over from Labour maladministration, to £3,288 million in 1987—staggering figures.

We should nail four Labour myths, the first of which is that rising inflation shows that the supply side of the economy is in poor shape. In fact, inflation and the trade deficit are symptoms of excess growth in demand. British industry is now more efficient, and is producing and exporting more than ever before. As John Banham of the CBI said:

"We enter the 1990s with the supply side of the British economy in incomparably better shape than at any time in our history."

The second myth is that credit controls are the best way to curb inflation. We frequently hear that statement made by the right hon. and learned Member for Monklands, East (Mr. Smith). Credit controls could easily be avoided by borrowing overseas. To be effective, they would have to cover 85 per cent. of all borrowings in the form of mortgages. In the 1970s, credit controls failed to prevent inflation reaching Labour's figure of 27 per cent.

The third myth is that Britain has under-invested. British investment has risen faster than investment in the other European countries to which I referred earlier.

The fourth myth is that British industry cannot compete in world markets. Britain exports more per head of population than Japan. In the 1980s, Britain held on to its share of world markets after decades of decline. Over the three months to March, exports rose by 6 per cent. compared with a year earlier, while imports rose by just 2 per cent.

How can one understand a leader of a major party who says that 14 out of 15 taxpayers would not have to pay more under Labour? I am, of course, referring to the Leader of the Opposition. He meant, being sloppy in his language, that 14 out of 15 basic rate taxpayers would not have to pay more. The 1981 pledges will mean that everyone will have to pay more. He referred to social security pledges of £2 billion, but he meant £3·3 billion.

Labour is as hostile as ever to denationalisation. Labour is still wedded to clause four of its constitution which its marketing jargon now describes as "social ownership". Does Labour really believe that it will take back British Airways—which, 10 years ago, was rated lower than Romania Airlines—British Telecom, the British Airports Authority and National Freight? Am I going to go back to the constituents of York and say to those employed in British Rail Engineering Ltd., in station catering and Travellers Fare, in British Gas and Yorkshire Water that their profit in the future will be taken from them and that we will face the socialist threat to reimpose the dead hand of the state?

The message is stark. Labour mismanaged the economy. Its proposals make no sense. The right way forward is Conservative control of the economy and our vision of a country in which the individual has freedom and in which investment comes through enterprise.

6.29 pm

Mr. Stuart Randall (Kingston upon Hull, West): The only thing that I have in common with the hon. Member for York (Mr. Gregory) is the county area that we both represent. I think that his perception of how well the economy is being managed by the Government is extraordinary.

The motion before us is a good motion. It is accurate in the way in which it refers to the "mismanagement of the economy" and the "quality of life", and says that we need more innovation as well as regional policy.

To obtain a reasonable measure of the Government's performance in handling the economy, one should talk to business people. I regularly do that, and I know that they are all fed up with the Government. They are people who have traditionally always supported the Government, but I now find that, certainly in Hull——

The Chief Secretary to the Treasury (Mr. Norman Lamont): Labour win!

Mr. Randall: That is for sure. If a Tory were to be elected in Hull, I think that he would be lynched and hung from a lamp post. The business people of Hull are waving a red light: they are saying that they are not happy with the way in which the Government are managing the economy, especially the way in which they are dismally failing to come up with a policy to provide industry in our region with the right skills and education to ensure that we can be innovative.

Hull contains a number of hi-tech companies, notably Kingston Communications. The Chief Secretary to the Treasury and I have discussed this topic in the past; we are very proud of the way in which that company has brought high technology into our area. I would like similar companies to come to our region, but that will not happen unless there is a good skilled work force.

I wish to discuss the motion in the context not solely of my constituency and its region, but also within that of the EC. No one would dispute the fact that our performance, compared with Germany's in particular, is nothing short of abysmal. Our balance of payments and balance of trade, and all the major economic indicators, are remarkable. They augur badly for Britain in the 1990s, unless the British economy is fundamentally reshaped to mould it into a form that will make our industry innovative and competitive—and, above all, equipped with the appropriate skilled people.

Terrific neglect has resulted from the Government's "hands off" ideology, and their view that we should not intervene in industry. The Department of Trade and Industry is now a shell organisation with no role to play. I believe that Government should manage their affairs to help industry to perform effectively. That light touch could remove many of the bottlenecks that are currently inhibiting the performance of the British economy and British industry in comparison with our European competitors. Until we do that, the quality of life of the British people will deteriorate. The gap between rich and poor has already widened since the Government came to power, and I condemn that totally: it is not something we should be proud of.

Over the weekend, I discovered that 400 eye operations will no longer be carried out in my constituency, because of the poor performance of the national health service. To enter an eye clinic in my district health authority, one must now wait for 10 to 12 months. In our region, the performance of the economy is crucial to ensure that industry generates the wealth that will enable us to provide the services that are necessary to secure an effective and efficient public sector that will improve the quality of life of the people of Britain. That is what we are after.

The motion that my right hon. and hon. Friends have tabled today encapsulates many of our concerns about the way in which the Government have miserably mismanaged the economy of Britain.

6.35 pm

Mrs. Margaret Beckett (Derby, South): It is just two years since, in July 1988, the rhetoric of the economic miracle—used so much by the Government—was at its height. Those were halcyon days, when inflation was running at 4·6 per cent., interest rates were at 10·5 per cent. and the balance of payments was heading for what was then thought to be a worrying deficit of some £12 billion at an annual rate. In those days, it was within memory that the Government had been talking of achieving nil inflation, repaying the national debt and other grandiose schemes.

Even as recently as July 1989, there was still optimism. As my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) pointed out, the problems were said to represent a mere blip. Inflation was then running at 8·3 per cent. and interest rates at 14 per cent., and the balance of payments was heading for an even more worrying annual deficit—then expected to be some £18 billion, although the outturn was worse than that.

Today, when the Government have been in power for 11 long years, we have before us the record of their economic policy as it now stands: headline inflation at 9·8 per cent., interest rates at 15 per cent., mortgage rates at their highest ever and a balance of payments that is again heading for a yearly rate of some £18 billion—although, so far this year, the outturn has been worse than it was for the same period last year. Yet the Government still want us to believe that those are temporary difficulties, because we have had an economic miracle.

Certainly, the events that have passed before our bewildered eyes have been, if not miraculous, "wonderful"—in the sense that they are full of wonder. We have seen the squandering of what—in today's terms—would be £91 billion of income from the North sea. We have seen the disappearance—with nothing but three election victories to show for it—of the proceeds of the sale of the family silver. Speaking from memory, I think that that is about £40 billion or £50 billion of taxpayers' money lost. We have seen about £20 billion of savings made at the expense of pensioners, with total savings nearer £30 billion if we take account of other social security cuts. The Government have cut earnings-related benefits, while not just retaining but increasing earnings-related national insurance contributions.

In those and a variety of other ways, there has been a substantial movement of substantial resources. What have we to show for it? We have a worse-trained work force than any of our major competitors, one of the poorest records in research and development and in investment and one of the most rundown systems of transport—and one of the most uncaring, unthinking, unlistening and arrogant Governments we have ever had. The Government have been re-elected three times through the ruthless manipulation of resources that should have been used to secure the future of the country, but instead have been used to try to secure the future of the Conservative party. If I may paraphrase John Fitzgerald Kennedy "ask not what you can do for your country—ask what your country can do for you."

We have also seen a decline in the Government's probity. The Secretary of State for Health spends as much —for the second time—on propaganda to sell his health service reforms as he is prepared to spend on a drug abuse programme that was saved from the cancellation of the community care programme. What sort of a sense of priorities is that? The Government have repeatedly sold off public assets at knockdown prices, to the benefit of their friends—for "friends", of course, read "large contributors to Tory party funds".

The fruits of growth have been steadily diverted into the pockets of the wealthy; but there has still been an overall increase in the tax burden. A two-child family on average

[Mrs. Margaret Beckett]

earnings is £300 a year worse off when against their income tax cuts are set the increases in national insurance contributions and value added tax. That is the other side of the coin. That is without the costs of a mortgage, the poll tax, electricity, gas, water and fares, and all the things that have made such a family between £11 and £34 a week worse off under this Government.

What about the future? Well, we heard very little about that from the Chancellor. Over the lifetime of this Government, there has been no serious investment in the future, and none is planned now. In fact, further cuts are planned, for example in the training budget, the importance of which is universally acknowledged—universally, that is, except among the ranks of the Government.

Unfortunately for the Government, the future stops at the next general election. The factors which interest the Government about the future involve the level of mortgage interest rates, the level of inflation and, to a lesser extent, the balance of payments. There has been much talk lately —we have heard a little tonight—about the inadequacies of our measurement of inflation through the retail prices index. Of course, we have heard that before; the right hon. Member for Blaby (Mr. Lawson) invented the new tax and prices index, only to discard it when it inconsiderately started to show higher levels than the retail prices index.

Over recent months, as the RPI has slowly but inexorably risen, we have been told that what really matters is not the headline rate of inflation but the underlying rate once mortgage costs have been stripped out. We were told that that is a better approximation to the way in which the rest of the European Community measures inflation. Indeed, the hon. Member for Beaconsfield (Mr. Smith) repeated that today.

As a matter of fact, that is not really true. Other members of the European Community include measures of housing costs in the way in which they measure inflation. A number of studies recently into how they measure inflation have revealed the differences between the way we do it and the way they do it. However, the sad fact is that it does not matter how we measure inflation: once any measure of housing costs is included, our inflation is still many points ahead of our competitors.

The Government's measure of the underlying rate of inflation, which they have been talking about for so long, simply left out the cost of mortgages. Unfortunately, that figure is rising as well. Last month, it was 8·1 per cent., and that was the highest rate for eight years. Therefore, last month the Government redefined the underlying rates of inflation. This time they left out the poll tax cost as well as mortgage costs. That gave a figure of 6·9 per cent., but unfortunately that was still three points above the ERM average for inflation.

Now we know what the Government mean when they say that they will bring inflation down no matter what it takes. They mean that they will do that no matter what they have to take out of the index to make inflation appear to come down. Inflation, like unemployment, can be as high as it likes. This is a resolute Government; we all remember their resolute approach. The Government had to change the unemployment statistics 30 times to get them down to a reasonable level, and if they have to change the inflation statistics 30 times to get inflation down to a reasonable level, they will do so. They are not afraid.

I can offer the Government a new index. They desperately need a new one, because they are not doing very well with the one they have. I suggest that they have an index which I call the NBG index—the "not by Government" index. That index would enable the Government to leave out what the Governor of the Bank of England has called the administered price rises, which he correctly identified as directly due to political decisions.

The Government are already leaving out mortgage interest rates and the poll tax. If they adopt my index and deal with inflation as it is not influenced by the Government, they can leave out the cost of the electricity price increases which they forced through as a result of privatisation. They can also leave out gas price increases and the fare increases upon which they insisted. They can also leave out the rent increases which they insisted upon. They would then have a very low inflation figure.

Why are the Government so anxious to get the figures down? Whatever they leave out of the index, people cannot leave those things out of the household bills which they must pay. We all know how good the Government are at selling their case. Although all this sounds good, any changes to the figures can have only a limited impact while people must still pay their bills.

Of course, the figures matter for two reasons related to entry into the exchange rate mechanism and to the election. The first reason is that they are part of the Madrid conditions that inflation must be lower. When the Madrid conditions were set, inflation was at 8·3 per cent. and the underlying rate was 5·9 per cent. Far from getting nearer to the Madrid conditions, we are actually moving away from them. The gap between the ERM average level of inflation and our own is the widest that it has been for a decade.

Secondly, the inflation figures are also important because of the Chancellor's definition that inflation in this country must be proximate to that of our ERM fellows for us to enter the mechanism. Whenever we have asked the Chancellor to define "proximate", he has said that it means what it says. I think that it was the Red Queen in Lewis Carroll's books who said that something meant whatever she wanted it to mean. That is an excellent definition of "proximate" as the Chancellor uses it.

It is not the record, but the forecast for inflation, interest rates and the balance of payments that so worries the Government and makes them so eager to secure entry to the exchange rate mechanism sooner rather than later. We have heard much lately of the golden scenario, in which the rate of inflation, interest rates and the balance of payments deficit all come down. That was scheduled for the spring and summer of 1991. Unfortunately, the one-club golfing has been slow to take effect. Interest rates have been used as the mechanism since 1988, and the window in which the golden scenario is to occur has been receding steadily—from the summer of 1991 towards the autumn of 1991 and perhaps to the spring of 1992.

Horror of horrors, that will never do. The Government need that window of six months when things are improving to manipulate things for the election so that they can convince the general public that things are looking good for longer than just the period of the election. It must all be carefuly timed. Entry into the ERM is necessary to bring the figures within the proper scope

before the Government can hold the election. Of course, the nature of the improvement in the figures is causing the Government so much concern.

The universal prediction is that the improvement in inflation, in interest rates and in the balance of payments, will be temporary and that the improvement will last at the most six or perhaps nine months. As soon as the squeeze has been lifted, gradually and steadily things will deteriorate again.

In essence, we are on a roller coaster. We are on the long steep slope and we are gradually approaching the top. We will then run at roughly the same level for a little while and then, as the excessive mortgage increases and the poll tax figures are taken out of the main figure, inflation will fall dramatically. However, having done that, it will start slowly but inexorably to rise once more.

After the election, the people and the Government will face some harsh choices. I have a very interesting question for the Chief Secretary to the Treasury and it is one which people continually ask. The Government in power will face harsh choices. The Chancellor says that the Conservatives will be in power. What are the Conservatives planning? We have said that we believe in prudent control of spending. We have set out the need for investment and we have said what we think the needs are.

What are the Government's plans? Are they still in favour of income tax cuts? If so, how much will they cut public expenditure to go with it? Where will the cuts fall? Will they fall on training, transport, education or health? We want to know what the Government are promising after the next election.

That is the truth that the Government seek to hide from the electorate. The Government have mismanaged the economy. They know it, we know it and the country knows it.

6.48 pm

The Chief Secretary to the Treasury (Mr. Norman Lamont): The surprising thing is not that we are having this debate but that we did not have it some weeks ago. With some less than brilliant economic indicators, we might have thought that we would have a full-scale economic debate, not a half day just at the end of the Session. We would have thought that such a debate would be led by the alternative Prime Minister, the Leader of the Opposition, who does not seem to want to speak on the economy these days. That is not very surprising after his disastrous appearance on "Panorama", explaining the Labour party's tax policy.

We have heard a certain amount from hon. Members and from the hon. Member for Derby, South (Mrs. Beckett) about competence. Of course, "competence" is not a word which comes naturally to mind when one thinks of the Labour party, either out of office or in office. Competence, for all his endearing features and fine qualities, is not the Leader of the Opposition's strongest suit. Was it competence when the Leader of the Opposition made his remarks about 14 out of 15 working taxpayers, and the shadow Chancellor had to rush out a statement correcting his leader? One could almost hear the right hon. and learned Member for Monklands, East (Mr. Smith) saying, as Hardy used to say to Laurel, "That's another fine mess you've gotten us into."

We have heard much in recent debates and in Treasury questions about the Government's errors in forecasting. Of course, forecasting always involves judgments about human behaviour. Will people borrow more? Will they save less? If they run down their savings, at what rate will that happen, and how quickly will it feed into consumer spending?

I discovered that there is an infallible guide to the future. We would have done very well if we had got rid of our statisticians and the Treasury model. We should have relied on the predictions of the Labour party. What the Labour party says will happen is always a good guide to what will not happen. In fact, going right back to the early 1980s, Labour Members have an infallible record of forecasting. There is practically not a single year in which they have not got it precisely wrong. We would have done very well just to follow the opposite of their advice right from the early 1980s.

In 1981, they sided with the 364 economists—recovery was just not going to happen; it was impossible. In May 1983, the shadow Chancellor said that inflation would go into double figures. A year later it was 5·1 per cent. In November 1984, the shadow Chancellor forecast a slump. In 1985, we grew faster than any other major European country. In October 1986, the hon. Member for Dunfermline, East (Mr. Brown) predicted that unemployment could not fall. Since then, unemployment has halved. At the time of the stock market crash, the Leader of the Opposition told us that we should cut interest rates further than we did. If we had followed that advice, inflation today would be far worse.

I criticise the right hon. Gentleman not just for his judgment but for pretending on "Panorama" that that was not actually what he said. To call his words on "Panorama" incompetent is perhaps the politest thing that one can say about them.

Opposition Members have put their case—we have had high interest rates, high inflation and a large current account deficit. As my hon. Friend the Member for York (Mr. Gregory) said, we should note the selectivity of the statistics and the indicators. Opposition Members do not tell us that we have had the fastest growth rate of any major EC country in the past decade. They do not tell us that we have had the fastest growth of total investment of any major country other than Japan. They do not tell us that we have had the highest level of profitability in British commerce since the 1960s. They do not tell us that our level of unemployment today is well below the EEC average. They do not tell us that this year we have had the lowest number of stoppages in industrial relations for 35 years.

The right hon. Gentleman made a number of comparisons with Germany—one was misleading and one was incorrect. On the misleading one, the right hon. Gentleman told us that, this year, output growth would be less in this country than in Germany. That is true on a one-year basis, but it is not true if we look— *[Interruption.]* Opposition Members scoff. In six out of the past 10 years, German output growth was below ours. They did not tell us then, "You are doing very well compared with Germany." The right hon. Gentleman got it totally wrong. In the 1980s, output in the United Kingdom grew by 2·7 per cent. per annum compared with 2 per cent. per annum in Germany. The right hon. Gentleman did not get it right, and in another respect was misleading.

Of course inflation is too high—far too high. After all, our present rate of inflation, which we hope is about to

[Mr. Norman Lamont]

peak, is about two thirds the average rate that was achieved under the previous Labour Government. Two thirds of the average rate under the previous Labour Government is far too high for us.

We might take the Opposition's criticisms of the rate of inflation more seriously if they had acknowledged some of our success in getting down inflation over the past decade. Since 1983 the differential of inflation between this country and the EEC has actually narrowed. We do not hear a word from the Opposition about that. We might take them a bit more seriously on inflation if they had not actually elected as deputy leader of their party a man who had the grand title of Secretary of State for Prices and Consumer Protection when inflation rose to more than 26 per cent. They pretend to care about inflation, but their spending plans show that they are merely arsonists dressed up in firemen's uniforms.

We might take Opposition Members more seriously if the Leader of the Opposition did not keep telling us that the way in which to deal with inflation is to increase spending and to cut interest rates. To do the right hon. Gentleman justice, when he says "cut interest rates", he does not mean some time in the future, he means now. Of course, to cut interest rates now would have a cosmetic effect on the retail prices index. But that would be at the cost of setting off another surge of borrowing. Just when inflation is coming under control, it would inflate house prices and set off consumer spending yet again. The position of the right hon. Gentleman and the Labour party on inflation is incredible. I find it incredible, but, as P. G. Wodehouse used to say, there are limits to every man's imagination.

Despite the Leader of the Opposition's gaffes, the right hon. and learned Member for Monklands, East has been trying his best in the City to tell us that Labour has changed. He promises us prudent control over public spending, but for years he has been telling us and the nation that we should spend billions more on hospitals, schools, roads, training and education. For years he has been accusing us of being miserly with education and social spending. For years the Opposition have been encouraging public sector workers to seek the moon in pay settlements. For years they have been encouraging Labour councils to spend more, more and more. The truth was told us by the hon. Member for Bolsover (Mr. Skinner). We know that he does not represent only the beastly tendency in the Labour party. During Treasury questions, he shouted, "Just because we haven't got any money doesn't mean we won't spend it." He speaks more truthfully than Opposition Front-Bench Members.

The Labour party has yet again relaunched its policy document. We have all been waiting to hear what the big idea is in that policy document. We now know what the big idea is. The big idea is our idea. Opposition Members are all in favour of the market. The Leader of the Opposition tells us that he favours market forces and competition and that he wants to take steps to make the market work. In the profile to the policy document, he said:

> "Helping to make the market work means creating the conditions for enterprises to be more successful, enabling them to take a greater market share at home."

Ten years ago—was it the same man?—he said:

> "The answer to the weakness, injustice and rottenness of capitalism is not more of the same. That is like trying to clean a wound with handfuls of filth."

That is the language of the Leader of the Opposition. Can anybody really believe that anyone who said that about the market is really a convert to competition, open trade, free enterprise and the market system? We know that the right hon. Gentleman has changed his mind on the European Community and unilateral disarmament, but those words show what his convictions are and what he really thinks about the market system and free enterprise.

Opposition Members are not convincing when they use phrases such as "the market". They do it because the intellectual case for, and the experience of, their political philosophy has collapsed throughout the world. They do not believe in it and we know it. They know themselves that they do not believe in it. The Labour party is an organised hypocrisy and we intend to expose it.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 211, Noes 309.

Division No. 311] **[6.59 pm**

AYES

Abbott, Ms Diane	Davies, Rt Hon Denzil *(Llanelli)*
Adams, Allen *(Paisley N)*	Davies, Ron *(Caerphilly)*
Allen, Graham	Davis, Terry *(B'ham Hodge H'l)*
Alton, David	Dewar, Donald
Anderson, Donald	Dixon, Don
Archer, Rt Hon Peter	Dobson, Frank
Armstrong, Hilary	Doran, Frank
Ashdown, Rt Hon Paddy	Duffy, A. E. P.
Ashley, Rt Hon Jack	Dunnachie, Jimmy
Ashton, Joe	Dunwoody, Hon Mrs Gwyneth
Barnes, Harry *(Derbyshire NE)*	Eadie, Alexander
Barnes, Mrs Rosie *(Greenwich)*	Evans, John *(St Helens N)*
Barron, Kevin	Ewing, Harry *(Falkirk E)*
Beckett, Margaret	Ewing, Mrs Margaret *(Moray)*
Beith, A. J.	Fatchett, Derek
Bell, Stuart	Fearn, Ronald
Benn, Rt Hon Tony	Field, Frank *(Birkenhead)*
Bennett, A. F. *(D'nt'n & R'dish)*	Fields, Terry *(L'pool B G'n)*
Bermingham, Gerald	Fisher, Mark
Bidwell, Sydney	Flannery, Martin
Blair, Tony	Flynn, Paul
Blunkett, David	Foot, Rt Hon Michael
Boateng, Paul	Foster, Derek
Boyes, Roland	Foulkes, George
Bradley, Keith	Fraser, John
Bray, Dr Jeremy	Fyfe, Maria
Brown, Gordon *(D'mline E)*	Galbraith, Sam
Brown, Ron *(Edinburgh Leith)*	Garrett, John *(Norwich South)*
Bruce, Malcolm *(Gordon)*	Garrett, Ted *(Wallsend)*
Buckley, George J.	George, Bruce
Caborn, Richard	Gilbert, Rt Hon Dr John
Callaghan, Jim	Godman, Dr Norman A.
Campbell, Menzies *(Fife NE)*	Golding, Mrs Llin
Campbell, Ron *(Blyth Valley)*	Gordon, Mildred
Campbell-Savours, D. N.	Gould, Bryan
Cartwright, John	Graham, Thomas
Clark, Dr David *(S Shields)*	Grocott, Bruce
Clarke, Tom *(Monklands W)*	Hardy, Peter
Clelland, David	Harman, Ms Harriet
Clwyd, Mrs Ann	Hattersley, Rt Hon Roy
Cohen, Harry	Haynes, Frank
Coleman, Donald	Heal, Mrs Sylvia
Cook, Frank *(Stockton N)*	Henderson, Doug
Cook, Robin *(Livingston)*	Hinchliffe, David
Corbett, Robin	Hoey, Ms Kate *(Vauxhall)*
Cousins, Jim	Hogg, N. *(C'nauld & Kilsyth)*
Crowther, Stan	Home Robertson, John
Cryer, Bob	Hood, Jimmy
Cummings, John	Howarth, George *(Knowsley N)*
Cunliffe, Lawrence	Howells, Dr. Kim (Pontypridd)
Cunningham, Dr John	Hoyle, Doug
Darling, Alistair	Hughes, John *(Coventry NE)*

Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. John Battle.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mariand, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger

Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Noes:
Sir George Young and
Mr. David Lightbown.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments):—*

The House divided: Ayes 300, Noes 191.

Division No. 312] **[7.18 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Mariand, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony

Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir James *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Ayes:
Sir George Young and
Mr. David Lightbown.

NOES

Allen, Graham
Anderson, Donald
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Eadie, Alexander
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McKay, Allen *(Barnsley West)*
McKelvey, William
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Ken Eastham and
Mr. John Battle.

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates Her Majesty's Government on the improvement in economic performance over the last 10 years, with the United Kingdom's growth of output, manufacturing productivity, employment and investment since 1980 exceeding that of almost any other major European Community country; and endorses the priority the Government attaches to reducing inflation, in order to safeguard and build on these achievements.

7.31 pm

Rev. Martin Smyth (Belfast, South): On a point of order, Mr. Speaker. Your attention will not yet have been drawn to the tragedy in South Armagh this afternoon when three members of the Royal Ulster Constabulary, serving the community, and a Sister of Mercy were done to death in a bomb explosion allegedly caused by the IRA. I believe that the House will join me in paying tribute and extending sympathy to the families bereaved and at the same time suggesting that investigative journalists might do a better job for the community if they exposed the perpetrators of such crimes instead of disguising them.

Mr. James Kilfedder (North Down): Further to that point of order, Mr. Speaker. I extend my sympathy and that of the people whom I represent to the relatives of the three police officers and the nun who were brutally murdered this afternoon. The one message from this House and from Northern Ireland is clear—that decent people everywhere, regardless of religion, condemn those murderers.

The Chancellor of the Exchequer (Mr. John Major): Further to that point of order, Mr. Speaker. I was not aware, until the hon. Member for Belfast, South (Rev. Martin Smyth) spoke, of the events of this afternoon, and I should like to say, on behalf of the Government, how much we regret the senseless and apparently ceaseless murders, and to offer our warmest sympathy to the bereaved and their families.

Mr. Stanley Orme (Salford, East): Further to that point of order, Mr. Speaker. I was in Dublin this afternoon talking to members of the Dail and I know that they will join this House in condemning what has taken place. It is outrageous and must be opposed.

Mr. Simon Hughes (Southwark and Bermondsey): Further to that point of order, Mr. Speaker. My right hon. Friend the Member for Yeovil (Mr. Ashdown), who not only speaks for the party but is our spokesman on Northern Ireland, had to leave early and he asked me to associate him and our party with the sympathies of hon. Members from Northern Ireland.

Mr. Speaker: I am sure that what has been said will be felt by hon. Members on both sides of the House, and I thank the hon. Member for Belfast, South (Rev. Martin Smyth) for having raised the point of order with me.

London Underground Bill *(By Order)*

[Relevant document; Third Report of the Select Committee on House of Commons (Services) of Session 1989-90, New Parliamentary Building (Phase 2) and the Jubilee Line Proposals (HC334).]

Order read for resuming adjourned debate on Question proposed [12 July], That the Bill be now read a Second time.

Question again proposed.

Madam Deputy Speaker (Miss Betty Boothroyd): I remind the House that Mr. Speaker has already selected the instruction standing in the name of the right hon. Member for Bethnal Green and Stepney (Mr. Shore). He has now selected the instruction standing in the name of the hon. Member for Ogmore (Mr. Powell). Mr. Simon Hughes had the Floor.

7.34 pm

Mr. Simon Hughes (Southwark and Bermondsey): In the last sentence recorded in *Hansard* in the debate on 12 July I say that other hon. Members wish to speak. I understand that, with the passage of time, that is still the case, so as I have told the Minister, I shall be brief and conclude my remarks and allow other hon. Members to do just that.

It is 12 days since we last debated this matter and that is a long time in politics. Some people who were here yesterday are gone today. I am happy that the Minister for Public Transport remains the same as yesterday. I do not know about for ever. I am sure that he would not wish that himself. But I am glad to see that our proceedings have not been further disrupted by any change on the Front Bench in this debate and higher up in the same Department.

I have not had a chance to check the precedents, but it struck me as amazing that the Bill came back so quickly. Private Bills sometimes take a long time to return. I just observe—it may be an appropriate metaphor for the debate—that there can be wheels within wheels when matters are thought important enough.

Two points were made in our debate 12 days ago. The first, made by hon. Members on both sides of the House, was about the effect of the Jubilee line on and around Westminster. The second, made particularly by Members from docklands and detailed in the instruction in the name of the hon. Member for Newham, South (Mr. Spearing) and other dockland Members which was selected, was about the effect that the Jubilee line would have south of the river and in docklands.

For many of us, and I think for the majority of people, the second is the more important issue. Without in any way wanting to interfere with or alter the effect of the contributions made so far and to be made by many hon. Members about the effect on Westminster, when the history of the proposal comes to be written we will see that the great issue was whether the Jubilee line should be extended to become a community line or a developers' line. I think that the Minister and others agree with that.

Since our previous debate, in the light of publicity and reports of the debate, I have received some unsolicited correspondence, as, I understand, has the Minister. I shall quote one or two letters to confirm that it is not just those of us with a vested interest—although being an elected

representative of the people is a pretty justifiable vested interest—who would argue for stations for local communities.

I received a copy of the letter sent by the Jubilee and Bakerloo Line Users' Committee to the Secretary of State for Transport, a copy of which has also been received by the hon. Member for Ilford, South (Mr. Thorne) and others, about the Southwark and Bermondsey stations. It says:

"On the matter of the proposed stations at Southwark and Bermondsey, we do most strongly represent that they be retained in the Bill. Though inclusion of Waterloo and London Bridge was the largest single factor in influencing us some seventeen months ago to propose the Westminster route (as against the Aldwych version—then the only one on offer), the second highest consideration was that it would serve areas of London that greatly warranted an Underground service. Inner Cities revival greatly relies on such provision. Our Line would be opened up to entirely fresh usage and thus make its contribution to the relief of congestion in London."

The committee also wrote to me separately to say:

"We very much support retention of Southwark and Bermondsey stations in the extension plans (as well as Canada Water)."

I also received a letter from the British Property Federation headed "Transport Infrastructure" and dated 13 July. Its director general, Sir Peregrine Rhodes, said:

"I note that you are campaigning to oppose any decision to omit stations at Southwark and Bermondsey on the proposed Jubilee Line extension. The British Property Federation has for some time been urging on the Government the need for immediate and decisive action to cope with the problems of transport infrastructure both in London and throughout the country. I thought that you would like a copy of the enclosed press release which we have just issued following a meeting of those associated with our initiative. You will see that there is specific reference to the point about Bermondsey and Southwark".

I also have a press release dated 13 July, which I shall not cite in its entirety. This is from a federation representatives' meeting on 11 July, attended also by the City of London corporation, Westminster city council, the Confederation of British Industry, the Royal Institution of Chartered Surveyors, the Chartered Institute of Transport, the Westminster Property Owners Association and the Associated Owners of City Properties. It ends:

"They were also concerned about reports that the Government are for short team reasons to abandon plans for the Bermondsey and Southwark stations on the proposed Jubilee Line extension. These stations would make a valuable contribution to the urgently needed urban regeneration in these deprived areas.

Delay in coping with London's problems will create an image of London as outdated and failing to grasp the need to modernise existing systems."

The letter continues in similar vein. The British Property Federation, as well as the users, came out clearly in favour of the two stations—about which there was some doubt—after our previous debate.

One letter reflects that there was even internal lobbying among those professionally concerned. It would be improper for me to reveal the source, although I am happy to show the Minister the letter later. I had a letter from somebody who is involved in the process of getting the Bill round the circuit here who said that behind-the-scenes lobbying has been going on because people recognise the importance of the issue.

have a copy of a more personal letter sent to the Secretary of State for Transport. Copies were sent to me and also to the hon. Member for Dagenham (Mr. Gould), who is a constituent of mine and who lives within walking distance of where Bermondsey station would be if it were built. The letter is from a woman constituent who lives in Wrayburn House, which is a Southwark council block near the river in the middle of Bermondsey. She says:

"Dear Mr. Parkinson,

JUBILEE LINE EXTENSION

I read with dismay the article published in the Times newspaper on Tuesday, 10 July 1990 revealing that the proposal to build two stations on the Jubilee Line extension at Southwark and Bermondsey may be dropped.

As a daily commuter I regularly struggle the two miles from my home in Bermondsey to my place of work near St. Paul's. This journey, which usually involves the use of two buses, can take anything from forty minutes to an hour and a quarter—I can walk it in thirty-five minutes. You might ask why I then do not walk daily. This is because the route passes various men's hostels and poorly lit railway arches—mugging territory. A direct link by tube would put women's minds at ease.

A radio news bulletin this morning stated that a recent report into road usage in London showed that it had increased significantly, marking a trend away from the use of public transport towards private cars. I should have thought that the new Jubilee Line extension, including the stations at Southwark and Bermondsey, was one way of enticing the public away from private car usage and onto public transport by giving them a better choice of travel facilities.

I take exception to the opinion that the cost of these two stations cannot be justified on cost grounds because there are no associated property schemes. Surely public transport is just that—for the public. Both the sites for new stations are in highly residential areas. Bermondsey in particular has seen a spate of riverside development, which is poorly served by the current public transport infrastructure. Surely there is also the possibility that if proposals for these stations are confirmed then property developers may look favourably at these areas with a view to investment, especially as a new link would provide easy commuting to the West End, and the new industrial base in the Isle of Dogs.

I do not think it is fair that the population of a basically older residential area should be penalised because of a lack of new money.

I therefore urge you to put the considerations of the people before monetary considerations and proceed with the building of stations at Southwark and Bermondsey on the new Jubilee Line extension."

I cite that letter in full because it contains a very ordinary request. It asks that public transport be provided where the public are, to make the whole of life—not just getting from A to B by an improved method of transport—better.

The Minister said—I accept this—that the stations do not depend on private contributions. It is important that that is confirmed and I hope that the Minister will be able to do so. The Minister has also said that the money has been provided and that there would be no need to go to the Treasury for more. I hope that that, too, can be on the record. The hon. Member for Ilford, South (Mr. Thorne) has confirmed that we are in any event to have substantial work sites in north Southwark at Ewer street and at Old Jamaica road whether we have the stations or not. We are to have the disbenefit irrespective of whether we have the benefit. That is all the more reason why we should have the benefit as well.

One view is shared by all of us who are docklands Members and by the hon. Members who represent the City of Westminster, who also see a benefit for their constituents from stations at Southwark and at Bermondsey. Southwark especially would relieve the congestion from Green Park to Charing Cross. I hope that tonight the Minister will go as far as possible. I hope that he will say, "You can have your stations." He may not

[Mr. Simon Hughes]

quite be able to say that. However, I see my job as ensuring that the Bill does not reach its final stage unless we have our stations.

Mr. Nigel Spearing (Newham, South): I am grateful to the hon. Gentleman for his remarks about supporting the instruction which he and some of my hon. Friends have signed. Does he recall that London Regional Transport has a statutory duty—little known and not always universally acclaimed—to co-ordinate transport in London? London Regional Transport is the promoter of the Bill. How can the Government, therefore, throw doubt on the question of funding when they, in legislation that they promoted, put the duty of deciding what co-operation should be on London Regional Transport? Is not that a point that the Committee might consider if the Bill receives a Second Reading?

Mr. Hughes: The hon. Gentleman is right. Perhaps I am sometimes a bit unfair to Ministers in that this is not a Government Bill—as I shall no doubt shortly be told. [HON. MEMBERS: "They are whipped."] It is clear that the Government have an interest in the Bill, which is welcome even if hon. Members are whipped—which they deny. People certainly appear from strange places at the right moment, which seems to be more than coincidence. Just as some people regard you, Madam Deputy Speaker, as the fount of all knowledge, I take the general view that in the public sense, the Government are the fount of all money. If they are persuaded, London Regional Transport will deliver the goods as well. The hon. Member for Newham, South is right to say that, formally, I should address my remarks to the hon. Member for Ilford, South so that, when he winds up, he can say, after the arguments of last week, that the case is even more persuasive than we had previously thought.

We have had one bit of good news south of the river today. I suspect that the hon. Member for Vauxhall (Miss Hoey) will want to expand on this. We have heard that the Secretary of State for the Environment has not approved the developers' plans for county hall. I hope that tonight we shall have a second bit of good news and we shall hear from the Minister and the sponsors that, before the Bill gets much further, we shall have our stations in Southwark and in Bermondsey. When we hear that news, I will vote for the Bill. Until then, I reserve my judgment. I shall wait, hoping that we shall get the right answer, but threatening all sorts of mayhem if we do not.

7.47 pm

The Minister for Public Transport (Mr. Roger Freeman): I sought to defer my remarks to the House when we debated the issue a week or so ago because certain important points had to be made. I have no doubt that more points will be made which may be addressed more appropriately by the sponsor of the Bill. However, it may be helpful to the House if I set out briefly some of the issues that should be addressed properly to the Government. I admire the eloquence of the hon. Member for Southwark and Bermondsey (Mr. Hughes) in drawing his remarks to a close and taking 30 minutes to do so. I shall seek to address some of the points that he and other hon. Members raised.

I compliment my hon. Friends the Members for Ilford, South (Mr. Thorne) and for Harrow, West (Mr. Hughes) as the sponsors of the Bill. They work diligently. The House will not be surprised to learn that we strongly support the Bill. It is a private Bill, but on behalf of the taxpayer, the Government have provided more than £1 billion to ensure that the Jubilee line is built. I place on record our strong support for the Bill and I hope earnestly that it receives a Second Reading tonight.

The Jubilee line is clearly needed. We know that passenger traffic on the London underground has increased significantly in recent years. It is 60 to 70 per cent. up in passenger miles travelled since 1982. The line will bring a welcome new service to docklands, where employment is forecast to rise by between 90,000 and 150,000 by the turn of the century—a significant increase. The line will also bring welcome benefits not only to south London—I shall say more about Southwark and Bermondsey later—but to east London.

The instruction of the hon. Member for Newham, South (Mr. Spearing) is in accord with the sentiments that I express—that we wish to see economic and social benefits brought not only to south London but to east London by this line. The hon. Gentleman and I would not be at odds on that score.

The line will open up docklands to a wide catchment area, from the north and north-west on the Jubilee line from Baker Street and Green Park; from the west and south-west by interchanging from the District and Circle lines at Westminster; from the south-west counties via the Waterloo main line terminal, where it will provide access to Europe via the channel tunnel terminal——

Mr. Harry Greenway (Ealing, North) *rose*——

Mr. Freeman: I will give way shortly to my hon. Friend. I was about to refer to the area from Kent and south-east London on British Rail lines into London Bridge; and from the east and north-east on lines into Liverpool Street and Fenchurch Street via Stratford and West Ham.

Mr. Greenway: Is the Minister aware of concern in Westminster Abbey, for example, about the interchange being at Parliament square? There are strong suggestions that the fabric of the Abbey could be damaged by the interchange. It has been suggested that, while it might be more expensive to have the interchange located at St. James's Park, that should be faced by the developers. In other words, it would be better to have a more expensive interchange there than a cheaper one at Parliament square, where great institutions of that nature could be damaged.

Mr. Freeman: I am grateful to my hon. Friend for raising that point and, as the hon. Member for Ogmore (Mr. Powell) rightly said, the arguments for and against location at Westminster or at St. James's Park—or, indeed, continuing the tube line whence it cometh at the present time, which is Green Park to Charing Cross—should be examined properly in Committee so that the Committee and the House may be clearly convinced of the arguments.

That is not a matter which the Government should address. The arguments have been set out in detail in the report of the Select Committee on House of Commons Services, having examined some of the advantages. The hon. Member for Ogmore and my hon. Friend the

Member for Staffordshire, South (Mr. Cormack) drew attention to the disruption to Parliament Square, and I shall come to that shortly.

In addition to supporting the rapid growth in the docklands, the new line will relieve congestion on roads and the existing rail network, including the docklands light railway, will strengthen public transport links with BR lines at Waterloo and London Bridge, and improve accessibility in areas poorly served by public transport south of the Thames, and, in the east end, in Tower Hamlets and in Newham. So not just docklands will benefit. The benefits will be felt across London as a whole.

A number of points have arisen which are properly addressed to the Government. The hon. Member for Newham, South asked questions about where the finance would come from and about the contribution by developers. I have said that £1 billion has been appropriately provided by the Government to construct the line. Olympia and York will contribute £100 million in the next three years—that is, payments in April 1992 and April 1993 and a further £300 million in subsequent years —towards the construction of the line. Further, British Gas is to contribute £25 million in cash and benefit for a station to be constructed on the Greenwich peninsula.

Mr. Ron Leighton (Newham, North-East): Will the Minister clarify the contribution from Olympia and York? He mentioned £100 million, which I understood him to say he would get soon. When does he expect to get that? When will the other £300 million be paid?

Mr. Freeman: I am sorry if I did not make the position clear. The position is that £40 million is payable on 1 April 1992, £60 million on 1 April 1993—that is, £100 million in the next three years—and the balance, £300 million, is spread in relatively small payments over 10 to 15 years thereafter. I think that the facts are on record, but if the hon. Gentleman tables a question, I shall be pleased to spell out precisely—I do not have the figures in my head —the payments and the time scale.

Mr. Spearing *rose*——

Mr. Freeman: I shall give way to the hon. Gentleman shortly.

The hon. Member for Newham, South then asked from where the public moneys would come, and he mentioned that he had heard it referred to as a contingency fund. The funds are firmly provided for in the Government's expenditure profile. It is taxpayer's money and it comes by way of grant from the Department of Transport's vote to London Regional Transport in a non-repayable, non-interest bearing form. It is a once-and-for-all grant of money which will be used to construct the line.

If there is any excess of expenditure over the amount provided, the sums will have to be negotiated in the normal course of events with the Treasury. Any additional sums provided over and above that needed to provide for inflation—any real increase in sums—would come, presumably, in the same way, by way of taxpayer grant.

Mr. Spearing: I am grateful to the Minister for spelling out almost the full picture of financing and for the clarification he gave to my hon. Friend the Member for Newham, North-East (Mr. Leighton). It appears to be a novel method of financing. In respect of the moneys that the Government will provide, will he give information on two matters? If he cannot do so tonight, perhaps he will give it by letter.

First, if there is a cost overrun, which is not abnormal in matters to do with tunnels, will it be entirely a pro rata additional payment, discounted for inflation on the long-term 15-year period that he mentioned, or will public funds have to carry any additional estimate over the relatively modest sum of £1 billion?

Secondly, despite what the Minister said about its not being a contingency in the normal way, may we be assured that the funding of the line, other than in relation to the private sums which he mentioned, will not differ in any material respect from that which might go either to the Chelsea-Hackney line or to the projected cross rail link, an announcement about which may perhaps be expected after the House has risen?

Mr. Freeman: If there is a cost overrun, it will be borne in the same way as cost overruns are borne in any other public sector project—by the Department of Transport's vote and not by the developer contributions, which are fixed in money terms.

The hon. Gentleman is right to allude to the fact that we should take the present value of the stream of payments, and I calculate that the developer contributions, in present value terms, amount to about 15 per cent. of the total cost of the line. That may not seem a great percentage, but it is the largest percentage of developer contributions to any public sector project of which I am aware anywhere in the world

However, it is not £400 million as a proportion of £1 billion. One should take the present value as alluded to by hon. Members at today's prices and compare that with the present value of the total construction cost. The public sector contribution of £1 billion is being provided in the same way as provision would be made for any other underground line. As and when a decision is made, it would be financed in exactly the same way.

Four important points have been made and I will deal with them because it is appropriate that the Government should answer them. The first, raised by the hon. Member for Newham, South, concerned the extension to the royal docks. He asked where that was in the Government's thinking. I can confirm, as my hon. Friend the Member for Ilford, South (Mr. Thorne) confirmed in his opening remarks, that there will be a step plate junction built south of Canning Town to facilitate an extension to the royal docks. That seems a logical extension for the future. Clearly, as the future development of the royal docks will take many decades, whichever Government are in office, that seems a sensible option to consider. The hon. Gentleman would not expect me to make any commitments beyond that at the moment, but it will be facilitated.

Secondly, the hon. Members for Bradford, South (Mr. Cryer), who is not in his place, and for Newham, South asked me about the environmental impact study. I confirmed that I have placed copies of that document, which is dated January 1990 and is headed "London Underground's Proposed Jubilee Line Extension—Environmental Assessment", in the Library for the convenience of hon. Members. I hope that I have placed sufficient copies there, and if any hon. Member has any difficulty obtaining a copy, I shall be glad to write to him or her and to send a copy.

[Mr. Freeman]

Thirdly—this is one of the two most important points that have been raised—I turn to the impact on Parliament square and Parliament buildings. I know that several hon. Members who are present served on the New Building Sub-Committee of the Select Committee on House of Commons Services. My hon. Friends the Members for Staffordshire, South (Mr. Cormack), and for Ealing, North (Mr. Greenway) and the hon. Member for Ogmore have drawn my attention to the disruption to Parliament square. As the hon. Member for Ogmore has said, this is a matter for detailed examination in Committee. One cannot build an underground railway line without disturbance.

On behalf of the Department of Transport, I can say that we shall be accommodating toward whatever sensible accommodation is reached during the progress of the Bill to minimise disruption both in terms of the number of construction vehicles, length of construction and the location of the ticket hall—and there is some flexibility about the location of the ticket hall. It is most important that those issues are examined in detail in Committee. I commend London Regional Transport and London Underground for being so flexible so far.

The important point relates to phase 2 of the new parliamentary building and the payment for the concrete raft. The New Building Sub-Committee recommended that that should be paid for in its entirety by London Underground. Clearly, London Regional Transport should pay for the concrete rafting over the part of the station area that is covered by the prospective phase 2 parliamentary building, because that will be built over. London Regional Transport has budgeted for and is prepared to pay that cost, which, I understand, amounts to between £2 million and £3 million. However, at issue is the rest of the building which has nothing to do with the construction of the Jubilee line. As the hon. Member for Ogmore fairly put it, in terms of a payment on account of the disruption created not only for Parliament but in Parliament square, LRT should pay for the concrete rafting for the whole building.

The Department of Transport and I are seized of the significance and importance of that and of the fact that, although we hope that there will be no delay, some considerable delay could occur if Parliament, in exercising its role as, essentially, the planning authority, took a considerable time to consider the Bill because this issue has not been resolved. That would not be in anyone's interest. Clearly, if the parliamentary building is to go ahead, it would make a great deal of sense for LRT to construct the concrete raft in its entirety because, one way or another, the cost of the raft would be paid for out of public funds. If the parliamentary building is to go ahead, I am sure that sensible arrangements could be reached in terms of which vote the money comes out of and when construction takes place.

I am sure that the House would not wish to put London Regional Transport in the position of having to find the extra funds from its funding for transport services in London and of having to ask members of the travelling public to fund the £7 million or £8 million to build the entire concrete slab. That would be unreasonable. Nevertheless, although I cannot make any concrete proposals or guarantees this evening, I am seized of the importance of this matter.

The hon. Member for Ogmore is in his place. I say to him again, through you, Madam Deputy Speaker, that I understand the seriousness of this issue. He implied that this issue should be addressed in Committee. I believe that it must be addressed in the autumn, and, I hope, before any Select Committee considers the Bill. I give the hon. Gentleman and his colleagues my assurance that I will treat this matter with the utmost seriousness. It is in the interests of London Regional Transport that that matter is resolved.

Mr. Don Dixon (Jarrow): Will the Minister explain why the Committee that will deal with this Bill should take any more notice of London Underground than did the New Building Sub-Committee, on which I serve? The first time that we saw London Underground, we asked its officials whether there was a feasible alternative site. The obvious site was St. James's park. They told us that on engineering grounds that site was not feasible. We then appointed our own advisers who said that it was feasible. When that point was put to London Underground, it accepted it—after our advisers had advised us. Why should London Underground be any more forthcoming to the Committee that will consider the Bill than it was to the New Building Sub-Committee that is dealing with phase 2 of the parliamentary building?

Mr. Freeman: I understand the hon. Gentleman's concern, but surely that is a matter for the Select Committee that will be appointed to consider the Bill. That Committee is the appropriate body further to consider the evidence and to reach its own conclusions. Although I note the conclusions of the New Building Sub-Committee, it is not for me to argue that point tonight.

I understand and accept that the Select Committee will examine that issue and will doubtless wish to take into account the consequences for other buildings, including Westminster Abbey, the alignment of the route and the deviation that would be entailed in any other station than Westminster, and the ease with which the line can come into Waterloo. For the benefit of commuters coming in to Waterloo, it is important that the underground line runs smoothly and squarely into Waterloo and that it does not approach Waterloo from a difficult angle, which I gather would be the case with Charing Cross.

Mr. Harry Greenway: I am grateful to my hon. Friend for giving way again and promise that I shall not interrupt him again. Is my hon. Friend concerned about the suspicion that is felt both in the country and the House on this matter? Does he not remember that in the 1930s people were told that they were in poverty and that although the judge's heart bled for them, it was better for them to go to the workhouse? Others have said that it would be terrible to demolish Westminster Abbey, but that that may have to be done one day for a housing estate. Such arguments are devastating. We should face up to this now and put first things first.

Mr. Freeman: As I understand it, a station at St. James's would entail severe disruption and difficulty for Westminster Abbey. A station at Westminster involves problems for Parliament square. As the spoil from the

tunnel running from Green Park to Waterloo would come out at Jubilee gardens, there would thus be some inconvenience there. The hon. Member for Ogmore put me in my place when I intervened earlier and he is right to say that the spoil from constructing the ticket hall would have to come out at Parliament square if that is the location.

Mr. Ray Powell (Ogmore): Will the Minister give way before he leaves this point?

Mr. Freeman: I have not left it yet.

Mr. Powell: The Committee has put its objections to the Bill on record, but we must bear in mind the fact that the New Building Sub-Committee was already preparing for the development of phase 2 of the building around Bridge street and had undertaken a lot of work when London Underground came up with these proposals months later. We are concerned not only about the rafting and its cost, but about the inconvenience and the delay that have been caused to the building of new office accommodation for hon. Members. I assume that the Minister appreciates all the problems that hon. Members are suffering in terms of office accommodation and that he will therefore appreciate also the inconvenience of new phase 1 being developed before phase 2 had been started. A great deal of inconvenience will be caused to hon. Members by the further development of phase 2 and the building of the raft. Given all those considerations, London Underground should be responsible for the raft covering the building. That is why some of the objections that I have outlined were made in Committee.

Mr. Freeman: I understand the strength of that argument. If the parliamentary buildings on Bridge street are to go ahead—that is not clear in terms of financial provision, but perhaps the hon. Gentleman knows more about that than I do—there is a great deal of common sense in the proposal that London Regional Transport should finance and execute the entire raft in one go. Sooner or later, the cost of the construction of that raft will come out of the taxpayers' pocket. I accept the logic of that argument.

As a Transport Minister, I must also protect the position of London Regional Transport. It would not be reasonable for the travelling public in London to pay for rafting which is not strictly required for the line and the cost of which may be irrecoverable. When it becomes clear that the building is to proceed, sensible accommodation can be made.

Mr. Ray Powell: Let me stress one or two other points to clear the issue. We have already appointed architects and the building will already be approved when we have permission for it to proceed. The delay has been caused by the London Underground Bill. Had the Bill had not come about, we would have been a long way ahead with the development. I should make it clear to the Minister that the phase 2 development of the building on that site has already been approved.

The Minister referred to the travelling public. The Sub-Committee has as much sympathy with the travelling public as anyone else. As my hon. Friend the Member for Jarrow (Mr. Dixon) said, we have already appointed advisers to suggest and recommend a different route so that the line could avoid Parliament square and all the disruption that will be caused to the House and to the travelling public. People travelling by tube, car, coach or bus will be disrupted. Surely the Minister has some responsibility in that matter.

Mr. Freeman: I regret the possible disturbance as much as the hon. Gentleman does. He, I and other right hon. and hon. Members have much to lose in terms of convenience, as have our guests visiting Parliament. Design approval of the new parliamentary building is one thing; funding is another. Funding is not my responsibility. I accept the hon. Gentleman's argument about construction in one fell swoop, possibly by London Underground. That may well facilitate or accelerate the construction of the building.

My final point concerns the south London stations at Southwark and Bermondsey. The hon. Member for Southwark and Bermondsey knows, as I have given him a commitment personally and in writing, that it is the Government's policy that stations should be built at Southwark and Bermondsey. He will remember from the east London rail study that they were firmly in the plan. He also knows that there were question marks over both those stations and the proposed stations at Greenwich and at other points on the line, which suggested that there was further analytical work to be carried out.

I am not backtracking on the Government's commitment to a policy that stations should be built at Southwark and Bermondsey. I confirm that the construction of those stations is provided for and is not dependent on developer contributions. If the hon. Member for Southwark and Bermondsey were standing at the Government Dispatch Box, he would be the first to say that, in order to assure the Public Accounts Committee and the House that those decisions were soundly based, there should be a robust justification. I am grateful to him and to the borough of Southwark for helping to provide that justification. That exercise will conclude by 1 October, well in advance of the Committee stage of the Bill. I am committed to meet him and Southwark when that exercise is concluded. I have no reason to believe that the cost benefit appraisals—not the financial justification—for building those two stations will be anything but positive.

Mr. Harry Cohen (Leyton): I really should have got in before the Minister moved on from his point about the costs. He said that he thought that the cost of the concrete rafting would eventually fall to the taxpayer. Can he assure the House that the cost will not be met by increased fares to passengers or through poll tax bills across London, but that the taxpayer will pick up the bill directly?

Mr. Freeman: I am happy to give the hon. Gentleman a categorical assurance that it will be paid for by the taxpayer in the form of a grant voted from the Department of Transport. It will not fall on the fare-paying passenger who pays a proportion of the operating cost. It certainly will not fall on the community charge payer in London. It will come from the national taxpayer, who will be paying for an enhancement of transport facilities in London. I hope that the House will give the Bill a Second Reading and will note the assurances and promises that I have given.

8.15 pm

Ms. Joan Ruddock (Lewisham, Deptford): Before I start my speech, let me associate the Labour Front Bench with the condemnation, during the point of order before

[Ms. Joan Ruddock]

the debate, of the atrocities committed this afternoon on the outskirts of Armagh, and express our sympathies to those who have been bereaved.

I give the Bill on the extension of the Jubilee line a general but qualified welcome. In the previous debate, several hon. Members, including my hon. Friend the Member for Ogmore (Mr. Powell), clearly expressed the concerns of the House about Parliament square. I shall not dwell further on that issue or reiterate the points made on behalf of the Accommodation and Administration Sub-Committee, but will deal instead with the wider transport issues.

The Bill comes before us at the behest of a Government who have repeatedly failed in their duty to plan strategically for our capital city. It comes before us despite the evidence of the Government's own central London rail study, which found the extension of the Jubilee line the least likely of the proposals studied to relieve the extreme congestion experienced by users of London Underground in the central area. Even the borough of Newham, which stands to benefit from the Jubilee line extension, agrees with all other expert and interested parties in London that an east-west cross rail would have done more for London. London Regional Transport, in its latest annual report, maintains the position of the central London rail study—that the east-west cross rail and the Chelsea-Hackney line are essential if there is to be any real solution to the problem of central area congestion.

The Bill comes before us because the free-market, profit-first priorities of the Government have determined that new transport infrastructure in London is development-led. That is why it is so important that, as the instruction in the name of my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) says,

"the Committee on the Bill . . . have regard to the need for regeneration of local communities and local industries in and around the areas of London Dockland and Lower Lea Valley."

Only by proper strategic planning can the needs of all our communities in London—not just the needs of developers—be met. The Bill must be set in the context of the extent and scale of the transport crisis afflicting London and the Government's response to it. Only then can we assess its merits.

It is remarkable that, with such a powerful consensus about the extent of that crisis, the Government continue to make a complete mess of transport in the capital. In London, the chorus of criticism about the Government's inaction comes from all sides. For example, the CBI states in a recent report:

"The problems exemplify the need for a co-ordinated, integrated, intermodal approach."

The London Regional Passengers Committee, in its annual report, was scathing in its criticisms. It said:

"On the Underground, more miles were lost, waiting times grew and while the chance of a train running on time rose, so did the chance of it not running at all. More lifts were working, but escalator stoppages hit bottom before improving gradually. The performance targets set for LRT require an improvement in all these areas."

The director of planning summed it up when he said:

"If you regard London grinding to a halt as a crisis, then we're not there—yet. But if you regard wasting billions of pounds a year through congestion at a time when we face increasing competition, then I think you would say that we are."

Against that background, the Jubilee line extension begins to appear a little like the proverbial fig leaf. However, as the Minister said, it will give additional tube capacity. It will provide much-needed access to docklands and it will be a much-valued public resource in a city that is increasingly privatised, unplanned and lacking in co-ordination. As a result of lobbying by myself, my colleagues in Greenwich and others, it will also provide a loop into north Greenwich, bringing an important tube link into an area that is poorly served by public transport.

For those reasons, and despite some reservations, the Opposition generally support the Bill. We do so also because we believe that investment in the public infrastructure in London is now an urgent task. It is the only answer to the crucial need to begin to limit the use of private cars in the city. The Bill at least shows some commitment from the Government improving and extending the capital's public transport. However, they must demonstrate their wholehearted commitment to those who do not have the developers' chequebook to hand. It appears that developers can obtain the stations that they want, but can the ordinary citizens of London?

The Minister has made some response to the representations about the construction of the Southwark and Bermondsey stations. As we heard previously in our debates, above all those stations would benefit the established residential communities that currently have to travel on inadequate public transport. Some of my constituents would be among those who would use the stations, as would the constituents of my hon. Friend the Member for Peckham (Ms. Harman), who regrets that she cannot be here tonight.

It is significant that the technical officer in the borough of Southwark could demonstrate that, on the estimates provided by London Underground, those stations would be used by more people than use some of the stations on the present Jubilee line. Given all the evidence, I should have thought that the Minister would agree that it is not just financial considerations alone that should determine the building of stations such as those in south London, but the important grounds of social justice and economic development for very poor areas with very poor people. They would benefit enormously from job opportunities that would be more accessible if they had stations nearby at Bermondsey and Southwark.

The Minister has not removed all doubt that those stations will not, in some way, be dropped from the plans. I urge him to think again. As the hon. Member for Southwark and Bermondsey (Mr. Hughes) said, there will be public outrage if those stations are not built when developers with their cheque books can get what they demand.

There are further questions about the Bill with which the Minister has not dealt. Clause 29 allows London Underground to close a section of the Jubilee line from Green Park to Charing Cross at a future date, without going through the usual consultation procedure. Consumer interests are protected by law and if London Underground wishes to close a section of line, at present it is required to notify the London Regional Passengers Committee. That committee may then hold a hearing and report to the Secretary of State for his decision. It feels that there is no justification for changing that procedure.

I appreciate that London Underground intends to keep open the line nominally and use it for football specials, for example, but that is hardly a reassurance for the 20,000

commuters who use that section of the line every day. London Underground believes that many commuters will benefit from the change in the line, but those matters should be subject to a proper hearing. I urge the Minister, London Underground and the sponsor to reconsider denying transport users a voice and the opportunity to consider the implications of the proposed changes.

Mr. Spearing: Did my hon. Friend notice that the Minister referred to the alternative alignment—which was not considered by the advisers to the Services Committee—of maintaining a Charing Cross terminal and extending it via Temple to Waterloo, as being for the convenience of passengers? He did not deny that it was impractical and had certain limitations. Is not that something that the passengers committee should consider?

Ms. Ruddock: My hon. Friend makes an excellent point. Indeed, all his points about London transport are excellent. I am sure that the committee will consider carefully what he has said.

We want clause 14 to be removed because there is no justification for taking away standard procedures. After the defeat on the King's Cross Railways Bill, I hope that the promoters of this Bill will reconsider.

We are disappointed by London Underground's apparent unwillingness to make the new section of the Jubilee line fully wheelchair accessible. I understand that it is technically feasible to do so, even in deep tunnels, by building a walkway. Given that London Underground has said that new lines will be wheelchair accessible, it would be a missed opportunity not to start with this section of line. I urge London Underground to reconsider, and I ask the Minister to clarify the Government's policy on access to public transport for people with disabilities. I shall give way to him if he wishes to intervene.

Mr. Freeman: I do not wish to duck the question, because it is extremely important. I regret that I cannot answer a question on the adaptation of the design of the Jubilee line to accommodate wheelchairs. Although the Department does not plan the details of the line, I undertake to make inquiries of the chairman of LRT about accommodating disabled people.

If the hon. Lady reflects on the performance not only of LRT but of British Rail, I think that she will agree that it is a great deal better than has been achieved in the past, and a great deal better than other European countries. We have a great deal to be proud of, but a long way to go.

Ms. Ruddock: I invited the Minister to intervene because, as is so often the case, when judgments are made on technical matters there is always the question of finance. We are all aware that the line is primarily to be financed out of the public purse, so these considerations are relevant to Government. I am grateful to the Minister for his response.

Millions of potential travellers nationwide are denied access to many modes of public transport through lack of foresight in planning and design. When a major operator such as LRT begins construction of a new system that is essentially for the 21st century, we should insist that those who are wheelchair-bound have equal access to the system.

I noted that the promoter concluded his remarks by referring to the substantial contribution of Olympia and York and British Gas to the project. In fairness, he did not over-emphasise the importance of their contributions; Ministers, however, have been much more fulsome, as was the hon. Member for Kettering (Mr. Freeman), about the value for money of the scheme. Many of my hon. Friends and I have already said that the Government's central London rail study did not consider the line such good value. It gave it a negative rate of return, computing its benefit to cost ratio at 0·6:1 compared with 1·6:1 for the east-west cross rail.

The Government do not have a programme for rail investment that is truly analogous to their trunk road programme. If they did, the inclusion of a scheme that does not represent the best value for money might be acceptable on the grounds that other preferable schemes would follow without hindrance. However, no such programme exists and we fear that the scheme may lead to other schemes being starved of capital. Despite the invitation extended by my hon. Friend the Member for Newham, South (Mr. Spearing), the Minister has not satisfied us that there is no jeopardy to other schemes, and we hear persistent rumours that the Treasury might veto the introduction of a Bill this autumn to build another new line in the London transport system.

We hope that the Government will soon make clear their intention for the cross rail and the Chelsea to Hackney line. Without those two new lines, there will be no answer to the major problems of congestion.

New public investment and public transport provision in London is welcome, but yet again we debate a piecemeal provision in isolation. London cries out for a strategic plan. As my hon. Friend the Member for Newham, South reminded us, British Rail's review of alternative routes for rail links to the channel tunnel keeps open the possibility of Stratford becoming an international station. It is symptomatic of Government action on planning that the clearly related issues of international passenger traffic and cross rail are not part of our considerations. It is hardly surprising that London's transport is in a mess if this is the nearest to sensible planning that the Government can attain.

There can be no doubt that in the two debates on the Bill, the promoters and the Government have received clear warnings of the diversity of interests involved and the necessity to respond to the needs and aspirations of the travelling public in London. We believe that the Jubilee line should be extended, but only in an environmentally sensitive way, which must include consideration of the parliamentary area of London. It must have maximum access for local residents and, I hope, full access for wheelchair-bound passengers. With those provisos, we can support the Second Reading.

8.33 pm

Mr. James Arbuthnot (Wanstead and Woodford): The Bill raises several complex issues, including compulsory purchase and compensation. My name appears on the blocking motion to the Bill on behalf of only one of my constituents, Mr. Michael Downey, whose land and business will be compulsorily purchased.

I make no apology for concentrating on one man, because any hon. Member's constituent is as important in this respect as is the House of Commons putting its objections to disruption in Parliament square. My constituent, like me, has no objection to the general

[Mr. James Arbuthnot]

principle of the extension of the Jubilee line and agrees that it would be beneficial. His agreement means that I shall vote for the Second Reading of the Bill.

Although I generally enjoy following the hon. Member for Lewisham, Deptford (Ms. Ruddock), I would have wished to follow a more gracious welcome for the principle of the line.

My constituent believes, and again I entirely agree, that those whose land will be purchased should be treated fairly. He and his sister own some land near the proposed Canning Town station in the constituency of the hon. Member for Newham, South (Mr. Spearing) who spoke when we last debated the Bill. They have two businesses, a petrol station and an engineering business. The first, Fleet service station, has been in business on the site for about 60 years and has built up a large clientele, mostly with local businesses. Indeed, 60 per cent. of its turnover is with account customers in the immediate vicinity. Moving that business would considerably damage that account business.

Therefore, to minimise the damage, Mr. Downey must find replacement premises as near as possible to his present premises. His business requires a prominent road position. Replacement premises that fulfil both those requirements will obviously be extremely hard to find. One must not overstate that problem, because he may find new premises in a more prominent position or he may gain in passing trade what he loses in account customers, but, nevertheless, the problem exists and it is serious. Compensation would give him not the reinstatement value of his premises but its current market value. If he had to find premises on which to reinstate his business, he would have to compete with the Essos and Shells of this world, which would regard the business and the area as a major money-spinner. They would be able to provide much more money in bidding for new businesses, and the likely result is that he would be forced out of business. That would be an unreasonable result of the Bill.

It strengthens the case that many hon. Members feel that the structure for compensation for road and rail development should be reconsidered by the House and that a new structure should apply not only in general but in particular to the Bill.

The third and most important point in Mr. Downey's case is that to be able to keep his account customers, who comprise 60 per cent. of his turnover, any replacement business must open at the same time as his existing business closes. If there is any gap between closing and opening, his account business will melt away. It might trickle back in later years, but it would be severely damaged by the hiatus.

A new business must be bought and equipped before Mr. Downey is forced out of his old business. I understand that it takes many months to equip a petrol filling station. Planning applications, and possibly planning appeals, would lengthen the time during which the equipment would have to be installed.

J. and J. Downey is an engineering business and it raises similar concerns, although they are not identical. It needs not prominent premises but premises equipped to an exceptionally high standard. It has a large overhead travelling crane weighing 5 tonnes. Obviously, that takes much time to build and install. To avoid a hiatus, it must be installed long before Mr. Downey has to move out of his existing building.

The business needs to be situated in an area where Mr. Downey could expect his business to last, because it works on long-term contracts. The Bill has already affected the type of contracts that he has been able to attract, because they sometimes require guarantees by means of performance bonds. If my constituent's business is under threat of compulsory purchase, he will obviously find it more difficult to attract more contracts. That should be taken into account in the compensation granted to him.

I am talking about my constituent, but this matter applies as well to the many other businesses that face compulsory purchase.

Mr. Spearing: This matter affects not only businesses and proprietors but the many people living and growing up in Newham who might be or hope to be employed by those businesses.

Mr. Arbuthnot: That is right. Serious consideration should therefore be given to the hon. Gentleman's instruction.

I said that, unlike the petrol station, the engineering business did not need prominent premises, and it does not. However, my constituent has found it helpful over the years to be able to manage the two businesses from the same site. If he finds a reinstatement site with the same benefits from managing the petrol station and the engineering business, resulting in a reduction in the number of staff, there will be cost savings in terms of manning, office space and efficiency gains with respect to control and management. Any loss of that benefit should be taken into account in any compensation.

The possibility of finding the right replacement site, at the right time, with appropriate compensation, is central to my constituent's business. It is not overstating the case to say that, unless that is done, there is a possibility that my constituent will go out of business. Not surprisingly, therefore, he has been looking hard for replacement premises. He has instructed Grant and Partners to pursue this matter on his behalf. It has looked hard, but there has been little reaction in the area. Property owners appear to take the view that in the present state of the property market they would do better to hang on to their property rather than sell, perhaps in order simply to see what happens.

There is one site that my constituent has identified as suitable. The land is currently owned by the British Rail Property Board and consists of disused rail sidings next to the southern roundabout of the Connaught crossing. Although British Rail was asked about the site in January this year, so far it has said that it is under review.

My constituent clearly needs help from someone like London Underground, British Rail or the London Docklands development corporation—someone with more clout than he has alone. I am pleased to say that London Underground has offered some help, for which I am grateful because it goes in the right direction, but it does not solve the problem. I am afraid that more needs to be done. London Underground has said that it is prepared to offer to buy the Fleet service station in advance of Royal Assent. I have been told that it would agree to allow Mr. Downey to trade from his existing premises even after that acquisition until London Underground needs it for the

railway. That would give Mr. Downey the chance to take his compensation money and to find other premises and, if he found them, to use the money to re-equip them without any hiatus in the business.

The problem is not the money—money can be borrowed and the loss of money can be compensated for with replacement money. The problem is that Mr. Downey by himself cannot find the replacement site. He needs help, and that is the sort of help that so far he has been refused. It is at this stage that my constituent begins to wonder if the compulsory purchase is needed.

Is too much land being taken? The hon. Member for Newham, South raised that point. In the Bill, London Underground is taking powers to take a great deal of land. The question must arise whether it is taking more than it needs for the purposes of building the Canning Town station and building a Jubilee line station and a bus interchange. All the evidence possessed by my constituent suggests that London Underground is taking too much land, but that evidence is extremely sketchy. The plans for the station and the bus interchange are unclear. The risk is that they will remain so. The injustice from my constituent's point of view is that he does not know what case he will have to answer. That goes against all the principles of British justice and will, I hope, be seriously considered by the Committee.

I hope that London Underground will lean over backwards to prove to my constituent that it is not taking too much land and to give him the information that he needs to satisfy himself to that effect. I said in an intervention in the speech of the hon. Member for Newham, South that if London Underground took too much land it would benefit from the uplift in value which would follow. I do not suggest that London Underground has any such motive, but it should make it plain that it has no such motive by giving the information that my constituent and others in a similar position need to satisfy themselves that not too much land is being taken.

8.46 pm

Mr. Stanley Orme (Salford, East): I intervene in the debate as a member of the New Building Sub-Committee and as a provincial Member, and I make no apology for speaking as a provincial Member. Hundreds of millions of pounds of public expenditure will be invested in this development and we are entitled to question it. This development in the capital will affect many people—not just those who live there but those who visit it—and will be important to them.

I agree with my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) that the development of new undergound links in London is crucial. Public transport must be promoted if we are to discourage the use of the motor vehicle, thereby easing traffic congestion and lessening environmental damage. I start from that point. I am not opposed to the extension of the Jubilee line. As other hon. Members have said, when we look at London Transport 2000 and transport forecasts, this is not necessarily the first priority that comes to mind; it is third or fourth on the list of what is needed in the capital.

Faced with the Bill, we must examine it on its merits. The Minister said that the Government were not promoting the Bill although they were very much in favour of many aspects. Questions were raised about the siting of stations in Southwark and the use of Parliament square as the junction for the new Jubilee line extension and the Central and District lines. It is extraordinary that the Minister did not discuss these matters with London Transport. He said that they were a matter for the Committee. The New Building Sub-Committee discussed these matters in detail with London Underground. First, we were dismayed at its proposals for a Bill preceded by no consultation.

Mr. Dixon: The report by the Services Committee states, in paragraph 17 on page ix,

"We must put on record at this point our regret that neither the Services Committee nor the authorities of the House were consulted during preparation of the bill. We find it astonishing that neither London Underground nor the Department of Transport realised that the parts of the bill relating to Westminster would cause considerable concern to Members of Parliament."

Mr. Orme: Neither the actions nor the attitude of London Underground have been to its credit. Following our initial discussions with its officers—including the chairman—we went to see the Secretary of State for Transport, who told us that the Government would support the Bill. We asked, "What about all the criticisms of your proposal to put hundreds of millions of pounds of public money into a project that your Department has not examined?" We were told that the Government would go ahead, using private Bill procedure—which is, of course, the subject of a good deal of criticism in the House at present.

Mr. Dixon: Not only the private Bill procedure but the rotation of Chairmen is under close examination. It has not gone unnoticed that all the Committees debating controversial Bills have had Conservative Chairmen. Moreover, all those Chairmen have, with their casting votes, opposed the introduction of any amendments in Committee, making Report stage impossible.

Mr. Orme: I hope that the House will indeed examine private Bill procedure. The conduct to which my hon. Friend has referred is most regrettable, and we must hope that it will not be repeated.

In the past, the purpose of private Bill procedure was to assist the railway industry, in particular, with the purchase of land that crossed many estates and many counties. That was done on an individual basis; what is so regrettable about this and other recent Bills is their use by the Government as a vehicle to push through legislation. I hope that the Minister will tell his Department that, if the Bill is given its Second Reading, we shall be watching the way in which it is handled very carefully, for we have serious misgivings.

Mr. Andrew F. Bennett (Denton and Reddish): Is it not worrying when the Minister says that it is up to the Committee? Traditionally, with private Bills, efforts have been made to negotiate away most of the problems so that the Committee is left with only the minimum of residual difficulties and not much time is taken up. We have already seen how much time—hon. Members' time—has been taken up by the King's Cross Railways Bill; I understand that the Whips have encountered considerable difficulty in persuading hon. Members to serve on the Committee. I hope that my right hon. Friend will press the promoters to find ways of resolving the outstanding problems, so that the length of the Committee stage can be minimised.

Mr. Orme: My hon. Friend is quite an expert on this kind of procedure; I hope that note will be taken of what he has said.

We cannot but suspect that enthusiasm for the Bill has a great deal to do with the fact that a private development is under way on Canary wharf and in the east end. Of course, I accept that others will benefit. I have received a letter from Rita Bensley, secretary of the Barkantine tenants association, expressing regret that some of us do not support the Bill. She writes:

"I am sure that you must be aware that this extension is vital to the regeneration programme for Docklands. The worst possible scenario for the local people of Docklands is for this programme to fail".

She adds that she and her neighbours live in an area that has been used as a building site for 10 years, with another seven to come. I understand her feelings; our criticisms are intended not to stop the Bill, but to ensure that it is substantially improved.

The interchange of Parliament square is not a little local issue. We are not talking about the self-interest of Members of Parliament; we are talking about the centre of the capital, which attracts millions of people. As has already been pointed out, this area contains not only both Houses of Parliament but St. Margaret's church, Westminster abbey, the Queen Elizabeth II conference centre, the Methodist Central hall, Whitehall and the Thames and its immediate surroundings. Phase 1 of the new building programme is in progress; it is behind schedule, and members of our Committee are being severely criticised by hon. Members for allowing the delay.

My hon. Friend the Member for Deptford is one of our strongest critics. If, however, we allow the Bill to proceed unchanged, we shall have to take people out of the new building. Occupation may be delayed for two or three years, depriving hon. Members and staff of necessary accommodation. This is not special pleading; we are continually told that the accommodation is essential, and that anything that stops or delays its completion is detrimental to the working of the House. We have an alternative to London Underground's proposals.

Ms. Mildred Gordon (Bow and Poplar): Does my right hon. Friend agree that the use of county hall might provide a temporary solution to the problem of accommodation for hon. Members?

Mr. Orme: That proposal has often been put forward and the next thing we will see is a proposal for an underground link from County hall to Westminster.

If we can complete phase 1 and start phase 2, we can begin to provide the kind of accommodation which some of the newer hon. Members who are present in the Chamber now are crying out for. We want to see that development proceed.

The interchange at Westminster will delay phases 1 and 2 and it will add an extra 30,000 people a day to Westminster. Westminster city council, in its petition against the Bill

"expressed considerable concern for the safety and convenience of pedestrians and other passengers leaving the station in such numbers."

The council believes that congestion in the area could be increased with a

"concentration of passengers requiring interchange with private cars, taxis and buses."

An extra 30,000 people a day is an extra 10 million a year travelling into this centre.

It is clear from the present congestion in Westminster as people pass through the square on public transport and in other ways what would happen if Parliament square were to become a building site. We have an alternative to London Underground's proposals.

Mr. Bob Cryer (Bradford, South): My right hon. Friend described the conditions that would exist after the building works were concluded and the number of people in Parliament square had increased. However, he has not explained to the House that the building work could occupy the site for between five and seven years. The environmental impact statement explains that the National Heritage Act 1983 provides powers for an archaeological inspector to apply for a suspension of constructional activity if any areas of archaeological interest are discovered during the excavations. Does my right hon. Friend agree that there are likely to be many areas of archaeological interest in Parliament square and the building period may be extended for a longer period?

Mr. Orme: Bringing this interchange into Parliament square is not in the interests of the capital and it is certainly not in the interests of the general public. Because of that we examined the proposal and we suggested an alternative to London Underground. We suggested that the interchange should be at St. James's Park. London Underground told us that that was not feasible. London Underground told us that its engineers said that that was not possible.

Therefore, we employed our own engineers to examine the site. They said that it would be feasible for the interchange to be at St. James's Park. London Underground then accepted that, but it still objects to our proposal. I wonder whether it opposes that because London Underground's headquarters happens to be over St. James's Park tube station.

We are driven to the conclusion, after the very reasonable case that we put to London Underground, that there are obviously other forces at work that are opposed to the interchange being moved.

If the Bill is passed and the development begins in the next Parliament and Parliament square becomes a building site for five or six years, I hope that hon. Members do not come screaming to the New Building Sub-Committee wanting to know why we allowed the development to proceed when an alternative was available.

Mr. Dixon: Does my right hon. Friend accept that our prime concern in the New Building Sub-Committee was to provide adequate office accommodation for hon. Members and staff? While we may have the finest car park in central London, this House has possibly the worst office accommodation. That is why the New Building Sub-Committee was concerned about the connection at Westminster and its effect on phase 2 of the new building.

Mr. Orme: The development will probably put phase 2 back into the next century. Phase 2 will take between eight and 10 years. Phase 1 is nearly complete and it would be an outrage if, because of the development, people had to be decanted from the new development and moved back into a crowded Palace of Westminster.

I hope that the Government will consider this matter. We are not being Luddites. *[Interruption.]* The promoter of the Bill wants to be careful about the way in which he handles the matter. We can make the passage of the Bill

very difficult. I should have thought that the hon. Gentleman wanted co-operation and would not laugh when I say that we are not Luddites. We have a solution to the problem. We want his and the Government's co-operation, and we shall continue to press for it.

9.4 pm

Sir John Stanley (Tonbridge and Malling): I intervene briefly in the debate, as have other provincial Members, but my constituency is rather closer to London than that of the right hon. Member for Salford, East (Mr. Orme). Thousands of my constituents come to London every day and are then dependent on the efficiency and capacity of London transport to be able to get to work. I earnestly hope that the House will give the Bill a Second Reading on two grounds—first, because of the general transport situation in London and, secondly, because of the specific area of London the transport needs of which the Bill is designed to help. The Bill deserves support.

As has been said, London is in a very serious transport position. The seriousness of London's transport position is undoubtedly already having some effect on its attractiveness as a place for tourists and on the general perception of London as a capital city compared with other European capital cities, and must have an impact on the long-term attractiveness of our capital as a major international financial and commercial centre.

I am in no doubt that, if there is to be a significant improvement in London's transport, it must be through a public transport system. The only way in which we can make a satisfactory improvement in the public transport system in a way in which we can provide sufficient capacity and is environmentally acceptable is through rail systems, in particular through sub-surface rail systems. I very much welcome the Bill.

On the Bill meeting the needs of the east end and docklands, I share with the House one of the most remarkable aerial experiences that I have ever had. It was about 10 years ago, shortly after we came into government, and when I was in the Department of the Environment. At the time, we were considering the powers that were to be included in the first Local Government Bill, and, in particular, powers to establish the urban development corporations. Along with my right hon. Friends the Members for Henley (Mr. Heseltine) and for Bridgwater (Mr. King), now Secretary of State for Defence, I took the helicopter journey down the Thames towards the docklands. That was the first time that I had had that aerial view of the east end of London. It was a staggering spectre of enormous desolation on a vast scale 10 years ago—miles and miles of waste, dereliction and abandonment. It is one of the most signal achievements of the Government that, in that dramatic period of just 10 years, there has been a total visual and built transformation of that crucial part of our capital city.

The creation of better homes, new homes and jobs on an enormous scale has outstripped the provision of transport capacity. That process is continuing: indeed, it looks like becoming worse, with the further development of the Isle of Dogs and the enormous development of Canary wharf. Almost certainly the process, which I welcome, will spread further east, eventually into the development of the royal group of docks. Therefore, it is vital that we begin to provide that area with a proper mass transit system of which the Bill is a crucial component.

The Bill is vital to docklands and the east end, and I hope that it will be a precursor to the Government introducing the first of the London cross-rail links in the forthcoming session. The Bill relates to the extension of one tube line, but the cross-rail links are even more important than the Bill as a means of solving London's transport problems.

The Bill is important, and I hope that the House will support it.

9.9 pm

Mr. Ron Leighton (Newham, North-East): I am pleased to follow the right hon. Member for Tonbridge and Malling (Sir J. Stanley), who, as a latter-day Dr. Livingstone, discovered the east end in a helicopter. That is about the only way in which one can get around London these days.

Those of us who represent the east end believe that we should evaluate the proposal to extend the Jubilee line against the background of London's crisis of traffic and transport. The congestion in London is now deplorable and one gets the impression that London is almost strangling itself.

Things are getting worse. Public transport is dirty, squalid and congested. Surface traffic is slower moving than in the days of the horse and cart. I do not know whether the right hon. Member for Tonbridge and Malling ever travels on the underground——

Sir John Stanley: Every day.

Mr. Leighton: In that case he will be aware, should he travel at rush hour, that the overcrowding is obscene. I agree with the right hon. Gentleman that such conditions are completely unworthy of a European capital city. It is vital that our transport infrastructure is internationally competitive. The French would not allow similar conditions to develop in Paris, and should Berlin become the capital of the united Germany, just watch the transport infrastructure that will develop.

Congestion leads to inefficiency. The Confederation of British Industry has said that congestion in London costs £10 billion—that is a big bill, which must be paid by every London family. Some of the costs of that congestion are obvious and can be quantified—for example, the late arrival of staff. Vehicles that are constantly stuck in traffic jams must be serviced more frequently than others and are subject to extra repairs. Those traffic jams also lead to an increased consumption of fuel. One must also consider the overtime payments to staff who are delayed as well as the cost of those inordinate delays.

Other costs faced by Londoners are less tangible. Many of our constituents find their journeys to and from work a twice-daily nightmare. No one can cost the frustration and sheer physical discomfort with which those people are obliged to put up every day. Millions of people who work and live in London must endure that and we cannot gauge easily the effect of that on their health and productivity. We are aware, however, that more and more days are lost to mental and stress-related illnesses. Many of those illnesses are related to the strain of getting to and from work. The congestion and the hours that it adds to the working day also add a huge cost to the social and family lives of Londoners.

The problem is that no one is responsible for transport in London. The Secretary of State for Transport has told

[Mr. Leighton]

us that he is not responsible. London must be the only major city in the world, east or west, without an elected authority responsible for transport. There is no co-ordination, coherence or strategy. Everything is piecemeal and ad hoc.

The London transport infrastructure has been subject to decades of neglect, but our forefathers built a first-class transport system when they established the tube lines. That development took place when the country was not as wealthy as it is today. Now we hear about the economic miracle and all the rest of it, but in the past decade we have done nothing serious to improve our transport systems.

On a previous occasion the Secretary of State told us that there was over-demand in London and that therefore he intended to put up fares—such was the policy behind the increases in fares. In recent years, fares have increased above the rate of inflation.

For the foreseeable future, the policy is to increase fares higher than the rate of inflation. The idea is to price people off London Transport services. I know that London Transport quibbles about that and says that its policy is to put up fares to constrain the increase in the use of its services. I had lunch with the management last week and we discussed the matter. London Transport is playing with words. Constraining the increase in the use of London Transport services amounts to the same thing as pricing people off them.

When the docklands light railway was first thought of —a Mickey Mouse elevated tram which was to cost £70 million—some of us said that it would not be sufficient and that we should have a proper railway. Now, the whole thing is being rebuilt and there will be no docklands light railway service of an evening or of a weekend until 1992. Incidentally, I agree with the right hon. Member for Tonbridge and Malling that the solution to our transport problems lies in public transport rather than in making arrangements for the private motor car.

Studies have produced three ideas. The first is the east-west cross rail, the second is the north-south Chelsea to Hackney line and the third is the extension of the Jubilee line. That third idea has been given priority. I represent the London borough of Newham, to which the line will come. I cannot oppose the line coming to Newham, but I have to ask whether this should have been the priority if our main aim was to end congestion in London. The answer to that is a clear no.

The line is being built as a developers' railway. It is being built because of the Canary wharf development by Olympia and York, which will be importing people to 50,000 jobs. The developers need that railway and they have been leaning on the Government. The development in that area has been market-led. No infrastructure was built and there has been no planning. So what happens? Olympia and York leans on the Government with its cheque books or whatever. It has more power and more clout than the rest of us, so we get the extension of the Jubilee line. I asked the Minister what Olympia and York was to put in and was told that it would be £100 million over three years and the rest in a period of up to 15 years. Bearing in mind inflation, what are we talking about here? Very little. We are not talking about putting money up front. The truth is that Olympia and York has had an extremely good deal.

The House is familiar with the Public Accounts Committee's report on the development of Canary wharf, which said that Olympia and York had bought the land very cheaply. At the time, the land was changing hands at £5 million an acre but Olympia and York got its for £440,000 an acre. The PAC also said that there should have been an arrangement whereby the community should have reaped the benefit had there been super-profits. There has been no such arrangement.

The idea of the Jubilee line has been around for 40 years; it is not a new idea. We are told that this is not the Government's Bill, although the Minister spoke for half an hour on it and so more or less took paternity for it. Why should he have spoken for half an hour on a Bill that had nothing to do with him?

The truth is that the Government are always doing too little, too late. The idea of the Jubilee line first surfaced in 1948, when the London planning working party approved proposals for a number of new tube railways in the capital. They included a route J from Moorgate to New Cross and on to Woolwich and Plumstead and a line D, which included a section from Trafalgar square to Ludgate circus. For four decades the link to docklands has refused to die, although it has appeared in a number of guises. At one time it was called the River line; then it was called the Fleet line; now it is an extension of the Jubilee line.

In 1970 London Transport sought powers to construct a line from Stanmore to Lewisham. The necessary consents were obtained for the first section to Charing Cross, which included a new tube tunnel from Baker Street, via Bond Street and Green Park. Debate continued about the line's future beyond that point.

In October 1973, a study reported that the line could be a catalyst for the rejuvenation of docklands, so there is nothing new about the proposal. Sir Richard Way, who was then chairman of London Transport, observed:

"transport and land use planning could work together so as to give maximum economic and social benefits."

One of the main planks of the study was that the provision of homes, employment and commerce should be integrated with rapid transit to minimise the use of the private car. What, therefore, was being talked about then is our instruction now.

A year later, Sir David Barran, who chaired the London rail study, described as "speculation" newspaper reports that the Fleet-Jubilee line would not run beyond Trafalgar Square-Charing Cross. There were doubts about that then.

In 1976, the strategic study of the docklands joint committee—a committee of local authorities that the Government knocked on the head—described the line as

"the key to the transformation of Docklands and east London."

In 1976, therefore, the local authorities in east London asked for an extension of the Jubilee line.

By 1979, the Greater London council said that it was prepared to go it alone by extending the line from Charing Cross to Fenchurch Street. Sir Horace Cutler, who was then leader of the Greater London council, said that the line was an integral part of the investment in London's future.

The coup de grace seemingly fell on the Charing Cross to docklands link in July 1980 when the Government came out in favour of a £100 million programme of road improvements. The then Secretary of State for Transport, the right hon. Member for Sutton Coldfield (Sir N.

Fowler) and Sir Horace Cutler set out in a joint statement what they called a "firm" programme of docklands transport improvements over the next 15 years.

The total cost of the roads programme was then put at £359 million. It included the docklands northern relief road, a new east London river crossing and road improvements on the Isle of Dogs.

Nine years later, the Jubilee line extension to docklands has suddenly sprung back into the frame, but at something like five times the estimated £200 million cost of the proposed 1977 link to Thamesmead and Woolwich. All these ideas were on the stocks during the last 40 years. Had they been carried out then, they would have cost only a fraction of the total cost now. Our instruction asks that this development should take into account the economic and social benefits and the provision of homes and employment.

My last and most important point is that the Jubilee line will not be the main means of solving London's congestion. There are two other proposals: the east-west crossrail and the north-south Hackney to Chelsea line. When we raised the matter with the Secretary of State for Transport, especially after he had abandoned his roads programme which would have cost £3 billion—so arguably that sum of money would have been available —we said that both proposals should be carried out, not just the one. However, he told us that it could not be done technically; it would be impossible to cope with the disruption and the spoil.

Last week my hon. Friend the Member for Newham, South (Mr. Spearing) and I met the management of London Transport and asked whether both proposals could be carried out simultaneously. They said that without any doubt both could be carried out. Last week, London Transport gave evidence to the Select Committee on Transport and said that it wanted both simultaneously. I asked the Royal Institution of Chartered Surveyors, whose members would have to carry out the work, and asked whether it could be done, technically. The answer was yes. Therefore we support the extension of the Jubilee line to the London borough of Newham and understand why it has been given priority. But we want those other two lines as well and we want them carried out at the same time. That is technically possible and that cannot be denied. They are needed now to ease London's congestion.

9.24 pm

Mr. Hugo Summerson (Walthamstow): I shall not detain the House for long and I shall confine my remarks largely to the Bill. It is a good thing to have extra underground lines in London, not merely because they are a good thing in themselves but because some areas of London are not well served and the Jubilee line extension will serve them well.

The Jubilee line extension will also serve Canary wharf. Those two words are guaranteed to drive many Opposition Members to apoplexy. To them Canary wharf is a temple of capitalism, a place where large profits will be made. It is because of Canary wharf that many Opposition Members cannot bring themselves to offer a completely unequivocal welcome to the Bill.

Ms. Ruddock: Let me put it on record that we have no objection to Canary wharf in principle. The developers have a job to do and their business is to make a profit. What we object to is that the Government's transport policy and the transport of London is developer-led, and the Canary wharf developers are among those who appear to be able to set priorities.

Mr. Summerson: I am delighted to hear the hon. Lady say that she does not object to Canary wharf. That is certainly not my impression from the speeches of several Opposition Members.

I attended a debate in the early hours of this morning, or rather yesterday in parliamentary terms, on the subject of global warming and I spoke about the internal combustion engine and how I hoped that the day would come when it would be banned from our towns and cities. But before that can happen we need a good public transport system—not a publicly owned transport system.

My constituency in north-east London, arguably in the lower Lea valley, is served by the Victoria line, but I am sure that many of my constituents would find the Jubilee line extension irresistible.

I have heard a great deal, especially from Opposition Members, about the effect that the Jubilee line extension will have on Parliament square. I have listened to them with complete incredulity. The line is needed, yet we hear complaints about the effect that it will have on us and our work. I am sure that we can manage perfectly well to get on with our work. Our facilities are appalling, but we still manage to do our work. We would be displaying ourselves to the public as people who think more of their own interests than of the interests of the travelling public and of London itself if we opposed this.

I also believe that we would get a new station. The present Westminster station is grotty. It is a disgrace. It is a place through which many people pass when they come to visit this famous and historic part of London, yet it has a horrible concourse and in heavy rain the underpass drips. It is revolting. We need a new station.

Some hon. Members have said that the proposals will bring in more tourists and that that would be appalling. It may bring more tourists in but, my goodness, it will take them away again just as quickly. A new station and a new line may encourage tourists to come by underground and that would mean fewer coaches bunging up Parliament square and parking in the surrounding streets with their engines running.

The new line will be to my convenience as well. I use the tube frequently to reach my constituency. At the moment I have to make a detour. I have to go from here to Victoria station and then on the Victoria line. To travel from Westminster up to Green Park and then straight on up the Victoria line will certainly cut my travelling time. The opposite side of the coin is that my constituents will have a quicker journey down to see me—and very welcome they will be.

It is most important for London to maintain its position as a world capital and as a world financial centre. If we do not do that, we shall drop behind other places in Europe. We need the financial centre at Canary Wharf. We need a better transport infrastructure. The Bill will provide both, and I support it.

Mr. Thorne *rose in his place and claimed to move,* That the Question be now put—

Question put, That the Question be now put—

The House divided: Ayes 180, Noes 65.

Division No. 313] **[9.30 pm**

AYES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Conway, Derek
Coombs, Simon *(Swindon)*
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Fraser, John
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodhart, Sir Philip
Goodlad, Alastair
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Irvine, Michael
Jack, Michael
Janner, Greville
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knowles, Michael
Lang, Ian
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lord, Michael
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Major, Rt Hon John
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Porter, David *(Waveney)*
Portillo, Michael
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Rumbold, Mrs Angela
Sackville, Hon Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Warren, Kenneth
Wells, Bowen
Wheeler, Sir John
Winterton, Mrs Ann
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Miss Ann Widdecombe and
Mr. Hugo Summerson.

NOES

Anderson, Donald
Armstrong, Hilary
Barnes, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Beith, A. J.
Bermingham, Gerald
Blackburn, Dr John G.
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cryer, Bob
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Eadie, Alexander
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Foster, Derek
Fyfe, Maria
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Greenway, Harry *(Ealing N)*
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Jones, Barry *(Alyn & Deeside)*
Lamond, James
Lewis, Terry
Lofthouse, Geoffrey
Loyden, Eddie
McKay, Allen *(Barnsley West)*
McWilliam, John
Martin, Michael J. *(Springburn)*
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Nellist, Dave
Neubert, Michael
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Redmond, Martin
Ruddock, Joan
Skinner, Dennis
Steel, Rt Hon Sir David
Vaz, Keith
Wareing, Robert N.
Wilson, Brian
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Andrew F. Bennett and
Mr. George J. Buckley.

Question accordingly agreed to.

Question put accordingly, That the Bill be now read a Second time—

The House proceeded to a Division:—

Ms. Gordon: On a point of order, Mr. Deputy Speaker——

Mr. Deputy Speaker (Sir Paul Dean): I shall take it after the Division.

The House having divided: Ayes 188, Noes 50.

Division No. 314] **[9.42 pm**

AYES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John

Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Colvin, Michael
Conway, Derek
Cook, Frank *(Stockton N)*
Coombs, Simon *(Swindon)*
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Fraser, John
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodhart, Sir Philip
Goodlad, Alastair
Gordon, Mildred
Grant, Sir Anthony *(CambsSW)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Holt, Richard
Home Robertson, John
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Irvine, Michael
Jack, Michael
Janner, Greville
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Lang, Ian
Leigh, Edward *(Gainsbor'gh)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lord, Michael
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Major, Rt Hon John
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Porter, David *(Waveney)*
Portillo, Michael
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Ruddock, Joan
Rumbold, Mrs Angela
Sackville, Hon Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Spearing, Nigel
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Warren, Kenneth
Wells, Bowen
Wheeler, Sir John
Winterton, Mrs Ann
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Miss Ann Widdecombe and
Mr. Hugo Summerson.

NOES

Anderson, Donald
Banks, Tony *(Newham NW)*
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Blackburn, Dr John G.
Blunkett, David
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Clelland, David
Cohen, Harry
Cryer, Bob
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Eadie, Alexander
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Foster, Derek
Fyfe, Maria
Godman, Dr Norman A.
Golding, Mrs Llin
Greenway, Harry *(Ealing N)*
Howarth, George *(Knowsley N)*
Hughes, Roy *(Newport E)*
Jones, Barry *(Alyn & Deeside)*
Lamond, James
Lewis, Terry
Lofthouse, Geoffrey
Loyden, Eddie
McKay, Allen *(Barnsley West)*
McWilliam, John
Martin, Michael J. *(Springburn)*
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Morris, Rt Hon A. *(W'shawe)*
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Redmond, Martin
Skinner, Dennis
Steel, Rt Hon Sir David
Turner, Dennis
Wareing, Robert N.
Wilson, Brian
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Harry Barnes and
Mr. George Buckley.

Question accordingly agreed to.

Bill read a Second time and referred to the Examiners of Petitions for Private Bills.

Ordered,

That it be an Instruction to the Committee on the Bill to have regard to the need for regeneration of local communities and local industries in and around the areas of London Docklands and Lower Lea Valley.—*[Mr. Spearing.]*

Ordered,

That it be an Instruction to the Committee on the Bill that in its consideration of the Bill it take account of the findings and recommendations contained in the Third Report of the Select Committee on House of Commons (Services) of Session 1989-90, *New Parliamentary Building (Phase 2) and the Jubilee Line Proposals.*—*[Mr. Ray Powell.]*

Ms. Gordon: On a point of order, Mr. Deputy Speaker. Only two hon. Members were waiting to speak at 9.30 pm, both of whose constituencies are affected by the Bill. Both hon. Members sat through the whole of the debate on 12 July, and again today—yet the debate was closed at 9.30 pm when it could have continued till 10.30 pm. I hope that my constituents, who support the extension of the Jubilee line but have suffered from years of disruption because of the building of the docklands light railway, Canary wharf and the docklands highway, will be treated with more consideration during the building of this extension than their representative was tonight.

Miss Kate Hoey (Vauxhall): On a similar point of order, Mr. Deputy Speaker. I hope that the reason why the two hon. Members were not called was not that they are women. I am sure that that is not so. My constituents are concerned about Jubilee gardens and the effect of it. I hope that London Underground will treat them with more respect than the promoter treated the two hon. Members tonight.

Mr. Cryer *rose*——

Mr. Andrew F. Bennett *rose*——

Mr. Deputy Speaker: Order. I shall deal with the points of order by the hon. Members for Vauxhall (Miss Hoey) and for Bow and Poplar (Ms. Gordon). I am sorry that they were disappointed and that time ran out, but if it helps I can confirm that they were here for the majority of the Second Reading debate.

Mr. Cryer: On a point of order, Mr. Deputy Speaker. In the debate on 12 July, I mentioned the environmental statement that London Underground had produced. The promoters have provided a statement for the Bill, and this links with the two points of order that have been made. I was sent a copy of the statement through the post, but only because I had said that the statement was not available to hon. Members in the Vote Office. Will you, through your good offices, Mr. Deputy Speaker, draw the attention of promoters to the desirability of making environmental statements readily available? I know that they are expensive, but compared with the hundreds of millions of pounds that are being poured into the line, a small amount of money is involved. Hon. Members who will serve on the Committee that considers the Bill should be provided with it as a matter of right. I know that this is not a Standing Order obligation, but I hope that you can use your good offices to ensure that that is done.

Mr. Deputy Speaker: As the hon. Gentleman knows, as he has raised this with the Chair before, it is the job of the Chair to be satisfied that the relevant parliamentary documents are available. His comments about documents being provided by promoters will be heard in the appropriate quarter. As he recognises, it is not a matter for the Chair.

Mr. Andrew F. Bennett: On a point of order, Mr. Deputy Speaker. Will you consider how the Chairman of the Committee will be appointed? My hon. Friend the Member for Jarrow (Mr. Dixon) mentioned how Chairmen have been appointed to Committees in recent months. The feeling in some quarters is that there has been manipulation of the order in which Bills have been taken to ensure a Conservative Chairman for controversial Bills and an Opposition Chairman for non-controversial Bills. As I understand it, the tradition of private business is that hon. Members are totally independent and are not involved with the Bill. Are you satisfied, Mr. Deputy Speaker, that any hon. Member can be totally impartial on a Bill that will affect our access to and from the House?

If the tradition of hon. Members being independent is to be maintained—four of them will consider the Bill, one of whom will have a casting vote—careful inquiries must be made to discover whether the Bill was set down for consideration a fortnight ago and again today to secure a Conservative Member as Chairman of the Committee. I think that that would have serious implications for the impartiality of that Committee and of hon. Members.

Mr. Simon Hughes: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it the same point of order?

Mr. Hughes: Yes, Mr. Deputy Speaker. It is further to and in support of the point of order made by the hon. Member of Denton and Reddish (Mr. Bennett). I ask you and your colleagues to reflect on the matter. I do not make a personal comment when I say that the Bill's sponsor is a Conservative Member—*[Interruption.]* No, that is not an offence. The issue of the impartiality of the Chairman of a Committee is relevant in view of the direction of the promotion. For understandable reasons, London Transport chooses—as it is entitled to do—which Member sponsors its Bill. Surely that should be a factor in influencing the choice of Chairman of the Committee, by having someone other than a Conservative Member as the Chairman. I hope that a balance can be sustained to show that the Committee is truly impartial.

Mr. Deputy Speaker: I understand the points of order that have been made by the hon. Members for Denton and Reddish (Mr. Bennett) and for Southwark and Bermondsey (Mr. Hughes). The House recognises the onerous task of hon. Members who chair and serve on Opposed Bill Committees. I do not believe that any of the points raised are issues for the Chair, although of course I shall carefully consider the hon. Members' comments. This is a matter for the Committee of Selection. I feel sure that the two hon. Members will wish to draw their points to the attention of the Chairman of that Committee.

Redbridge London Borough Council Bill

Order read for consideration of Lords amendments.

9.59 pm

Mr. Martin Redmond (Don Valley): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. In a moment. Lords amendments to be considered what day?

Ordered,

That the Lords amendments be considered tomorrow.

Mr. Redmond: That answers my question, Mr. Deputy Speaker.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Contracts (Applicable Law) Bill [*Lords*] may be proceeded with, though opposed, until any hour.—*[Mr. Lightbown.]*

Orders of the Day

Contracts (Applicable Law) Bill *[Lords]*

Not amended (in the Standing Committee), considered —[Queen's Consent, on behalf of the Crown, signified.]

Bill reported, without amendment; not amended, considered; read the Third time, and passed, without amendment.

European Bank for Reconstruction and Development

[Relevant document: European Community Document No. 5962/90 on conclusion of the Articles of Agreement establishing a European Bank for Reconstruction and Development.]

10.2 pm

The Minister for Overseas Development (Mrs. Lynda Chalker): I beg to move,

That the draft European Bank for Reconstruction and Development (Subscription to Capital Stock) Order 1990, which was laid before this House on 13th July, be approved.

I understand that it is agreeable that the House should consider at the same time the other motion on the Order Paper:

That the draft European Bank for Reconstruction and Development (Immunities and Privileges) Order 1990, which was laid before this House on 13th July, be approved.

Mr. Deputy Speaker (Sir Paul Dean): If the House agrees, so be it.

Mrs. Chalker: The explanatory memorandum circulated on the EC proposal—Document No. 5692/90—for a Council decision on the conclusion of the articles of agreement establishing a European Bank for Reconstruction and Development is most relevant and I greatly welcome the interest of the House of Commons Select Committee on European Legislation, which has recommended a debate at an early stage.

I spoke with the Chairman of the Select Committee, the hon. Member for Newham, South (Mr. Spearing) and explained that, in the short time available, it has not been possible to arrange the separate debate recommended. I look forward tonight to a thorough debate on the orders and on all aspects raised by establishment of the new bank. It may be helpful to the House if I also deal with points arising from the Community document.

The House will acknowledge the extraordinary change in central and eastern Europe. Yesterday's dictatorships have been replaced by today's reborn democracies. The spurious certainties of centrally planned economies have given way to the opportunities and disciplines of the free market. The free world has reacted quickly to this momentous process, and must continue to do so if it is to help and influence events. It would be difficult to find a clearer example of quick reaction and long-term commitment than this new European Bank for Reconstruction and Development, or EBRD, which we are to discuss today.

It was only in December last year that the European Council decided at its meeting in Strasbourg to establish, as soon as possible, a new European bank to further the implementation in central and eastern European countries of democracy and economic reform. I shall have more to say about the purposes of the new bank in a moment. That decision in Strasbourg set in train a process of urgent, but careful, diplomacy. Preparatory discussions began in Paris in January this year, and continued almost unbroken until the articles of agreement establishing the bank were signed by representatives of its 42 prospective members in Paris on 29 May.

Mr. Bowen Wells (Hertford and Stortford): Can my right hon. Friend tell us whether, during the course of the negotiations, any of the European countries involved ever consulted any of their Parliaments, or presented any document to any of their national Parliaments or to the European Parliament?

Mrs. Chalker: I remember that, after the European Council meeting at Strasbourg, my right hon. Friend the Prime Minister reported to the House on the sort of procedures that would be undertaken. Further to that, we got on with the basic organisational work—which was purely organisational. Subsequently, we have presented an explanatory memorandum to the Select Committee on European Legislation, and have carried out the work that was necessary to enable us to implement the decisions made at Strasbourg last December.

My right hon. Friend the Chancellor of the Exchequer and our ambassador in Paris signed the articles of agreement for the United Kingdom, and the European Commission and the Irish presidency signed on behalf of the Community. However, the House's approval of the two draft orders is requested tonight before the Government move to ratify the agreement. The agreement could not even have been considered further unless it had been signed by all the members back in May. Equally, the scrutiny aspect will need to be resolved to the satisfaction of the House, and it was on that matter that I consulted the Chairman of the Select Committee.

Members of the new bank will include the world's leading economic powers—all members of the Organisation for Economic Co-operation and Development—including Japan, the United States and, of course, all European Community member states, the European Economic Community itself and the European Investment Bank. All the emerging democracies of central and eastern Europe have signed and are potential recipients. Assistance from the new bank will be an important element in their continued progress towards political and economic reform.

However, the new bank has attracted support not only from the free-market West, but also from the old communist East. Egypt, Israel, the republic of Korea, Mexico and Morocco have also signed the articles; so it is truly an international effort, and we must ensure that the impetus of that effort is maintained.

The articles of agreement will come into force—and the bank will come into existence—only when ratified by signatories representing two thirds of the total voting power, including at least two countries from central and eastern Europe. It is thus imperative that the process of ratification be completed thoroughly but quickly: France has already done that.

We want to exercise our vote when the first decisions are made on bank strategy and investment proposals. As host nation, the United Kingdom wishes—with the consent of both Houses of Parliament to the draft orders

[Mrs. Chalker]

—to be among the first to ratify, so encouraging early ratification by others. The president-designate, Mr. Attali, wants the agreement to enter into force early next year, so that the bank can begin quickly to make its vital contribution to the development of eastern European economies, and hence underpin the emerging free-market democracies. That would be consistent with the leading role that the Government have taken in encouraging reform in eastern Europe, and in ensuring that the Community responds positively to it.

Mr. Nicholas Budgen (Wolverhampton, South-West): Why does my right hon. Friend use the word "vital"? Is that a mere pun to try to excite us about the size or does it really mean that this will be a substantial and subsidised institution which will be spreading a lot of the taxpayers' money around eastern Europe?

Mrs. Chalker: I follow precisely what my right hon. Friend the Prime Minister has said in the matter. We intend that the bank should provide the stimulus for private investment in eastern Europe and not be a drain on the resources of the British or any other taxpayer. Instead, it should stimulate the development of the central and eastern European economies that we know they are well capable of.

The need to have capital to start up is obvious and understandable. However, I cannot divert from anything that my right hon. Friend the Prime Minister said in that respect on 1 May in the House, when she reported back from the European Council in Dublin which also discussed the matter, as did the European Council in Strasbourg last December.

Mr. Bob Cryer (Bradford, South): As the money will be invested in eastern European economies as seed money and so forth, is it sensible for the Government to spend £10,000 million on Trident nuclear weapons which will presumably be aimed at those economies? Are the Government not investing money with the threat of mass extermination and destruction of that investment?

Mrs. Chalker: If I strayed into the realms that the hon. Gentleman tempts me into, I do not believe that I would have your support, Mr. Deputy Speaker. Therefore, I will not follow the hon Gentleman's path.

Mr. Budgen: Will my right hon. Friend give way?

Mrs. Chalker: I want to get on with the debate. I have already given way to my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) and I want to continue, because we have only one and a half hours to debate the subject. I do not want to cut the time available for Back Benchers.

It would be helpful if I set out the Government's view on the proposal for a Council decision on Community ratification of the articles.

As I mentioned earlier, it was the Strasbourg Council of 8 and 9 December last year which set in train the detailed negotiations which led to the articles of agreement. It is thus very much an initiative of the Heads of Government of the Twelve. This is acknowledged in the majority shareholding specified in the articles for the member states of the Community, the Community itself and the European investment bank.

The board of governors of the EIB has already authorised its membership as it is entitled to do under the EIB statute. If approved, the proposed Council decision will authorise Community membership of the EBRD. As is usual in these cases, we think that the Community should ratify only when all member states have done so. The draft decision is presently before the European Parliament, and we expect it to come to the Council in the autumn. It will require unanimous approval by the Council of Ministers.

Under the proposal, the Commission would have the right to appoint the Community's own governor and director, and would represent the Community within the EBRD, alongside member states and other shareholders, including the European Investment Bank. The Community and EIB will each hold 3 per cent. of voting power.

The House will want to know the financial implications. The Community's capital subscription will be for 300 million ecu—about £225 million, of which the paid-in element will be 90 million ecu—about £65 million. Our share of the EC capital subscription—based on our current share of the EC budget—will be approximately £45 million, of which £15 million would be paid in.

I hope that the House will agree that it is important that the Community becomes a member of the new institution quickly, so giving it a voice in the new institution. The Community and its 12 members can take much of the credit for the bank's existence and future.

It is possible that the draft Council decision may come to the Council in the autumn while the House is still in recess. The United Kingdom may thus be asked to give agreement in the Council before Parliament reassembles in October. As host nation and a leading member of the new bank, the United Kingdom would not want to delay unduly its entry into force. I hope, therefore, that the House will agree, after tonight's full debate, when hon. Members have had the opportunity recommended by the Scrutiny Committee to examine the matter in detail, that we should proceed.

Mr. Nigel Spearing (Newham, South): I thank the Minister for mentioning that point. As she will know, for reasons that she has explained, the orders have come before the final decision and ratification of the articles in the regulations, which we are not formally discussing tonight. Does she agree that, if discussions are necessary, there might be another debate after the measure is set up, which will not be before the decision but perhaps after, when the full details are known?

Mrs. Chalker: As the hon. Gentleman knows, I shall certainly bear in mind what he says. At present, the proposed Council decision is not likely to come back perhaps even until the October session of the Foreign Affairs Council. Obviously that is a matter that I shall consider with great care. It is subject to negotiation, but, given the work that has been done earlier in the year to prepare for this stage, I suspect that there is unlikely to be any great diversion from what we have already seen and what we know.

I should now address the significance of the two orders that I ask the House to approve tonight. The articles of agreement signed by the Chancellor on 29 May were presented in Parliament as Command Paper 1116 on 28 June. The orders commit the United Kingdom to certain

obligations which I ask the House to approve tonight before we can move to the ratification of the articles of the agreement.

I should like to discuss the subscription order first. The total authorised stock of the bank will be worth 10 billion ecu. The United Kingdom will subscribe to 85,175 shares in the new Bank—a total subscription of 851·75 million ecu, or about £600 million. That makes us equal-second largest contributor, along with France, the Federal Republic of Germany and Italy—that is, the four largest European Community members—and Japan. The largest shareholder will be the United States of America, with 100,000 shares

Much consideration was given to the question of what share of the capital should be paid in if the bank was to make an effective contribution to economic development. We think that the agreed figure of 3 billion ecu, or 30 per cent. of the capital stock, is the right one for the bank's initial operations, given that bank finance is intended to act as the catalyst for the generation of private investment.

Thirty per cent. of our subscription will thus be paid in, and the remainder will be callable, so our paid-in shares will be for 255·5 million ecu, or about £190 million. That will be payable in five equal annual amounts, the first of which must be made within 60 days after the articles have been ratified by the necessary two thirds of members and the agreement enters into force. Half our subscription can be paid in cash, and half in promissory notes. Each cash payment and each note would therefore be for just under £20 million.

As my right hon. Friend the Member for Bristol, West (Mr. Waldegrave) told the House on 2 July, we agree with the recommendation of the Foreign Affairs Select Committee in its recent report on Foreign and Commonwealth Office/Overseas Development Administration expenditure that our subscription to the EBRD should be paid out of the aid vote for eastern European support and not from the money voted for our contributions to multilateral organisations. Those funds, like our other assistance for eastern Europe, are additional to and quite separate from our traditional aid programme. I can assure the House that our support for eastern and central Europe is not at the expense of developing countries. The Government entirely agree that this should not be so.

As the House is aware, the new bank is to be based in London. There was a great deal of interest by other members in the question of location; and good cases were indeed made for several other European cities. I am very pleased, however, that London's advantages were clearly acknowledged to be compelling, when the final choice was made. I am sure that this will be good for London and for the bank. I should like to pay tribute to the negotiators, who put so much hard work into ensuring that the bank should come to London.

As a member of the bank, we shall, of course, need to grant it certain immunities and privileges. The draft order will give effect to the immunities and privileges set out in chapter VIII of the articles of agreement, and attested to by all signatories as necessary to enable the bank to fulfil its purpose and functions. All member states will grant the bank these immunities and privileges. The order will confer legal status upon the bank and give it certain exemptions from duties and taxation; its property will also enjoy certain immunities from seizure.

The officers and employees of the bank will be exempt from taxation on the salaries paid to them by the bank, although they will pay an internal tax for the benefit of the bank, and they will be immune from suit and legal process in respect of their official acts.

While the order cannot come into force until the date on which the agreement establishing the bank comes into force—that is, after ratification by members with two thirds of the total voting power—it is important that the draft order be approved now so that the United Kingdom can ratify as proposed.

We shall also need to negotiate a headquarters agreement with the bank, as an international organisation to be established in this country. This headquarters agreement will set out in detail the immunities and privileges of the bank and its employees, within the limits imposed by the International Organisations Act 1968, and will require a further order to be approved by the House when negotiations are completed.

The headquarters agreement, once approved by Parliament, will not have effect until the bank comes into existence, but as host nation, we would of course wish matters to be settled before entry into force of the articles of agreement. We would therefore expect to return to the House with the second order as soon as possible in the autumn.

The United Kingdom is already home to several important international organisations, but this is the first multilateral development bank to be established here. In basing the bank in London, the international community acknowledges and signifies its intention to make use of London's continuing pre-eminence as a financial centre. The bank will be able to draw on unrivalled banking expertise, and will be a part of the most important financial market in Europe.

This is not only to the advantage of the bank; we think that it is of tremendous benefit to the City also. Even the healthiest of bodies can benefit from new blood; and great institutions must attract important new players if they are to stay out in front. The location of the bank in London, with close access to its investors and its customers, is to our mutual credit and advantage. I look forward to the further strengthening of British financial involvement in central and eastern Europe.

That is why the Government have pledged support to the new bank in finding a home in London. We have already, at Mr. Attali's request, arranged a lease on temporary premises at Broadgate in the City, and the bank's transitional team of experts will start operations from there next month. We have also engaged a firm of London surveyors to help the bank locate a permanent headquarters, and I understand that steady progress is being made. The choice of a building is for the bank itself; I hope that an announcement will be possible soon on the bank's permanent location.

I should like now to put these detailed comments into context, by saying something of the purpose of the new bank. The EBRD is a notable first in another area too, which is of greater historical significance than those mentioned so far. The Government have insisted from the start of negotiations to establish the bank that it should make an explicit commitment to promoting democratic principles and acknowledging the importance of economic and political progress.

That commitment is clearly stated in the bank's articles. The countries of eastern and central Europe have missed

[Mrs. Chalker]

out on 40 years or more of the developments which we have experienced in the free world. Events of the past year have confirmed the essential health and vigour of the democratic spirit; but economic well-being is not easily or quickly restored.

It is worth a brief look at article 2 of the new bank's articles of agreement to see how it is intended to help. It intends

"To promote, through private and other interested investors, the establishment . . . of productive, competitive and private sector activities, in particular small and medium size enterprises . . . To mobilise domestic and foreign capital and experienced management"—

Mr. Budgen: Will my right hon. Friend give way?

Mrs. Chalker: I shall give way once more to my hon. Friend.

Mr. Budgen: The central question here is why the private sector cannot do these things. My right hon. Friend is using exactly the same language that the Labour Government used in promoting the Industrial Reorganisation Corporation. We are talking about a state bank interfering in European affairs.

Mr. D. N. Campbell-Savours (Workington): A joint state bank.

Mr. Budgen: A joint state bank perhaps, but a state bank nevertheless.

Mr. Wells: An unaccountable state bank.

Mr. Budgen: Yes, an unaccountable state bank.

Will my right hon. Friend please explain why private merchant banks cannot do the job?

Mrs. Chalker: It is interesting to be taking part once more in a European debate of the kind that so excites the interest of my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen). I find it slightly strange, after all the months that have gone by during which my right hon. Friend the Prime Minister has made it absolutely clear to the House——

Mr. Budgen: Never mind the Prime Minister.

Mrs. Chalker: My hon. Friend may not mind what the Prime Minister says; I happen to support my right hon. Friend and agree with her.

I believe that it is a good thing to have a bank that fosters and encourages private investment in the region because it will give a lead in eastern and central Europe. But the bank will not be in competition with the private sector. It will not lend when funding is available for project proposals from other sources on reasonable terms, but it will lend for a number of activities, one of which I should have been coming to shortly had my hon. Friend given me the opportunity to reach that point in my remarks.

The bank will enable things to be done which might otherwise not have been done but which are in the international interest. I refer, of course, to the control of pollution and the improvement of the environment. I have no hesitation in saying that I believe that it is right that the developed nations, which are economically active in a free market, should give help to the developing economies of central and eastern Europe to improve the environment, which knows no geographical bounds.

Let me return to what I was saying a few moments ago. It is important that the new bank's articles of agreement are well understood. I quoted one of them and I should like to mention two others. The second is the one that refers to

"environmentally sound and sustainable development".

The other refers to fostering

"productive investment in related infrastructure where that is necessary to support private and entrepreneurial initiative".

Only people who have travelled in central and eastern Europe and who know of the dearth of such infrastructure will fully understand that that is necessary before certain other developments can take place which will involve, and be wholly funded by, the private sector. That is why there is a need for a mix of private and public sector involvement in advancing the economies of central and eastern Europe.

Mr. Anthony Nelson (Chichester): The organisation is termed a bank, yet it is apparent from the documents that a significant proportion of the moneys may be applied to equity investment. Can my right hon. Friend explain why it is necessary to devote funds for risk capital being put up by the nation states? I am wholly in favour of the concept of a bank and if I catch your eye, Mr. Deputy Speaker, I shall seek to argue for that. But I cannot quite see why the bank needs to be investing in risk capital and equity participation.

Mrs. Chalker: If I may, I shall come to that point later.

It is important to understand that the bank has a broad and demanding remit. It is not to act alone; it is to act as a catalyst. It will not substitute for or supplant private finance. However, it will have a major part to play in promoting, co-ordinating and encouraging the investment of private capital and expertise without which economic regeneration cannot be achieved.

I draw the particular attention of the House to the new bank's stress on environmentally sustainable investment. As we all know, decades of under-investment have brought eastern Europe close to an environmental catastrophe that is not limited to the boundaries of central and eastern Europe. The west has learnt and is still learning from its own environmental experience. We have much to offer by way of industrial processes and expertise. We want the new bank to make a contribution from the very start to environmental regeneration.

Britain is already helping eastern Europe through our know-how fund. British electricity utilities are co-operating with Poland on ways of conserving energy and reducing the environmental damage done by burning brown coal. Similar help is envisaged for Czechoslovakia, and a reconnaissance team from the Department of the Environment recently visited Czechoslovakia for those purposes.

The priority now, then, is twofold. First, it is to establish the investment needs in eastern and central Europe; secondly, it is to get the new bank up and running as soon as possible, with a sound operational structure. As host nation and one of the principal shareholders, we undertake to play our full part. That has been our aim since we first became involved in the process.

Of course, while reports confirm that, throughout central and eastern Europe, private entrepreneurs have responded to the challenge to meet newly released consumer demand, it would not be realistic to expect a fully functioning private sector to emerge overnight on the scale required, which is enormous.

Mr. William Cash (Stafford): My right hon. Friend referred to the scale of the resources required. Will the German Democratic Republic have access to these funds, having regard to the enormous cost of providing adequate finance for the nuclear reactors, which are of Chernobyl proportions? How much will that cost? To what extent will it absorb the funds that are available?

Mrs. Chalker: According to the envisaged time scale, the German Democratic Republic is likely to be part of a unified Germany. If that happens, she will not have access to the funds of the European Bank for Reconstruction and Development. However, she will have access to the funds of the European Investment Bank. What my hon. Friend has described is highly unlikely to happen in the time in which that matter will have to be dealt with. There are many other aspects that will need to be dealt with, in conjuction with other eastern and central European countries. I am convinced that the bank will be able to play a full role and that it will leave the European Investment Bank, and possibly the German banks, to cope with the enormous problems that exist in the current German Democratic Republic.

The bank will have to work hard to help its borrowers to reach the goal of emerging from the old regime into a new and fully-fledged market economy. Investment in the public infrastructure will be needed. That is why up to 40 per cent. of the bank's total committed loans, guarantees and equity investments will be available to the state sector for investment in the infrastructure that is necessary for the development of the private sector.

The greatest promise has already been shown in the smaller recipients with a previous tradition of economic initiative. Hungary, Czechoslovakia and Yugoslavia in particular have already made significant progress, and Poland is already implementing a programme of structural adjustment.

The needs of the Soviet Union are not yet clear, nor yet is the extent of its commitment to economic reform. I am glad to say that the Soviet Union itself acknowledges the potential problem. It has agreed for the first three years of the bank's operations to limit its access to bank resources to no more than the total amount of capital paid in by the Soviet Union. The arrangements thereafter will need to be decided by the governing board of the bank.

The reform process in central and eastern Europe poses one of the great political challenges of our time. Political courage and fortitude from within and firmness of purpose from without have combined to end the political impasse of the cold war. The European Bank for Reconstruction and Development can now help to provide the economic prosperity necessary to underpin that political freedom. We are certain that it can help turn swords into ploughshares. I commend the two orders to the House as modest but essential components of the United Kingdom's contribution to this great positive change in Europe.

10.35 pm

Mrs. Ann Clwyd (Cynon Valley): I agree with my hon. Friend the Member for Newham, South (Mr. Spearing). As a former member of the Select Committee on European Legislation, of which he is Chairman, I know how frustrating it is to find so often that a full debate in the House is not possible and that decisions are taken without the Committee's decisions being discussed first.

As the Minister said, the EBRD was agreed in principle. The decision of the European Council was reported. It did not arrive until late, and the Minister has given the Committee an explanatory memorandum dated 21 June 1990. The Committee considered that on 21 July, but its report has not yet been published. Therefore, the House has not yet formally agreed the principle of the bank. The orders are before us tonight because it will be set up before October and the Government need these measures in order to be party to the bank. I hope that the Government will take note of my hon. Friend's comments, which he has made many times before.

The amount of money involved is not that big compared with other international banks, but it could provide a useful focal point for expertise and co-ordination. As the Minister has admitted, many of the details are still quite vague——

Mr. Budgen: Will the hon. Lady give way?

Mrs. Clwyd: I should like to begin my speech before I give way. I have not completed one point yet.

Many of the details are still vague, so this is a good opportunity for us to press for what we think is important. This debate on the United Kingdom's financial contribution is being counted as a debate on ratification, so it is our only chance to comment before the United Kingdom ratifies the bank agreement.

The BERD—I use the French initials of the bank because I think that they will be more commonly used in future—will not be a major institution in the reconstruction of eastern Europe in purely financial terms, because its initial capital of $12 billion is small, less than half the estimated cost of cleaning up Poland's power industry alone.

This is not an institution on the scale of the Marshall plan; its significance lies in the fact that it is a new and rapidly created bank with the specific purpose of promoting the reconstruction of eastern Europe. The speed at which it has been set up reflects the importance that both east and west attach to the task. As Mr. Attali described it in a recent interview,

"BERD is the embryo of a confederation of Europe, as the European coal and steel community was the embryo of the Common Market in the fifties.".

It is the political commitment, as much as the economic funding of BERD, that is significant. As M. Attali is well grounded in socialist principles, the next Labour Government will have no difficulty in working well with him.

As the Minister said, BERD is the first multilateral bank to have environmental protection written into its articles of agreement, which is very important. However, it is vital that strong environmental conditions are written into the byelaws and manual of operations, which are still being negotiated. The United States Congress has passed implementing legislation which says that the Government can subscribe only if the strictest environmental standards are used. I suggest that the United Kingdom Government too should not ratify the bank's statutes until they are sure that strict environmental standards are to be upheld.

The byelaws and operating manual must require environmental impact assessments of all projects before they are approved. Careful monitoring of projects will also be needed. This Government and others know full well that public participation and disclosure of information are essential for environmental concerns to be expressed and

[Mrs. Clwyd]

to be taken into account. Yet there is no mention of that in the articles of agreement. Article 35 states that there will be an annual report on the environmental impact of BERD's activities, but it also states that copies of all reports, statements and publications made under that article shall be distributed to members. We know how secretive member Governments are about such reports once they have their own vested interests, so it must be agreed from the start that information about BERD's proposed projects will be publicly available, especially to those most affected by the proposals and to those best placed to provide information on their likely environmental impact.

Mr. Cash: The hon. Lady is prattling on about the extent to which the bank will operate in future. Has she looked at article 14? Has she looked at the terms and conditions for loans and guarantees? That is the crucial point in relation to this proposal. The terms and conditions on loans and guarantees lay down and prescribe the basis on which loans are to be made. I have no doubt that the hon. Lady will know the basis on which the loans will be enjoyed by the recipient countries. Does she know what the basis of those loans and guarantees will be? I think that she is talking through her hat.

Mrs. Clwyd: If there is any expert on prattling in this House, it is the hon. Member for Stafford (Mr. Cash). If he had allowed me to develop my speech, he would have had answers to his questions. However, I suspect that he does not want to stay to make his own contribution to the debate.

In May, the Czechoslovak Government produced a report on the country's environment which made clear the devastating effect of decades of uncontrolled production. As the Minister knows, almost one third of that country is ecologically devastated, according to the report. More than 70 per cent. of pregnancies in northern Bohemia result in miscarriages. Water supplies are contaminated with radioactivity from land fills and with phosphates, with nitrates and with a host of other chemicals which make it unfit to drink.

In Poland, 70 per cent. of the drinking water is polluted and an estimated 100 million trees have been destroyed, mainly by acid rain due to sulphur emissions from industry. Modern technology is desperately needed. Decades of third-rate technology have wreaked havoc on the health of the environment and on the people who live in it. We must ensure that that technology is replaced, but not with second-rate technology from the west which is sold cheaply to the east because it is too dirty for the west.

Although the development of the private sector is clearly an essential part of the reform process in eastern Europe, BERD must recognise that this will take time. It may prove difficult to meet the condition that 60 per cent. of all loans go the private sector in the first year. The BERD must avoid over-emphasising the free market simply for ideology's sake, if the practical situation calls for continued state involvement. That is particularly true of achieving environmental aims.

The private sector, based on western experience, does not deliver green, clean goods. Nor does the private sector worry much about social costs. As the Deutschebank stated in its special report on eastern Europe:

> "Now that virtually all Eastern European countries are dismantling the system of planned economy, we need to ensure that the social costs accompanying such a major transition will not be aggravated by some of the less desirable features of market economies."

It has taken a decade to learn the bitter lesson of developing countries, that economic adjustment must be combined with special attention being paid to the needs of the most vulnerable, and that ignoring investment in people carries long-term costs as well as short-term suffering. That lesson must be applied in our work in eastern Europe.

In its publication "Economic Outlook," the OECD warns that eastern Europe risks being asset-stripped by western investors. In promoting private sector participation, we must ensure that ventures are truly joint ventures and not just a way of subsidising western countries into buying up the best assets of eastern countries.

The bank's emphasis appears to be on large companies rather than on small firms, but the development of a range of small companies is equally important to their economic development, and I hope that we may have an assurance from the Government that small firms will not be ignored. In particular, we must be assured that when BERD assists in the development of capital markets, the capital needs of the smallest firms, as well as those of large companies, are taken into account.

Hon. Members in all parts of the House will join me in hoping that the bank's location in London will encourage British firms to widen their horizons to eastern Europe. So far, the Germans, Italians and French are there, but where are the Brits? In his evidence to the Treasury Select Committee, Mr. Crockett of the Bank of England—an institution hardly known for its recklessness—stated:

> "British companies are erring too much on the side of caution in their approach to Eastern Europe."

We know the markets are there, so where are the Brits?

Mr. Cryer: Could a possible explanation be that the British know that we have a warmongering Prime Minister who is spending £10 billion on new nuclear weapons, and they are worried about the investment because they are not sure that she will keep her finger off the button?

Mrs. Clwyd: I share my hon. Friend's sentiments on that. We should like to hear more from the Prime Minister, rather than from some of the Government's more obscure Ministers, about the likelihood of a peace dividend. We need that information quickly because when we are talking about additional aid for eastern Europe this year, we need assurances about aid in subsequent years. We want some of the savings resulting from the peace dividend to go to developing countries and eastern Europe.

The leaders of the European Community, at their summit in Dublin recently, asked the Commission to see how the EC could help provide aid and credit to the Soviet Union to buy time for perestroika. At their summit in Houston, the leaders of the western world called on the IMF and the World bank to see how they could help. The leader of the Labour party outlined his plan at a meeting with President Bush to help the Soviet Union. We expect BERD to co-ordinate its efforts with the various institutions and, where possible, to provide expertise.

Numerous agencies and banks are now setting up work in eastern Europe, and co-ordination is essential. The World bank is lending between $5 billion and $7 billion over the next few years. The bank's international financial

corporation is already promoting private sector investment along the lines planned for BERD. The IMF has set up stand-by agreements with Poland and Yugoslavia.

All this makes it essential that there is close co-ordination between the banks. It also shows that BERD needs to be quite clear about its own role. Clearly, it will not be a massive new source of funds to overshadow all the others. Nevertheless, it could make a distinctive contribution by becoming the focal point for co-ordination among agencies and banks supporting eastern Europe and for providing expertise in the region. That will require strong leadership and commitment from BERD members.

For the Soviet Union, which is not a member of the IMF or the World bank, BERD provides an important stepping stone into the international financial community. It was thanks to the insistence of the United States that the amount that the USSR can borrow is strictly limited and that a minimum of 60 per cent. must be lent to the private sector. What attempts did the Prime Minister make to oppose those limitations that were imposed by the United States? How can she tell Mr. Gorbachev that we all support his attempts at reform and that we are delighted that the Soviet Union is a founding member of BERD but that, because we do not trust him to use the money well, the Soviet Union cannot be a net borrower?

Indeed, BERD must take care not to burden the east with eager loans. With a debt of $40 billion, Poland alone cannot afford to take out that new loan. Poland's ratio of debt to exports is overwhelming at over 500 per cent. Annual interest payments amount to nearly half a year's exports. Poland's biggest creditors are official—that means that it is Governments who now could and should give considerable debt relief.

In evidence to the Select Committee on the Treasury and Civil Service, the report of which is published today, Mr. Crockett of the Bank of England said:

"I think there is no question, however, but that normal services, that is to say, regular amortisation and interest payments on debt, is not possible given the size of Poland's debts."

However, we have heard nothing from the Government about promoting debt relief. We all know that the Paris Club has rescheduled Poland's debt, but why not reduce it? Surely now is the time for a bit of imagination and initiative, if ever there was one.

Do the Government accept the recommendation of the Select Committee on the Treasury and Civil Service, paragraph 74 of which states:

"A sizeable chunk of Poland's debt should be written off"?

As the east European countries still have a severe shortage of hard currency and their own currencies are not yet convertible, making loans in those conditions could present many problems.

I support the call in a recent European Parliament resolution that it is extremely important in allocating funds that specific attention should be paid to effective monitoring of the projects funded and the capacity of the economies of central and eastern European countries to absorb the investment.

I am sure that all hon. Members recognise that the development of market economies will take quite a long time. After all, it took 13 years for western Europe's major currencies to become convertible after the second world war. We cannot expect more of eastern Europe in the 1990s than we achieved in the 1940s and 1950s. As hon. Members know, after the war, western Europe received a great deal of coneessional assistance for our reconstruction. We must now give eastern Europe the same chance that we had.

Of course, BERD is only a small part of the massive west-east effort that is necessary. We must not allow it to divert attention from the need for grant aid, technical aid, debt relief, a re-examination of EC trade policies and other vital assistance.

There is obviously some confusion about BERD's terms of lending, and that is evidenced in the report of the Treasury and Civil Service Select Committee. Mr. Crockett of the Bank of England stated:

"A good project would probably finance itself from the BERD with a lower spread than a merchant bank in England would be able to offer."

Can the Minister confirm that it is intended that BERD will be profit-making, but that, thanks to Government backing and AAA-rating, it will offer slightly lower interest rates than commercial banks? Can she explain why the issue has not been fully resolved when it is obviously of great importance? Can she say what the Government are doing to ensure that sufficient concessional aid is provided? The Select Committee's report questions the lack of clarity in the lending criteria of BERD.

Another grey area is the funding of Britain's contribution to BERD. On 15 June, the then Economic Secretary to the Treasury said in reply to a written question that the United Kingdom's contribution would be additional to the overseas aid budget until 1993-94, and that future contributions would be discussed in public expenditure surveys. Will the Government guarantee that not only will the initial cash instalment come from an additional line in the aid vote, but so will the encashment of promissory notes that the ODA's memorandum says will be met as they are incurred from sums voted for overseas aid?

Will the Minister also guarantee that contributions will continue to come from additional money after 1993? In particular, do the Government accept the recommendation of the Foreign Affairs Committee that BERD contributions should come out of the eastern Europe line, and not from funds for multilateral institutions?

In conclusion, I wish to say how much the Opposition welcome the setting up of the bank. I am pleased that it is to be in the United Kingdom, although I would have wished cities other than London to be considered. I hope that it means that the United Kingdom will play an important role in European Community development. That is what the public want. Alas, I fear that it is not what the Government intend—but it is certainly the role which the next Labour Government will adopt.

10.57 pm

Mr. Anthony Nelson (Chichester): I welcome the statement of my right hon. Friend the Minister, and I wish to say a few words about the European Bank for Reconstruction and Development. It is proper to begin by declaring what might be considered to be an interest in the matter, as I am consultant to a company that has explored some opportunities in Bulgaria and the Soviet Union, and also the director of another company that has explored some investment opportunities in Hungary. I do not think that it would be revealing any secrets to say that I strongly

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advised those companies not to make such investments. They have not done so—not because of that advice, but for other reasons.

It is extremely difficult to make investments in some of those countries, as it is difficult to establish a title to corporate assets and to real estate. Quite frankly, it is difficult to envisage how one can get one's money out in hard currency. When investing private or corporate money or shareholders' funds as an entrepreneurial company, there is a duty to see light at the end of the tunnel and not just to invest on the wing of a hope. There must be a real prospect of a return. If there is not, other markets and other returns offer an immediate prospect for the funds deployed.

I hope that I will not offend those who intrinsically may find the bank's very existence offensive if I ask: if communism has failed those countries, and if capitalism then fails them, where will they go? Those countries face enormous problems, and if we fail them there will be either a return to nationalism or a militant solution. If their best aspirations are repressed, there may be anarchy. We have not only an opportunity but a major and immediate responsibility.

Although these loans may not compare with the best available on the international markets and with those in developed countries, they will undoubtedly offer a decent rate of return. The fact that an investment fund is devoted particularly to the eastern European countries will concentrate minds on investment and banking opportunities in those countries, because one is not having to compare investment in a chemical company or a loan to an agrochemicals company in Hungary with what it may make in other parts of the world. By setting up the bank, we are devoting it specifically to these countries as a sector, and as such it will make a contribution.

There will undoubtedly be—this point was touched on by my right hon. Friend the Minister—a significant element of pump-priming. Given all the attendant uncertainties in these countries, it is comforting for a private company making a major investment to be lent money or offered equity participation—although later I shall argue against that—by a major international bank such as this. A certain amount of money will sponsor substantial amounts of private capital investment. In principle, and in politics, the bank is necessary and a good idea.

However, I have two broad reservations about how the bank is being set up. First, I am concerned that 40 per cent. is being allocated to the public sector. If the idea behind the new bank is, as it says in the first sentences of the articles, to sponsor, encourage and lend money for entrepreneurial activities and free market processes in those countries, why allocate 40 per cent. of those enormous funds to the state sector? I have no interest in voting my limited taxpayers' money to propping up state-owned organisations in the eastern bloc.

Secondly, I have misgivings, as my earlier intervention showed, about the equity activities of the bank. Banks are not allowed to invest. Investment is an entirely different activity from lending money. The prudential judgment that one makes about a loan is different from the judgment one makes about a risk equity investment. The bank should not be involved in equity investments, because that is the role of the private sector.

Mr. Wells: There are investment banks.

Mr. Nelson: I know that there are investment banks and that sometimes they are forced——

Mr. Wells: This is not a bank.

Mr. Nelson: But it is called a bank and the understanding is that a substantial proportion of its resources will be deployed on a commercial basis. The criterion in article 14 is the commercial basis of its loans.

If we want to give those countries money, let us have the intellectual and political honesty to say that we are giving them a loan. The hon. Member for Cynon Valley (Mrs. Clwyd) mentioned ecology, impure water and environmental aspects. As a business man or as an hon. Member voting my taxpayers' money for loans, I do not see how we will get a return. Setting up the bank may be a wonderful thing to do, but let us be honest and say, "We will not get a return on that investment." If we are giving the money or lending it only to write it off five years later in changed circumstances, let us recognise that reality from the beginning.

If we fail to do so, we run the danger of doing exactly what we and the commercial sector have done with the United Nations and numerous other multilateral fund agencies—lending money only for everyone to say, "Write off their debts," without any understanding of what that means for future indebtedness. It has a major impact on the willingness of banks and multilateral agencies to lend money in the future. It simply increases the cost of any loan made to developing countries. We should be honest from the beginning: we should work out whether we are giving money away, lending money or investing risk capital.

Mr. Budgen: That is particularly relevant to Poland. It would be ridiculous to pretend to be lending more money to an already grossly indebted Polish public sector: Poland would only say at some later stage that it wished to resile, and would find it extremely difficult to borrow money in the future.

Mr. Nelson: My hon. Friend may be right; but the bank's potential activities extend well beyond a single loan to the state of Poland.

It must be appreciated that much of the money will not find its way into the eastern European bloc. I do not know whether that is good or bad, but we must face the commercial reality: much of it will find its way into western commercial pockets, and rightly so. Investors seeking subsidy, a guarantee or, perhaps, foreign hard-currency collateral and support for their investment are interested in keeping that money outside the country. I suspect that a substantial portion of the funds will be recirculated within the investments of such countries.

Nevertheless, we should consider where the money will go; some of tonight's intervention have been relevant to that. I am very concerned about long-term heavy infrastructural loans and investments to be made by the new organisation. If we are to spend money in the best possible way, I believe that it should be directed first towards trade credit and secondly towards management expertise.

Mr. Budgen: The know-how.

Mr. Nelson: Indeed: it should be directed towards the know-how that can assist developing countries with some of their logistical problems—for instance, the problem of transport to deliver their goods to the market.

I do not believe that the bank should lend money directly to such countries; it should not do what states should be doing. We should make international, or national, political decisions to extend sovereign loans or, indeed, grant the countries money in the form of a gift. If we could be more honest about that from the outset, I believe that the bank would make a real contribution towards sponsorship of entrepreneurial activities in new countries. If we fail to do that, however, we shall be left with a deadweight of an international bank which, 10 years later, will be asking the House of Commons for more money to pay off the debts that it has incurred. Let us pursue the same principles as we apply to our country and our entrepreneurial companies.

11.7 pm

Sir David Steel (Tweeddale, Ettrick and Lauderdale): The hon. Member for Chichester (Mr. Nelson) made an interesting speech; I agreed with parts of it and disagreed with other parts. I hope that he agrees with me, however, that, when the House has only an hour and a half to discuss the orders, it is a bit unfair for the Front-Bench spokesmen between them to take up most of an hour, leaving the rest of us only half an hour between us. I shall try to be as brief as possible, in fairness to others.

I think it right to give the measure a general welcome, and also to note the speed with which it has progressed from original promulgation to completion. I believe that President Mitterrand first suggested it in October last year; by May this year, the organisation was agreed on. This, surely, is a sign that the European Community is working with a sense of unity and urgency to tackle the serious problem of further aid for eastern European countries.

The hon. Member for Chichester made a valid semantic point: I, too, do not regard the organisation as a bank. It is not what is meant by a bank in normal parlance. Speaking from my experience, and having read the articles, I would say that it is much more like the Scottish Development Agency than anything else. That agency, which survived under successive Governments until very lately, has some quasi-banking functions, but it is an agency of government—in this case, we are discussing an agency of Governments in the plural—set up to carry out a specific programme of assistance.

Mr. Campbell-Savours: It has been very successful.

Sir David Steel: It has been very successful indeed. The SDA has acted in mixture of ways to assist the private sector and to carry out some public sector investments. The new organisation is such a body, even though it is sailing under the banking flag.

There are some valuable lessons to be learnt by pursuing the SDA analogy. Like the hon. Member for Cynon Valley (Mrs. Clwyd), I hope that this new, great organisation will set up within it a small firms unit—as the SDA did—thereby giving valuable assistance not only to the great elements in investment but to the small entrepreneurs who will wish to emerge in the new companies in eastern Europe. I hope that joint ventures will be encouraged. I was interested in the comments by the hon. Member for Chichester, because I have seen, from my limited experience in travelling in eastern Europe, the great scope that exists for joint ventures.

I take issue with the hon. Member for Chichester in that I believe that the private sector in these countries cannot be expected to thrive so long as elements of the public services are so woefully deficient—I think of telecommunications and transport facilities, both of which will require great improvement if private sector investment is to pay off. The hon. Gentleman talked about the return that some investments would get. Looking at the environmental perspective of the new bank—or agency, as I prefer to call it—I believe that the return will come not necessarily in financial percentage terms but in creating a healthier environment for the whole of Europe.

A few months ago, I had an interesting conversation with a West German politican who pointed out that there would be a serious problem for the Exchequer in a united Germany. It could continue to spend a fixed amount of money on environmental improvement in what was the Federal Republic for, say, a 2 per cent. improvement in the environment, whereas the same investment in the former German Democratic Republic might produce a 6 per cent. improvement—so bad has been the legacy of those Governments.

The hon. Member for Cynon Valley criticised the private sector record of lack of care for the environment, but she should have a care—the public sector in eastern Europe has the worst such record of any area. The problems of brown coal burning, pollution of the rivers—many of which flow from eastern Europe into western Europe and into our North sea—and the dangerous state of some nuclear power stations must be cleared up. I do not believe that that can be done on a straight commercial banking, percentage return basis. That is why, although the new organisation is called a bank, I support it. It will have a wider purpose in tackling these serious environmental issues.

The Minister has almost answered my first query. I hope that this and other items of assistance to eastern Europe will not affect the general ODA budget for assistance to underdeveloped countries. It is important to assert that reassurance. As well as approving of this new organisation, it is important to make it clear that the obstacles to east-west trade will be eliminated so that the new economies can benefit from export-led growth.

What have the Government done to get rid of COCOM? I do not see how the co-ordinating committee on multilateral export controls, as it is still called, with its restrictions on high-technology exports from west to east, can be justified when we are trying to persuade industries in the east to modernise. I hope that the Minister will comment.

Like other hon. Members, I believe that it is important that the western economies should come clean on our proposal to deal with the writing off of established debt. I agree that there is no point in piling on a new organisation that is willing to lend money on top of debts that are going to be resiled on in future. Although the bank positively does not have within its remit the tackling of existing debt, that should be cleared up before the bank gets going at full steam.

Two other points that have not been raised so far in the debate genuinely puzzle me. What will be the rates of interest and how are they to be determined? Are they to be determined by general European levels, or will they

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operate in the London market? It is important that we know how the Governments imagine that the rates of interest will be determined.

The first article of the bank states:

"the purpose of the Bank shall be to foster the transition towards open market-oriented economies and to promote private and entrepreuneurial initiatives in the Central and Eastern European countries committed to and applying the principles of multiparty democracy, pluralism and market economics."

Will priorities within the bank be determined by the European Governments or by all Governments contributing to it? Will it be made clear, for example, that Romania, so long as she continues to persecute leaders of opposition parties, will be low down the queue for assistance from the bank? How will article 1 be put into practice now?

I just want to reinforce a point made fleetingly by the hon. Member for Cynon Valley. While I welcome the creation of this bank in the United Kingdom, there is another great financial centre, as opposed to London, in a city called Edinburgh. I hope that the Government will avoid the trap of implanting all European institutions here in the south-east when there is a great opportunity for organisations and the offices and the employment that they bring to be located outside the City.

11.16 pm

Mr. Bowen Wells (Hertford and Stortford): I want to make a few constitutional points. It is an outrage that an agenda-less European Council should take decisions to create a bank which has no reference to the European Parliament or to national Parliaments and for the constitution of the bank to be presented to the House tonight in an hour-and-a-half debate in which we are supposed to ratify the entire principle of its establishment. That leads on directly to the problem that we will encounter in future with the institution as I understand it at present. To whom is it accountable? How will it be called to account?

The World bank and the regional development banks in other areas have proved disastrously unaccountable to the nations that established them, other than to a few civil servants in one or two ministries of finance or administrations for overseas development. For example, it is impossible to see the minutes or agenda of the World bank institutions in this country. To find out what it is discussing or what loans it has agreed or its policy, we have to go to the United States, which is the only country that deposits the agenda and the papers of the World bank in the trade development bank in that country. I suspect that this new institution will be equally secretive and unaccountable.

As I understand the constitution of the new bank, it will be similar to that of the other regional development banks, in that it will have a committed capital only part of which will be drawn down. The rest of the money to be made available to the eastern European countries will be raised on the open market value. That answers the point of the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) about interest rates. Of course, there will have to be a difference between the rate at which it raises money and the rate at which it lends it and, as with the open market—possibly on a AAA basis as in the World bank—we can rest assured that the interest rates will be about 2 or 3 per cent. above the London inter-bank offer sale. That is in order to make a return on the bank's capital and to ensure repayment.

Mr. Budgen: It is all very well to say that, but, if this agency, as I prefer to call it, has the objectives that are being suggested—to support democracy and help environmental improvements—it is difficult to see how many of the projects can pay the interest rates that my hon. Friend suggests. It must mean that at least some of the profitable activities will have to subsidise some of the politically desirable activities. None of that is clear. It is all left in fairly socialist and interventionist vagueness.

Mr. Wells: My hon. Friend gives a good illustration of why the thinking of this bank is extremely woolly and is the result of an enormous rush to establish it, about which we have been told tonight.

If one is to borrow money at the rate of interest that I have suggested and then on-lend it, the question arises how one will make money out of promoting environmental issues, which I fully support. But one cannot be made to pay if one is borrowing money at high interest rates.

Mr. Andrew Hargreaves (Birmingham, Hall Green): My hon. Friend makes a little too much of this. He should remember that the European Investment Bank will be one of the largest shareholders of the bank, and that for several years the European Investment Bank has been doing very much the same type of operation, with perhaps less environmental or political content, in a quite excellent fashion. It has entered the Euro-markets and has raised money. It has lent at very competitive rates and very successfully for some time. My hon. Friend could take that as a model of how the bank should work.

Mr. Wells: That leads me to another point. This institution will duplicate the efforts that the European Investment Bank and the World bank were established to undertake. As I understand it, large portions of the personnel of the eastern European branches of the World bank and the European Investment Bank have applied to join the bank. We shall have international civil servants who are accustomed to such matters simply joining the bank, thereby triplicating the effort of those institutions. That is why the bank is unnecessary. It could have been arranged through the World bank quite easily, and probably better, with greater expertise and understanding and with a higher and more secure financial base. The European Investment Bank is probably one of the least development-oriented of all the institutions. It is conservative in the way in which it lends. It certainly has not lent for environmental purposes and in promoting democracy.

The European Investment Bank's restraint in the light of the articles of association will be difficult to exact. In fact, I do not think that it will be able to do so in accordance with the articles of association. I envisage the bank losing a large amount of money. There is no way in which it can avoid doing so, given its objectives and the way in which it will be financed.

I accept that there is a need to assist the development of private enterprise and environmental concerns to be supported and cleaned up in eastern Europe. I agree with that. However, I cannot agree that this is the right institution to do it. The thinking is muddled. I do not believe that it is accountable in any way. When it begins to

make losses, presumably it will call on a guarantee of the country to which it has lent. It will lend money to an institution that it will think will be profitable. That institution may lose money or go bankrupt. The bank will then call upon the national Government to repay the unsound investment, and thereby add to the indebtedness of that country.

Although I welcome the objectives that the concept is trying to put into effect, it is disastrous and ill-considered. It is the product of ill-thought-out, rushed consideration without any in-depth understanding of what is required in eastern Europe.

11.24 pm

Mr. Nigel Spearing (Newham, South): I shall concentrate on the procedural matters that face the House, rather than on any of the merits of the new institution unveiled before our eyes.

It is necessary to consider the procedural matters, because, as the Minister said, the Select Committee on European Legislation has recommended a document produced by the Commission—a decision, 5962/90—for debate in the House. That document contains all the articles of the proposed bank.

I must correct my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) because, on 27 June, we recommended that that document should be debated at an early date. Unfortunately, that has not happened, partly due to the dates of sitting in the House and the fact that Her Majesty's Government are also a party to the treaty as the United Kingdom, as distinct from being a member of the European Community, which is also a party to the treaty. That means that the Government must bring the statutory instruments before us for ratification this evening. Without that, participation in the venture will not be possible.

I will not venture too far into the reasons why we have got the orders before the debate, but we understand that, at this time of year with the long recess before us, difficulties arise. The report of the Select Committee on Statutory Instruments says that this is not a new situation. It states:

"There is no technical reason for the House not to approve the draft".

It said that there had been similar circumstances early in the year,

"to which attention was drawn in the Select Committee's Sixth Report of this session. The House should merely be aware that it is acting, as before, on a ministerial undertaking."

Mrs. Chalker *indicated assent.*

Mr. Spearing: I note that the Minister is nodding. I understand that she will undertake that the orders will not be made until after the bank is established. I believe that that is the case, but if I am wrong, I hope that the Minister will intervene. If I have got it right, I hope that she will nod again, as that undertaking is of some constitutional significance.

I am not sure that the Select Committee on European Legislation, of which I have the privilege to be Chairman, will regard the resolution of the House about debates before decisions as having been discharged by this debate. The House has heard enough from Conservative Members, especially from the hon. Member for Hertford and Stortford (Mr. Wells), to understand that the constitution of the bank and the way in which it will operate—the political and economic objectives that it will set itself—are of enormous significance. I suspect that, in years to come, people will look back on this debate to discover from which acorn that particular oak, well developed or not, grew. They will realise that the speed with which matters developed on the continent and in the bank presented us with some difficulties.

Reference has been made to the proposals for the bank that were made some time ago. A decision was taken in the Development Council or the Finance Council on 8 May to the effect that decision 5962/90, which includes 63 articles, should go ahead. That decision was sent to the Government on 8 May and on 21 June an explanatory memorandum was provided for the Select Committee on European Legislation. We reported on its contents on 27 June. The orders are now before us and no doubt they will be considered in due course.

This is a most unfortunate state of affairs. Although it is a matter for the Committee and not for me, I think that at some date we may need to have a look at the articles themselves and at the EEC regulations, which have received comment but no close examination.

11.29 pm

Mrs. Chalker: With the leave of the House Mr. Deputy Speaker, I shall reply.

It would be impossible in two minutes to reply to all the points made in the debate. However, I shall write to those hon. Members whose questions I cannot answer in the time available.

I welcome the political commitment shown by the hon. Member for Cynon Valley (Mrs. Clwyd) to the establishment of the bank. It is right that we should show our commitment to the democratic processes that are now occurring in central and eastern Europe.

The decisions that have been reached are a considerable improvement on the original proposals that came before the European Council at Strasbourg last December.

When a Government have vested in them—as the Governments of member states have by the Acts that have been passed—the responsibility to discuss matters of this nature at Heads of Government level, it must be true that no work could proceed if every detail were brought back at every stage. My right hon. Friend the Prime Minister has reported to the House at every stage on what is going on and had my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) had a major objection, I should have known about it then. But my hon. Friend did not express his views. He waited until tonight's debate to come forward with them.

I have a good deal of sympathy with much of what the hon. Member for Newham, South (Mr. Spearing) said. Of course, it would always be better if we had more time to make decisions such as these. But we are not alone in reaching decisions. What we have to do is to ensure that the Council machinery is properly and thoroughly used. The debate has explored a number of the issues. We have made our position very clear and I hope that we shall be able to satisfy the needs of scrutiny—as the hon. Member for Newham, South knows full well I intend to do.

We can work through the process but only under the laws that we have been given. Moreover, all the negotiations on the establishment of the European Bank

[Mrs. Chalker]

for Reconstruction and Development have been undertaken according to what was decided at the heads of Government meetings. The resulting banks, about which hon. Members are concerned——

It being one and half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 14 [Exempted business].*

Question agreed to.

Resolved,

That the draft European Bank for Reconstruction and Development (Subscription to Capital Stock) Order 1990, which was laid before this House on 13 July, be approved.

Resolved,

That the draft European Bank for Reconstruction and Development (Immunities and Privileges) Order 1990, which was laid before this House on 13 July, be approved.—*[Mrs. Chalker.]*

EC Merger Control

Motion made, and question proposed,

That the draft EEC Merger Control (Consequential Provisions) Regulations 1990, which were laid before this House on 5th July, be approved.—*[Mr. Redwood.]*

Mr. Deputy Speaker (Mr. Harold Walker): The Question is——

11.33 pm

Mr. Alan Beith (Berwick-upon-Tweed): On a point of order, Mr. Deputy Speaker. I am having some difficulty in knowing which motion we have reached.

Mr. Deputy Speaker: We have reached the motion on monopolies and mergers, which has just been moved formally.

Mr. Nigel Spearing (Newham, South): Further to the point of order, Mr. Deputy Speaker. The monopolies and mergers motion has been moved formally. Do I take it that that is because it is being taken in Committee? Is it not a debatable motion?

Mr. Deputy Speaker: It is not for me to answer that. If the Government choose to move a motion formally, it is their affair, but that does not prevent hon. Members from speaking on it.

The question is——

Mr. Teddy Taylor (Southend, East) *rose——*

Mr. Deputy Speaker: Order.

Mr. Taylor *rose——*

Mr. Deputy Speaker: Order. The hon. Gentleman must resume his seat when I am on my feet.

Mr. Beith *rose——*

Mr. Deputy Speaker: Mr. Alan Beith.

Mr. Beith: It is very odd that the Government should seek to move formally a motion on a matter of such importance. I should not have ventured to speak first in the debate. I should have listened to what the Minister had to say on the matter.

The issues with which the regulations are concerned are of considerable importance for British industry and the British economy. I start from the assumption that it is desirable to have a European mergers policy——

Mr. Nelson: On a point of order, Mr. Deputy Speaker. I am sure that the hon. Member for Berwick-upon-Tweed (Mr. Beith) agrees that it would be better if the Minister introduced the regulations and explained what they are all about. Then, by leave of the House——

Mr. Deputy Speaker: Order. We have passed that point. The hon. Member for Berwick-upon-Tweed (Mr. Beith) is on his feet.

Mr. Nelson: But do you not recognise——

Mr. Deputy Speaker: Order. Mr. Beith.

Mr. Beith: I should have preferred that, Mr. Deputy Speaker, but were I to stop speaking to enable the Minister to explain the regulations, I should be unable to continue my own speech without the leave of the House. Having

started my speech, therefore, I hope that I shall be allowed to finish it and that thereafter the Minister will reply to the points that have been made.

Mr. Nelson: On a point of order, Mr. Deputy Speaker. May I suggest that we ought to proceed in a common-sense fashion?

Mr. Deputy Speaker: Order. The hon. Gentleman is addressing the House. I cannot stop him and then require someone else to speak.

Mr. Nelson *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman ignores the fact that I am on my feet. If the Minister subsequently seeks to catch my eye, he stands a chance of being called, but until then the hon. Member for Berwick-upon-Tweed has the Floor. I suggest that we should allow him to get on with his speech without bogus points of order.

Mr. Beith: There is no disagreement between me and the hon. Member for Chichester (Mr. Nelson), apart from the fact that I believe that we have now passed the point of no return. Like him, I would have wished the Minister to speak first, but I do not think that the Minister had the slightest intention of speaking first, or even at such an early stage in my speech. Were I to encourage him to do so, I should jeopardise my chances of completing the relatively few remarks that I wish to make. Therefore, we must hope that the Minister will intervene later in the debate and deal with the points that we seek to raise.

I was about to say that I believe that there should be an effective European mergers policy, not least because it is important that British industry should enjoy the same protection from hostile takeovers as may be available in other member states of the Community, and that it should be able to seek to make acquisitions on the same terms in other countries as acquisitions can be made in this country. That is the level playing field argument, which is of considerable importance to British industry.

All hon. Members have views about what should be the general thrust and character of a mergers policy. I begin with the prejudice that the preservation of competition and the discouragement of monopolies call for an aggressive policy on mergers that is likely to make hostile takeovers difficult if they would result in a considerable reduction in competition. There are many circumstances in which takeovers can stimulate efficiency. The absence of any takeover pressure can lead to slack management. I am not sure that takeovers are an ideal tool for the disciplining of management, but they are one of the mechanisms that have that effect. Therefore, I want the machinery for the referral of takeovers to be effective and to be triggered sooner than is at present the case in the United Kingdom.

However, when we seek to have a level playing field, we come across striking differences between present practice in this country and that in other member states of the European Community. The Coopers and Lybrand report produced for the Department of Trade and Industry showed that, in 1988—admittedly, a peak year for mergers —73 per cent. by value of mergers in the European Community took place in the United Kingdom and that 85 per cent. by number of mergers in the European Community took place here. The report also demonstrated that United Kingdom companies tended to acquire companies elsewhere in the European Community that were smaller than those which other member states' industries acquired in the United Kingdom.

That was dramatically demonstrated when French companies acquired the private water industry. Companies such as the Newcastle and Gateshead water company, Sunderland and the South Shields water company and many of the other South Shields water companies were sold to French companies. Characteristically, the previous Secretary of State for Trade and Industry slammed the stable door immediately after the horse had bolted by not referring the north-east takeovers to which I have referred and by not putting in place a procedure whereby such takeovers could be restrained until after French companies had acquired those companies. That is characteristic of what I might describe as the sleeping policeman role of the Secretary of State, who did not aggressively seek to promote competition.

Mr. William Cash (Stafford): As is well known, the hon. Gentleman advocates economic and monetary union, political union and all the accompanying paraphernalia. Does he not accept that at the heart of his point is the fact that the figures show that it is German companies that are making the major United Kingdom acquisitions and that their investment in the United Kingdom has increased by 200 per cent. over the last nine or 10 months?

Does he not also accept, despite the strictures that he imposes on the previous Secretary of State for Trade and Industry by his remarks, that it was those very points which, whatever language he may have used, raise some important questions about the manner and extent to which his party, and others on the Opposition Benches, are actively encouraging a state of affairs in which Britain is subordinated to the dominance of that country?

Mr. Beith: I thought that that was what the hon. Gentleman wanted to intervene to say, but that is not what the former Secretary of State for Trade and Industry said. He did not criticise individual takeovers that had taken place while he had the power to prevent them: he criticised the success that Germany had enjoyed and the extent to which that placed Germany in a prominent position in the EC, and he did so in language that he was forced to withdraw, but in terms that were echoed in the Chequers seminar. But all that goes rather beyond the terms of the regulations, to which I shall return.

The effectiveness of the regulations and the European procedure is obviously undermined to some extent by differences which exist between practice in the United Kingdom and practice in other member countries. For example, there are differences in the level of information available in Britain and other member countries. Information about shareholdings and the financial state of companies is more readily available here than in a number of other member countries.

Major differences arise from the character of shareholding in Britain compared with other member countries, in many of which there is substantial shareholding by banks, families or the Government. In France, family ownership or Government ownership of substantial tranches of company shares make it much more difficult, and in many cases impossible, for acquisitions to take place on French soil of French companies. The structure of ownership in Germany, with

[Mr. Beith]

the banks playing such a large part, presents a fairly major limitation to acquisitions in Germany by British companies. The two-tier company structure in Germany and the Netherlands also makes it more difficult.

There are arguments in favour of some of those restrictions, not least the two-tier board structure, but they mean that we must assess whether we are achieving a level playing field in competition policy. The Minister has addressed himself to some of those considerations in all the negotiations that have taken place, but we are not quite there yet. We are not at a level playing field, not are we at the point where we can say that the kind of merger policy that Europe will have will be a significant improvement on present British merger policy, which I would like to see.

In addition, there are practical problems about the measure before us which the Government have sought to reduce over the months of discussion, such as the complexity of the form which companies will have to complete and the possibility of insider dealing because of the processes that will be gone through. There are also anxieties about whether the European Commission directorate involved has the staff necessary to carry out the work.

It is in no sense the view of someone hostile to the existence of European merger policy to say that some of those things are not yet properly in place. Therefore, I address those concerns to the Minister from the standpoint of someone who wants an effective European mergers policy which in time, I hope, will become more effective even than the one that Britain has had so far. I hope that the Minister shares some of those objectives and will address some of the concerns that I have mentioned.

11.43 pm

Mr. Andrew Hargreaves (Birmingham, Hall Green): I declare an interest, having worked for some time for, and still being a consultant to, one of the banks that is most interested in and affected by merger policy in Britain and in Europe. I have worked on many mergers in France, Germany and other European countries.

I share with the hon. Member for Berwick-upon-Tweed (Mr. Beith) the concern that we should attach importance to the concept of the level playing field. I should not go as far as the hon. Gentleman in saying that my right hon. Friend the previous Secretary of State for Trade and Industry was a sleeping policeman. However, I emphasise that I share the hon. Gentleman's concern for the concept of a level playing field.

There is also room to look in the regulations for some evidence that we are also considering reciprocity. When we consider United Kingdom companies being acquired by foreign companies or being merged into foreign companies, we are struck by how difficult it is for United Kingdom companies to buy into, for example, Swiss or non-EC companies. French companies have also made that comment to me; it is equally difficult for United Kingdom companies to inquire into the finances of a French company.

I hope that my hon. Friend the Minister will take the opportunity to say a few words to us, because I am sure that people whose business it is to work on mergers would be instructed by his remarks.

11.45 pm

Mr. Nigel Spearing (Newham, South): I am not sure whether it is because it is the end of term, but I sense that the importance of the issues that the House is debating becomes greater as the night grows longer. I suppose that to any hon. Member, the prospect of a new underground railway in his constituency and the success in obtaining an instruction on the same are major events. That debate lasted three hours and many hon. Members voted. We then moved on to the European Bank for Reconstruction and Development, on which I am sure that we shall hear a great deal more. We now come to regulations which may, in the course of time, prove to be even more important than the previous debate on the bank.

I should explain the background to this debate, which has not yet been described. If I get it wrong, I am sure that the Minister will correct me in his winding-up speech. I want first to make a small suggestion on the future of draft statutory instruments. We know, of course, that draft statutory instruments have to be placed for approval before this House—and sometimes before the other place —under various Acts of Parliament. However, one of the disadvantages of chasing these bits of paper is that they do not have a number on them. A number is allocated to them only after the draft has been approved—as, no doubt, this order will be approved tonight.

My modest suggestion is that such drafts could be issued with a D in front of their number, which might not be the same number as they would eventually receive as statutory instruments. That would at least be a means of identification other than the date on which they were issued. Important instruments such as this one could therefore be found more easily.

The background to the order is that we have now undertaken, in various treaties, to cede the control of mergers from the Secretary of State for Trade and Industry to the Commission in Brussels. The irony is that Sir Leon Brittan, the relevant Commissioner in Brussels, is a former Secretary of State for Trade and Industry. I understand that these regulations are the bit of paper that passes that into British law. I am not sure that anyone would gain that impression through reading the statutory instrument. Unless he was expert in these matters, he would not understand what it was about at all.

I shall address my remarks to the explanatory note, and I think that that is in order. In my submission, the explanatory note does not explain the regulations. Over my years of membership of the House, I have pointed out this lacuna from time to time. Nothing seems to be done about it. In respect of the regulations, the Select Committee on European Legislation has had a part to play. I will sketch in the background and then make a constructive suggestion.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): Perhaps I can help the hon. Gentleman. The proposal before the House does not implement the merger system agreed by the member states into British law. It is already in British law by the merger regulation itself, because it is a regulation, not a directive. This is a technical matter relating to our fair trading legislation, as the explanatory memorandum makes clear, designed to protect two modest powers in our

merger control procedures, consequential on the imposition of the merger regulation system from Europe, and in addition to our normal legal system.

Mr. Spearing: I am grateful to the Minister for intervening. It seems that I was on the wrong track. Although I understand that this EC regulation, when it comes into force on 21 September, is the definitive instrument, even in British domestic law, it is a consequential statutory instrument which adjusts various provisions and may be helpful.

The main provision that seems important in that context is that which changes section 75 of the Fair Trading Act 1973. It says, in effect, that if a matter has a Community dimension, the Office of Fair Trading cannot look at it. Do I see the Minister shaking his head in dissent, meaning that I have got it wrong? I understood that matters with a Community dimension were excluded from his remit, at any rate up to 21 September.

Mr. Redwood: The idea is to give the director general power not to operate the pre-notification procedure, so that the time limits are not exceeded by the process in Europe, thus preserving the British jurisdiction.

Mr. Spearing: I am grateful to the Minister for that explanation. I had hoped that some of what we have discovered in this brief dialogue could have been included in the explanatory note. Although the note says that the regulations

"make provision consequent upon Council Regulation EEC 4064"

concerning the control of undertakings, it might have been useful for it to have gone on to say—this is my constructive suggestion—"But, of course, it has direct effect without further enactment." It could then even have spelled out the criteria, which I believe have been adjusted.

The Select Committee had Lord Young before it some time ago. He explained that Britain was trying to ensure that the threshold of reference to Brussels would be different from that in the original regulation. I understand that success was achieved on that, and we debated the matter some months ago. It might have been useful for the explanatory note, without being too definitive, to have explained that and the need for British law to be adjusted.

I am not sure whether the law is being adjusted to make it clear what the criteria are. Would somebody looking the matter up in the Library find that the law on merger control was being changed? Perhaps the Minister will explain the position. The note could have gone on to say, for the avoidance of doubt and in view of the time scale to which the Minister referred, that it was advantageous to have an additional piece of paper which changed British law in certain respects, and those changes could then have been described.

Perhaps even now, as what is before the House is but a draft, the explanatory note, which is also but a draft, could be expanded—there is plenty of space—so that an ignoramus such as I am not misled by an extraordinary note that is not as clear as it otherwise might be.

11.54 pm

Mr. Teddy Taylor (Southend, East): All that I should like to say briefly is that it would be helpful if we stopped talking about this altogether. This debate shows how absolutely ludicrous, pointless and wasteful is our consideration of such measures. First, it is now 11.54 pm; secondly, only a handful of hon. Members are present; thirdly, we are considering complex regulations affecting mergers. In addition, this is basically a small amendment to section 79B of the Fair Trading Act 1973. If an hon. Member went to the Vote Office to ask for the Fair Trading Act, he or she would be told that, sadly, the Vote Office does not have it. In fact, even if one did find the Act, it would be an utter waste of time because the section that we are discussing is not in the Fair Trading Act, but in the Companies Act 1989. If an hon. Member tries to see a copy of the Companies Act——

Mr. Tim Smith (Beaconsfield): They will get it.

Mr. Taylor: Yes, as my hon. Friend says, they will get it, but sadly, we cannot get the Fair Trading Act.

The provisions refer to a proposal as regards the Community undertaking in Council regulations 4064, which are the merger control regulations. Although, because of their busy lives, not all hon. Members will have had time to read those regulations, they will have seen that one of the principles of the merger control regulations is that, before the director-general or anyone else can take action, they are under an obligation to have full consultation with management, supervisory organs, and recognised worker representatives of the undertaking concerned, together with third parties shown to have legitimate interests. In my understanding, these are not the measures put forward by Her Majesty's Government.

I therefore suggest that we are bringing forward a consequential United Kingdom measure to a complex series of regulations, which are a load of rubbish, as we also know from the figures that have been published, which show that 84 per cent. of mergers that have been permitted within the Community over the past year have been in the United Kingdom. We also know that it is almost impossible to buy a public limited company in Germany, and difficult in France. Therefore, I ask you, Mr. Deputy Speaker, why on earth we are discussing this regulation on a minor technical point, on which the papers are not available, when major regulations are not being adhered to in the European Community.

Mr. Cash: Does my hon. Friend agree that there is a problem in relation to 1992, in that, if the Germans manage to acquire a sufficient number of our companies before the deadline of 1 January 1993, and we are not allowed in there, there will be substantial problems in relation to the single market thereafter, because they will have acquired the domination in advance and we shall never be able to catch up?

Mr. Taylor: It may indeed be a problem, but it could be an advantage, because if the Germans owned all the British companies, we might be able to get access to the German market for the products of those German-owned British companies and they would have more success than the Japanese-owned British car firms. I wonder whether we shall one day have an explanation of what deal is presently being negotiated for those firms that were assured that they would have open access to the Community when we know that a complex deal is now being undertaken that will ensure that we get rather more of their products going to the continent in exchange for a reduction in the Japanese quota. Nothing more bogus in terms of free trade could ever be envisaged.

[Mr. Taylor]

I apologise sincerely to the Minister for taking up time in what I know is a busy day, especially when we were hoping to get away early, but I honestly suggest that this discussion has shown the utter pointlessness of the so-called supervision of EEC documents and of United Kingdom documents such as this, which are related to Community documents.

Finally, the regulations are being made under the powers of section 2(2) of the European Communities Act 1972, a copy of which I have with me. I ask the Minister and the clever Clerks whether they can find any way in which this could be placed within section 2(2) which relates to Community obligations or to things related to Community obligations; that is not the case.

We are wasting our time. We are insulting the British public by giving the impression that we are playing a meaningful role in this. We should admit that, on such issues, the House is completely wasting its time in trying to pretend that we control anything at all.

11.59 pm

Mr. Anthony Nelson (Chichester): With due deference to my hon. Friend the Member for Southend, East (Mr. Taylor), there is a substantive point of issue—not a major constitutional point, but nevertheless important. The regulations amend a provision in the Fair Trading Act 1973. Those of us who took part in the proceedings on the Companies Act 1989 will recall the importance attached to the pre-notification procedure. The whole idea behind those provisions was to expedite or enable certain takeovers to go ahead without having to go through all the paraphernalia of references where pre-notification was given.

To the extent that any amendment to the law prevents those takeovers from going ahead or denies the shareholders or owners of an asset the right to determine the future of that asset, it is proper that the House should consider it. We should be reluctant to endorse any restriction on the rights of shareholders or owners of an asset to decide how best to dispose of that.

The regulations will enable the director-general to dismiss or reject a merger notice if it appears that there is a concentration with a Community dimension. I make no complaint about that, but we should not let it go through on the nod. We should pass it on the basis that we are satisfied with the procedures under European law, both for time and for scrutiny of such matters. Employees of companies will be affected, as will shareholders, debtors and so on.

When the House and the Committee considered the Companies Bill, it was on the basis that the pre-notification procedure would expedite matters. If there is a good case for change, the House should endorse it. I am sure that my hon. Friend the Minister will make that case, albeit at the end rather than at the beginning of the debate.

12.1 am

Mr. Alun Michael (Cardiff, South and Penarth): I apologise for the unavoidable absence of my hon. Friend the Member for Redcar (Ms. Mowlam), who had to leave the House because of illness. I am sure that we all hope that it is not serious. I know that she would want me to apologise for any embarrassment caused to the Minister, who moved the motion formally in her absence. His courtesy is appreciated and he should not be embarrassed.

My hon. Friend the Member for Newham, South (Mr. Spearing) seeks the truth and wants the Minister to explain why the issue is being approached in this way. I am sure that my hon. Friend would have welcomed the opportunity to discuss the matter in its wider sense, but it is a technical measure relating to the policy agreed for safeguarding the position in British law.

Hon. Members who said that the matter was important were correct. The significant point about inequalities between different countries and the need for a level playing field is very important, and is especially important when British law applies. There is a British regional dimension. Those in Wales and the north of England have experienced head offices, often in the manufacturing industry, moving away from their regional base, where they have been greatly valued because of mergers or takeovers.

I ask the Minister to recognise that there are occasions when the European merger policy allows Britain to take into account a number of factors, such as the research and development being carried out by a company and the way in which the regional dimension is affected. There is a question about how much that policy is implemented to the full.

Will the Minister explain to the House not only the technical nature of the statutory instrument but how it falls within Government policy on mergers and how they intend it to operate within the system? What view do the Government take of mergers, both in the European context and under British law? Following GEC, Ferranti and the takeover of ICL, what is the Government's policy?

I am sure that the Minister and you, Mr. Deputy Speaker, will appreciate the short notice that I had of this debate, but I understand that this statutory instrument and British law become relevant to mergers and takeovers involving less than £5 billion. Those mergers are particularly relevant and important to British regional policy.

Will the Minister do more than simply say that there are technical regulations implementing minor measures that have already been agreed? As questions have been asked by several hon. Members, will he explain the context in which the statutory instrument is being enacted, the practical policies that the Government intend to follow and the use to which they will put the statutory instrument?

12.6 am

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): I am grateful to the hon. Member for Cardiff, South and Penarth (Mr. Michael) for stepping in to give the Opposition's view. As he said, I felt that, as the hon. Member for Redcar (Ms. Mowlam) was ill and had to go home, and as this is a technical matter, it was reasonable to move it formally. I told Opposition Front-Bench spokesmen that it is the right of hon. Members to make points and that I would reply to them because I strongly believe in Members' scrutiny of legislation.

The statutory instrument is technical and is designed to produce two cases where the United Kingdom can continue to use its jurisdiction in mergers. It was thought

that there was European jurisdiction, but process discovered that it does not apply and we wish therefore to preserve our jurisdiction.

The general context of the statutory instrument is the merger regulation, which was debated in Europe over many months. My predecessors and I made available explanatory memoranda. The scrutiny process was undertaken and a debate was held so that the House could express its views in good time before the final Government negotiating position was arrived at and before we finally agreed with our partners.

As my hon. Friend the Member for Southend, East (Mr. Taylor) implied, the time has long since passed when the House can make a useful contribution to the debate on the merger regulation. That was discussed and we negotiated it in good faith, taking into account the feelings of the House. We agreed it with our partners and it is now good law in this country, which will come into effect on 21 September.

Mr. Teddy Taylor: It is bad law.

Mr. Redwood: I can tell my hon. Friend that it is good law because it is effective law, whatever he may think of it.

Mr. Tim Smith: One or two of my hon. Friends seem to think that it is bad law, but there was a satisfactory consultation process involving a debate in the House. Points were made on the content of the statutory instrument and as a result the outcome is quite satisfactory for the United Kingdom.

Mr. Redwood: Indeed.

The United Kingdom had four principal negotiating objectives. The first was to ensure that if we reached agreement there was clarity on whether EC jurisdiction or United Kingdom jurisdiction applied, and we have achieved that.

The second objective was that the system should be driven with competition as the criterion. The aim should be to create competitive marketplaces in Europe and to protect them from predatory mergers that might damage them. Again, that was accepted by our partners, and it is written into the mergers regulation.

The third goal was that the merger regulation should introduce a system that was timely and fair. We have certainly got the timeliness into the system, in that a maximum of five months can be taken up by the European Commission in settling its views on a particular merger, and in most cases it would take one month for the Commission to decide that there is no case to be answered.

Fourthly, we wished, along with several other member states, to have certain national interests protected, in that there could be a reversion to national jurisdiction in important cases involving defence, public scrutiny, prudential control of financial institutions and the media. Again, they are written into the merger regulation.

By any standard, this was a successful negotiation with our partners, and our thinking and the views of the House are well reflected in the final text of the regulation which was adopted some time ago.

The hon. Member for Cardiff, South and Penarth asked me about the regional dimension. He suggested that that was important in terms of the statutory instrument because it involves the smaller mergers. I fear that it is the other way round. The regulations are concerned with larger mergers which were thought to have European dimensions: those with aggregate turnovers of more than 5 billion ecu and with—this is the other criterion on EC turnover—at least two of the merging parties having more than 250 million ecu turnover within the EC. Therefore, the hon. Gentleman's point is not quite fair.

We have frequently stated our general attitude to mergers in documents and in debates in the House. The position remains the same. We believe in pursuing a vigorous competition policy. The main criterion that we use when receiving advice from the Director General of Fair Trading and deciding on merger references is competition. Reference policy in recent years demonstrates that well.

My hon. Friend the Member for Chichester (Mr. Nelson) made a relevant point when he asked whether it is right to modify the pre-notification procedure in the Fair Trading Act 1973, as laid down in the Companies Act 1989, in the way that we suggest. I urge the House to accept this modification because it is the only way that, in those circumstances, we can work as intended. I can see no other way of doing it. That is the reason for it.

My hon. Friend the Member for South [illegible], East thinks that a larger issue is important—whether we can buy companies in Germany, France or other European states. That question was asked by the hon. Member for Berwick-upon-Tweed (Mr. Beith). The Government believe that this is important. That is why, over the past year, my colleagues and I have persistently raised it at Council meetings in the European Community. We have made it clear that, if our markets are to remain open and other European companies take advantage of that, we expect reciprocation in market-opening measures in those other European member states. [HON. MEMBERS: "Hear, hear."]

I shall tell my hon. Friend the Member for Southend, East what progress we have made and how he can help us to make further progress. We raised the issue and obtained a Commission statement that it was important. We then got a Commission statement that there should be a work programme. Action is being taken to put suitable provisions into the draft fifth and 13th company law directives to address some of the legal problems that were identified in the Coopers and Lybrand report, which the Government commissioned and took to our partners in Europe to show the seriousness of the problem.

Mr. Cash: Given the importance of these matters and knowing that I would make a helpful intervention, would it be possible for my hon. Friend to encourage enforcement proceedings to ensure that our friends and colleagues in Germany and elsewhere in the EC realise that we are not making a negative, obstructionist point, but that there is not much point in having a European Community if there is no level playing field? Could they not take that on board?

Mr. Redwood: When we meet our opposite numbers in Europe, my colleagues and I make the point that we need market-opening measures of all kinds, including measures relating to the market for company control. Our companies often enlarge their businesses by acquisition, and it is important that they should be able to grow them in European Community countries as well as in the United States. In the past four years, it has been very noticeable that United Kingdom companies have engaged in a massive programme of corporate acquisition and

[Mr. Redwood]

expansion in the United States: they have found it easier to buy companies there than in France and Germany, where the markets have been less open. That is why we take our work so seriously.

We are making progress with our partners on the legal issues. There are, however, many other barriers—cultural barriers, for instance—which the study has identified. This is where hon. Members on both sides of the House can help, as can businesses and other opinion formers.

We believe that a more open market for corporate control will benefit our European partners. There are already signs that in France, for instance, business interests want a more active takeover market in their country and are beginning to support the British position. Any help that hon. Members can give by arguing the case, both in this country and with our partners in Europe, will be very helpful. We are trying to change the climate of opinion in Europe—to direct it towards the nature of the takeover market, and the way in which companies can grow and increase their business.

Mr. Teddy Taylor: Will the Minister tell my hon. Friends and me what real progress has been made by all these massive steps forward, and all these commissioned reports? If he could find time to tell us how many German plcs have been acquired by British companies—say, over the past year—that would give us some idea. Even if he gave us the figure for two years ago, that would be a great help.

Mr. Redwood: My hon. Friend did not listen quite carefully enough. I said that we were making progress in forming the directives that were needed to change the law; we have not yet completed the process. More progress is required, which means more pressure and more debate with our partners. Such things work by gathering momentum: the more the House expresses its view, and the more others throughout the Community do the same, the more likely we are to make progress in securing the new instruments that will surmount the legal barriers.

The hon. Member for Berwick-upon-Tweed mentioned not only the level playing field—which I have just addressed—but the structure of the procedures that will be entered into by British companies and others when the new EC regulation comes into effect on 21 September this year. He is right that the British Government have been worried about the length and complexity of the form to be sent to merging parties; we have made some progress with the Commission, which has welcomed our suggested amendments intended to simplify it.

The hon. Gentleman also asked about staffing. We and other member states are seconding staff with expertise in competition and merger policy to the Commission, to give it the assistance and strengthened staff resources that it will definitely need when it has sole responsibility for very large mergers.

I must stress, however, that there is another side to the merger regulation itself, which hon. Members have not taken fully on board tonight. Although the regulation clearly gives sole main powers to the European Community for the small handful of very large mergers with cross-border business involved, it also suspends regulation 17—the regulation that enforces articles 85 and 86 of the treaty of Rome on all other mergers. That means that, in the case of all the smaller and medium-sized mergers, there is no longer doubt about whether United Kingdom jurisdiction could be exercised wholly and solely, or whether the Commission also had jurisdiction under those two treaty articles.

It is not possible to give an entirely accurate forecast, but our calculations at the time of the negotiation suggested that, of about 300 potentially referrable mergers in this country in any given year, perhaps 10 or 12 would fall to be decided solely by the European Commission. The other 280-odd would fall outside that, and would therefore be entirely within the jurisdiction of the United Kingdom.

Our negotiations on the merger regulation took place against the background of the Commission's statement that, if member states did not agree to the division of jurisdiction under the new merger regulation, it would become more interventionist in its use of treaty articles 85 and 86—which it seemed to be entirely entitled to do, according to the legal advice available to us.

My hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) asked about reciprocity for those in countries outside the Community. He will find that article 24 of the merger regulations sets out a procedure on reciprocity which gives the Commission some modest rights and duties when member states believe that states outside the Community are not reciprocating and opening their markets in the way in which we would like and in the way in which we are opening ours in the Community.

The hon. Member for Newham, South (Mr. Spearing) was right to stress the need for a clear explanatory note. I sympathise with him. The explanatory note could be clearer and I will draw the hon. Gentleman's points to the attention of those who write explanatory memoranda to see whether in future we can have more helpful ones. This one has foxed some of us at this late hour.

Perhaps the explanatory memorandum should have made it clearer that the proposal has nothing to do with implementing the merger regulation itself into United Kingdom law. That would be a major item were that the way we proceeded, and it would have warranted a major debate. As I have tried to suggest—I hope that I have satisfied hon. Members about this—the regulations are a minor matter concerned with our powers under the fair trading legislation.

Question put and agreed to.

Resolved,

That the draft EEC Merger Control (Consequential Provisions) Regulations 1990, which were laid before this House on 5th July, be approved.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(5) (Standing Committee on European Community documents).

Municipal Waste Water Treatment

That this House takes note of European Community Document No. 10139/89, relating to municipal waste water treatment; and supports the Government's efforts to secure appropriate treatment standards for all significant discharges of sewage.—*[Mr. Wood.]*

Question agreed to.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

MEAT AND LIVESTOCK COMMISSION

That the draft Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1990, which was laid before this House on 21st June, be approved.—*[Mr. Wood.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

MERCHANT SEAMEN (REDUNDANCY)

That the draft Redundancy Payments (Merchants Seamen Exclusion) Order 1973 (Revocation) Order 1990, which was laid before this House on 14th June be approved.—*[Mr. Wood.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

DEPARTMENT OF TRADE AND INDUSTRY (FEES)

That the draft Department of Trade and Industry (Fees) (Amendment) Order 1990, which was laid before this House on 2nd July, be approved.*[Mr. Wood.]*

Question agreed to.

Newbattle Abbey College, Dalkeith

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

12.21 am

Mr. Alexander Eadie (Midlothian): This is the second Adjournment debate that I have had on Newbattle Abbey college. The first was in March 1989. One thread will run through this second debate that I am inaugurating in these small hours of the morning, and that is the appalling discourtesy of the Secretary of State for Scotland.

The Secretary of State for Scotland announced the withdrawal of funding without consulting the college, the governors or the trustees from the ancient Scottish universities. As I outlined in the first debate, there was a comedy of errors as to how I was informed, as the hon. Member representing the constituency in which the college is located.

I regret having to spend valuable time in this Adjournment debate with this introduction. However, we are nearly back to square one. The Secretary of State has refused to meet the governors or the Convention of Scottish Local Authorities to discuss the academic plan that has been submitted and so allow the governors the opportunity to put their case. The Secretary of State has refused to meet me and my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) to discuss the matter. My hon. Friend is the Opposition shadow spokesman on education in Scotland.

I am approaching 25 years' membership of this House. In that time, I have had dealings with many Secretaries of State for Scotland, Ministers and parliamentary colleagues. I have never had any problems if I have asked to meet them to discuss matters affecting my constituency. I was always treated with great courtesy as a fellow parliamentarian. During my five years as a Minister, I never refused to meet a fellow parliamentarian if he requested a meeting to discuss matters affecting his constituency.

I deeply regret having to say that, for some peculiar reason, the present Secretary of State for Scotland refuses to uphold the traditions set by his predecessors. He refuses to meet me. It is not my first such experience with his Department.

I must quote what the Secretary of State said in his letter of March 1989, when he officially made it known that he would withdraw funding from the college, and setting out his reservations. He said:

> "I have all along made it clear publicly that a prerequisite to continued Government funding of Newbattle would be that the education authorities and higher education institutions in Scotland were themselves convinced that the College could form an integral part of their own efforts to widen access. My Private Secretary's letter of 25th July therefore advised the Governors that before I could consider continued funding of the College, I would want firm and specific undertakings from authorities and institutions backed up by appropriate financial support to use Newbattle in support of the Government's commitment to widening access to higher education. I emphasised, when we met, that my concern was not primarily financial—but rather to be satisfied that the education world at large regarded Newbattle as being an important part of efforts to widen access, despite the changing circumstances since it was founded before the war."

Because of the pressure of time, perhaps it is not appropriate that I relate the history, which is cherished in some parts of Scotland, of how and when the college was formed.

[Mr. Alexander Eadie]

The college's case is that the Secretary of State's prerequisites have been fully met and that the case for a resumption of grant aid has been met. That view is supported by the advisory group, which included university representatives, local authority representatives, residential college representatives, the Workers Educational Association, and by the ancient universities, which have given encouraging support for the proposals to give accelerated entry to those who successfully complete a Newbattle diploma course. The local authority contribution to the college will have exceeded £250,000 by the end of the 1990-91 fiscal year.

Parliament must be informed that, after spending six months drawing up the proposals, having first sought the agreement of the Scottish Education Department, the only responses to the detailed proposals are two brief letters. The first was sent on behalf of the Secretary of State and is dated 29 May this year. It stated that, after careful consideration, he had concluded that the plan did not provide a basis for reconsidering his decision to terminate direct funding support to the college.

The second letter came directly from the Secretary of State in a reply to a request from the chairman of the board of governors for a meeting to discuss the matter. He stated that he did not consider that there had been any significant change in the factors that had led him to reaffirm in March last year his decision that the current funding of the college should cease. He therefore saw no advantage in having the requested meeting. As I have already explained, the right hon. and learned Gentleman also refused to meet me and my hon. Friend the Member for Clydebank and Milngavie.

Although the changes proposed in the academic plan are extremely significant, no formal meeting to discuss the submission has been held and no formal statement has been made by, or on behalf of, the Secretary of State. That is more than a sad state of affairs: it is deplorable. That is one reason why the college and the rest of the educational world feel that its treatment has been discourteous and offhand.

In respect of public accountability, statements have been made to the effect that the grant aid previously given has now been reallocated to SWAP—the Scottish wider access programme. Given the limited resources at his disposal, it is maintained that the Secretary of State believes that that reallocation gives better "value for money".

In Scotland, it seems, we are to have either Newbattle as the country's sole adult residential college—Scotland's equivalent to Ruskin college—or SWAP. I hope that I have the opportunity to argue that there is room and finance for both.

Newbattle is now an integral part of SWAP provision. More than 250 students from SWAP west—Strathclyde Consortium—have attended short residential courses at the college since October 1989. The college has been prevented from adding to that number by the curtailment of grant.

For the record, I must state that the amount of grant requested is £361,000 per year for a full range of activities for unqualified adults. That would include access courses for those that the education world know as "returners", as well as long courses. That required sum represents one quarter of 1 per cent. of the Scottish education budget for higher and further education. SWAP has its own separate budget.

I must remind the House what the Secretary of State said in the letter that I quoted earlier. He said that his concern in relation to Newbattle was "not primarily financial". Whatever reasons the Secretary of State has for his decision on Newbattle, we are entitled to hear them, and the people of Scotland are entitled to hear them. That is why it is pertinent to ask why the Secretary of State advocates for those from Scotland who attend Newbattle's sister college in Wales and the six colleges in England while denying the people of Scotland the opportunity for a similar facility to operate in Scotland, where there is a clear need. More than 80 unqualified adults have expressed their intention to attend Newbattle.

I believe that I have made a restrained speech this evening, although I have found it difficult to quell my dismay and some anger at the way in which the Secretary of State has handled this whole affair. Let me briefly explain why. I do not intend to be too personal about it.

My full-time education ended when I was 14 years of age. I started work in the coal mines in 1934. All my adult life, I have been extremely conscious of the need for, and value of, education, although my own full-time education was limited. I have been very conscious of the fact that many people in life need second chances—another opportunity to try to gain qualifications or to profit from education. One of the most exciting and rewarding experiences of my life was when I was appointed chairman of my county education committee. Before I came to Parliament, I played a leading role in the furtherance of education in many national committees in Scotland. I am a former governor of Moray House teachers' training college, and was one of the very few laymen appointed to the committee in Scotland dealing with research into education. So my interest and activities in education are of long standing.

My experience has taught me the value of education not only to the individual but to the nation as a whole. To let Newbattle Abbey college wither as an adult education college would be nothing short of educational vandalism. It is for some of those reasons that I have inaugurated the debate. I appeal to the Secretary of State to reconsider the matter. At least let us meet him and discuss it; in my view, those who drew up the document deserve no less. I hope that I shall get a favourable response to my request when the Minister comes to reply.

12.37 am

The Minister of State, Scottish Office (Mr. Ian Lang): I congratulate the hon. Member for Midlothian (Mr. Eadie) on his success in securing this debate on the subject of Newbattle Abbey college.

The hon. Gentleman started his speech with a criticism of my right hon. and learned Friend the Secretary of State on the grounds of discourtesy. May I at once address that charge and wholly reject it on behalf of my right hon. and learned Friend. During the 21 months since this issue first came into the public domain—between the announcement of the decision in December 1987 to cease recurrent funding and its coming into effect in 1989—the views of all those who had expressed an interest in the future of Newbattle were considered. My right hon. and learned

Friend met the chairman and representatives of the governing body on 24 February 1989 in the course of considering the matter further.

The hon. Gentleman has told the House that Newbattle Abbey college is a residential adult education college whose main purpose is to prepare mature students for entry to higher education. In the past that was achieved by a two-year diploma course that was accepted by the Scottish universities for entry purposes. That course, however, ceased a year ago. Perhaps I may begin by summarising the main events relating to Newbattle and wider access to higher education in Scotland.

In December 1987, my right hon. and learned Friend the Secretary of State announced his intention to withdraw recurrent grant from Newbattle. This followed consideration of funding of the college as part of a normal review of Government expenditure. He felt that he could no longer justify spending taxpayers' money on the college as the best way of implementing the Government's policy of wider access to higher education. To meet this objective more effectively, we launched in April 1988 the Scottish wider access programme—SWAP, as it is usually known. SWAP is aimed at increasing significantly the number of mature entrants to higher education in Scotland.

In July 1988, the governors of Newbattle were given an opportunity until the end of that year to demonstrate a specific commitment from education authorities and higher education institutions to support the college as an integral part of the Scottish education system and of their own efforts in wider access. My right hon. and learned Friend met the governors in March 1989 to consider what commitments they had secured and to hear their case for him to reconsider his decision to withdraw grant. The governors were able to show only limited commitments from other bodies and to hold out rather distant hopes of raising funds by the disposal of assets at Newbattle. That did not persuade my right hon. Friend to change his decision, and recurrent grant ceased at the end of September 1989.

In March 1990, the governors submitted to us an academic plan as a basis for possible renewal of grant. I should emphasise that this was done at the governors' own initiative and not at our invitation. This plan showed a modest increase in external support, but the college would still have been reliant mainly on Government funding to produce a relatively small number of entrants to higher education. The governors were told that the plan did not provide a basis for reopening our decision. Meanwhile, SWAP had been very successful in improving opportunities for mature entrants to higher education, so in May we announced that its funding would be extended until 1994.

I respect the hon. Gentleman's commitment to the importance of adult education opportunities. We share that priority. However, I believe that our initiatives during the last two or three years have been enormously successful in opening up such further education opportunities to adults.

Mr. Eadie: It is all very well for the Minister to say that he respects my lifetime commitment to adult education. However, he has not addressed the question why the Secretary of State has been so discourteous in refusing to meet not only me but also my hon. Friend the Member for Clydebank and Milngavie, who is the shadow spokesman on education. That is unheard of.

Mr. Lang: I have already answered the charge of discourtesy. In the rest of my speech, I shall address the other points that the hon. Gentleman made.

The decision was originally made known to the college on 10 December 1987 and confirmed on 9 March 1989. It was further confirmed on 29 May 1990. Therefore, some two and a half years have elapsed, during which that decision was consistently confirmed, although further consideration of it took place during that time. To seek further to develop the argument only creates uncertainty and does not serve the interests of adult education.

In considering whether continued funding of Newbattle was justified, we had to have regard to the other avenues which now exist for those seeking a "second chance" to enter higher education. We had to consider whether, in educational terms, Newbattle had the same role to play in Scottish education in 1990 as it had when it was founded before the second world war. We recognised the achievements of Newbattle in the years following its foundation in 1937. We acknowledge the foresight and generosity of the 11th Marquess of Lothian in leaving the estate in trust for use as a residential adult education college, but we also looked at the considerable changes which have occurred since Newbattle's foundation.

In 1937, there were four universities in Scotland; now there are eight, together with the Open university, the central institutions and colleges of education. Those institutions do not simply provide places for students who have just left school with three highers. They cater willingly, indeed they compete increasingly fiercely, for entrants of all types, regardless of school achievements or age. In 1988, there were nearly 7,500 mature entrants to full-time higher education in Scotland—more than a quarter of the total—plus nearly 2,000 new entrants to part-time degree courses in the Open university. There are also throughout Scotland about 50 further education colleges, catering for around 200,000 students up to diploma level.

In the light of that wide range of opportunities for mature students in further and higher education, we concluded that expenditure on Newbattle to provide about 50 out of more than 25,000 Scots entrants to higher education each year was not justifiable.

The Government's policy is to increase opportunities for entry to higher education, especially for adults without the conventional entry qualifications. It is also our policy to ensure that public funds are used most effectively; indeed, it is our duty to do so. It appeared that annual expenditure of more than £450,000 on Newbattle was not the best way of using those resources to improve opportunities for entry to higher education. In announcing withdrawal of grant from Newbattle, we emphasised our view that the college's job had largely been done and that funds released from Newbattle would be devoted to encouraging wider access in ways more relevant to current needs. That we set out to do.

We were aware of initiatives in the west of Scotland, involving Strathclyde regional council and higher education institutions, whereby mature students would be guaranteed places in higher education on successful completion of an access course at a further education college. We considered that those initiatives were worthy of imitation throughout the country in the interests of both employers and students.

In April 1988, the Scottish wider access programme was launched. Since then, four wider access consortia have

[Mr. Lang]

been established, involving all education authorities and higher education institutions, and covering the whole of Scotland. In 1989, the consortia attracted to access courses almost 750 potential entrants to higher education, and that number is expected to rise by half as much again in 1990.

I understand that success rates on access courses have been high and we expect several hundred new students to enter higher education in 1990 as a result of SWAP. The resources for SWAP are being used for exactly the same purpose as they were at Newbattle—preparing mature students for entry to higher education—and I believe that it is clear which offers better value for money.

But SWAP is not only about student numbers. The consortia are aiming to ensure that wider access will become an intrinsic part of our education system—another aspect of Scottish education which we believe will be worthy of imitation elsewhere. This is why we recently renewed our commitment to fund SWAP.

We are constantly reminded of three particular themes in support of Newbattle. First, it is said that a long residential course is necessary for many students. But how do our critics know that? As I have just said, there were nearly 7,500 mature entrants to full-time higher education in 1988. On the basis that the college provided each year no more than about 50 entrants to higher education, it can hardly be claimed to have demonstrated that long residential courses are an essential prerequisite of entry to higher education for mature students.

It has been argued that Newbattle is a national facility serving the whole of Scotland. But the domicile of its students in recent years does not provide much support for that argument. Around 30 per cent. of Newbattle students have come from outside Scotland. Of the students from Scotland, half or more have come from Edinburgh and the Lothians. That suggests that Newbattle has been a regional rather than a national facility, and it is doubtful whether residential provision is essential for all those students.

There have been very few students at Newbattle from the remoter parts of Scotland, from areas where other educational facilities may be limited and residential provision might be regarded as a more important requirement. I acknowledge that short residential sessions at Newbattle have been a successful element of some SWAP courses, but Newbattle is by no means the only facility in Scotland where such sessions can be provided.

Secondly, it has been suggested that because there are residential adult education colleges in England and Wales to which the Government contribute in funding, there must be similar provision in Scotland. Opposition Members sometimes criticise us for imitating the English education system, but in this case, they are insisting that we should do so. We will plan our provision in the Scottish education system on the basis of what we consider to be most effective for Scotland.

Thirdly, it has been suggested that we are opposed to Newbattle because of the non-vocational education which it has traditionally provided. But there are now far more opportunities than when Newbattle opened for adults who wish to improve their education for its own sake. The Open university, other universities' extra-mural departments, further education colleges and, indeed, many schools provide facilities for adults who wish to do this.

The hon. Gentleman reminded the House of the commitment made to Newbattle by local authorities in the academic plan submitted to the Scottish Education Department in March. Great emphasis has been given to the amounts involved—over £100,000—but these sums amount to only 15 per cent. of the college's projected income. The amount sought from the Government is about £500,000 including student maintenance, or 70 per cent. of total income. These figures do not suggest to us that there was an overwhelming commitment to Newbattle from outside bodies.

In the years immediately following Newbattle's foundation, the Government were not the major shareholder, but only one of a number of benefactors contributing to the college's income. But, over the years, the support from those other bodies gradually declined, until the Government were the only significant funder of the college. Many of those who are now loudly criticising the Government for withdrawing support for Newbattle are those who had pulled their own money out of the venture long before the Government did. Under the governors' plan, the main emphasis of provision at Newbattle would have continued to be on a two-year course producing no more than 50 entrants to higher education each year. I should like to make it clear to the House that at no time has the board of governors been led to believe that there was a significant prospect of renewed funding on the basis of their latest plan. The plan was submitted at the governors' own initiative, so it would have been discourteous not to have given it consideration. We considered the plan very carefully and we acknowledged the efforts which had gone into its preparation, but we concluded that renewed expenditure on Newbattle, approximately equal to what we have committed to SWAP, could not be justified. My right hon. and learned Friend's decision taken over two and a half years ago stands.

Recurrent grant was withdrawn from Newbattle after we had heard the views of all those involved and after a meeting with the governors. We see little value in further meetings or discussions at this stage. The future of the college is now in the hands of its board of governors and of its trustees.

Question put and agreed to.

Adjourned accordingly at nine minutes to one o'clock.

House of Commons

Wednesday 25 July 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

GREAT YARMOUTH PORT AUTHORITY BILL *[Lords]*

As amended, considered.

Queen's consent, on behalf of the Crown, having been signified—

Ordered,

That Standing Order No. 205 (Notice of Third Reading) be suspended and that the Bill be now read the third time. *—[The Chairman of Ways and Means.]*

Read the Third time, and passed, with amendments.

REDBRIDGE LONDON BOROUGH COUNCIL BILL

(By Order)

Order for consideration of Lords amendment read.

To be considered on Monday 15 October at Seven o'clock.

PENZANCE SOUTH PIER EXTENSION BILL *(By Order)*

BRITISH RAILWAYS BILL *(By Order)*

Lords amendments agreed to.

BRITISH RAILWAYS (NO. 2) BILL *(By Order)*

Order for consideration, as amended, read.

To be considered on Thursday 18 October.

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [26 February],

That the Bill be now considered.

Debate further adjourned till Thursday 18 October.

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

Order for consideration, as amended, read.

To be considered on Thursday 18 October.

Mr. Speaker: As all the Bills set down for Second Reading have blocking motions, with the leave of the House I shall put them together.

HEATHROW EXPRESS RAILWAY BILL *[Lords]*

(By Order)

CATTEWATER RECLAMATION BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL

[Lords] (By Order)

Orders for Second Reading read.

To be read a Second time on Thursday 18 October.

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL

(By Order)

Order read for resuming adjourned debate on Question proposed [10 May],

That the Bill be now read a Second time.

Debate further adjourned till Thursday 18 October.

SOUTHAMPTON RAPID TRANSIT BILL *[Lords]*

(By Order)

Order for Second Reading read.

To be read a Second time on Thursday 18 October.

EXMOUTH DOCKS BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [29 March],

That the Bill be now read a Second time.

Debate further adjourned till Thursday 18 October.

KILLINGHOLME GENERATING STATIONS (ANCILLARY POWERS) BILL *[Lords] (By Order)*

Order for Second Reading read.

To be read a Second time on Thursday 18 October.

HEATHROW EXPRESS RAILWAY BILL *[Lords]*

Motion made,

That the Promoters of the Heathrow Express Railway Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session:

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time.

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented with the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Wednesday 17 October at Seven o'clock.

KILLINGHOLME GENERATING STATIONS (ANCILLARY POWERS) BILL *[Lords]*

Motion made,

That the Promoters of the Killingholme Generating Stations (Ancillary Powers) Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the

Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Thursday 18 October.

King's Cross Railways Bill

Motion made,

That the Promoters of the King's Cross Railways Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Thursday 18 October.

Cardiff Bay Barrage Bill *[Lords]*

Motion made,

That the Promoters of the Cardiff Bay Barrage Bill [*Lords*] shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That, if the Bill is brought from the Lords in the next Session, the Agent for the Bill shall deposit in the Private Bill Office a declaration signed by him, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph (b) of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Thursday 18 October.

Midland Metro Bill

Motion made,

That the Promoters of the Midland Metro Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill, together with any minutes of evidence taken before the Committee on the Bill, shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words 'under Standing Order 126 (Reference to committee of petitions against Bill)' were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Thursday 18 October.

Oral Answers to Questions

ENVIRONMENT

Local Authorities (Expenditure)

1. **Mr. Chris Smith:** To ask the Secretary of State for the Environment if he has made any assessment of spending needs of local authorities for the coming financial year 1991-92; and if he will make a statement.

The Secretary of State for the Environment (Mr. Chris Patten): I refer the hon. Member to the statement that I made to the House on 19 July.

Mr. Smith: The Secretary of State will probably recall that on 25 April he said that he would reconsider the standard spending assessment calculations for next year in the light of local authority representations. He will also probably recall that his Minister of State said on 12 July that he would not reconsider the standard spending assessment system. Which of the two right hon. and hon. Members is right?

Mr. Patten: We have always made it entirely clear that we are prepared to consider fresh evidence on the methodology that underlies the new grant distribution formula. That has been, and remains, our position. We shall consider fresh evidence and make our proposals in due course.

Mr. Ward: When my right hon. Friend comes to consider spending needs for the coming year, will he ensure that councils that have not really bothered to try to collect the community charge do not receive any special recompense? Will he take this opportunity to congratulate Poole borough council, which has collected 97 per cent. of the community charge—the highest in the country?

Mr. Patten: The collection figures of the more competent local authorities are pretty good. I congratulate the elected members and officers in my hon. Friend's local authority on the record that they have set. Overall, the figures for collection of the community charge are about the same as those for domestic rates in their last year.

Mr. Pike: Does not the Secretary of State now agree that there is overwhelming evidence that many of the SSAs are wrong; and will he give an assurance that action will be taken to help county councils such as Lancashire, so that it receives a fair allocation of Government resources with which to meet the needs for essential services of the community that elected that council?

Mr. Patten: I do not accept what the hon. Gentleman said about SSAs, but I believe that several local authorities, including Lancashire county council, have not been providing value for money.

Environmentally Friendly Goods

2. **Mr. Carrington:** To ask the Secretary of State for the Environment what steps the Government are taking to encourage uniform standards in the labelling of environmentally friendly goods.

The Parliamentary Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): A national

advisory group has been appointed to help develop a workable scheme for awarding environmental labels to products so as to inform consumer choice. We hope that that will be part of a European Communitywide scheme which will facilitate trade.

Mr. Carrington: I am grateful for that answer. Most people, given a choice, would want to purchase environmentally friendly goods. Will my hon. Friend ensure that goods are clearly labelled in future so that consumers can readily identify which of them are environmentally friendly?

Mr. Heathcoat-Amory: Yes, we are aware that there are several less than satisfactory labelling schemes. The Department of Trade and Industry is looking into whether they should be banned under the Trade Descriptions Act 1968. One of the advantages of having our own authoritative scheme is that it will clear the market of the less than satisfactory alternatives.

Mr. Simon Hughes: Will the Minister discuss with Ministers in the Department of Energy environmental labelling of power stations? Will he consider putting the same information in very big writing on power stations as he would like on other goods—that is, the environmental disadvantages and the cost of nuclear power—so that everyone can see what the real choices in energy consumption are and, in the light of today's Select Committee report, what a waste of money nuclear power is?

Mr. Heathcoat-Amory: All methods of generating electricity show a balance of environmental advantages and disadvantages. As the hon. Gentleman knows, nuclear power produces no gaseous emissions and is therefore benign from the point of view of global warming. It may also have disadvantages, but the information is freely available and nuclear power does not require a separate labelling system.

Mr. Squire: Given that few products are wholly benign, and as my hon. Friend is looking at a cradle-to-grave concept, is he looking into a series of gradations in labelling so that consumers can have an idea of comparative benefit, rather than a system of absolute benefits or absolute disadvantages?

Mr. Heathcoat-Amory: It is open to the advisory committee to come up with a number of alternatives such as my hon. Friend suggests, but I believe that simplicity is a virtue. We want to guide the consumer with a scheme that is readily understood, and that might work against making labels too complex.

Mr. Andrew F. Bennett: Which soap powder is used in the Minister's household, and why is it environmentally friendly?

Mr. Heathcoat-Amory: No doubt the advisory committee will be labelling soap powders, but which soap powders are used in the House of Commons is not my responsibility.

Chipboard Factories

3. **Mr. Amos:** To ask the Secretary of State for the Environment how many representations he has received on chipboard factory emissions; and if he will make a statement.

The Minister for the Environment and Countryside (Mr. David Trippier): I have received several representations, including some from my hon. Friend the Member for Hexham (Mr. Amos), whom I met to discuss the issue early this week. I also met delegations from Cowie and Chirk at the same meeting.

Mr. Amos: Pursuant to the meeting between my hon. Friend and the delegation from Hexham on Monday, may I express the thanks of the people of Hexham to my hon. Friend for so promptly establishing a system of air pollution control to deal with emissions from the Egger factory, without in any way affecting the commercial viability or economic success of the factory? While asking him to look sympathetically at the few outstanding items of detail, may I urge him to accept that this has brought about a real improvement—at long last—for my constituents in the Hexham area? Is not this yet another example of how the Government listen and take prompt and effective action, compared with the Opposition, who promise everything and do nothing?

Mr. Trippier: I am most grateful to my hon. Friend for his kind remarks. I congratulate him on his leadership of the three delegations that I saw early this week. I am delighted to tell him that I shall respond in detail to the outstanding matters that were discussed at our earlier meeting and I am confident that my letter will please him.

Mr. Speller: May I ask my hon. Friend also to bear it in mind that there are other chipboard factories throughout the country? There is a large one in South Molton, which has always co-operated fully with the local authority. This year it received a clean bill of health and intends to keep it that way. It is easy to seek to be especially awkward about anything that appears to be outside the norm of the wonderful green countryside.

Mr. Trippier: I entirely accept my hon. Friend's latter point. The purpose of the delegation that came to see me was to try to establish the correct balance between the economic activity that is generated by these important companies and the environment in which they operate. As my hon. Friend the Member for Hexham has said, the environment in which chipboard companies operate has not been acceptable in recent times. As a result of our discussions and the improvements that have been catalogued in the Environmental Protection Bill, we think that we have the balance right.

Home Ownership

4. **Dr. Twinn:** To ask the Secretary of State for the Environment what proportion of adults owned their own homes in 1979, 1983, 1987 and 1989.

The Minister for Housing and Planning (Mr. Michael Spicer): Some 54 per cent. of households in England were owner-occupiers in 1979, 59 per cent. in 1983 and 65 per cent. in 1987 and 1988. Survey results for 1989 are not yet

available, but between 1979 and 1988 the number of owner-occupier households has increased by nearly 3 million.

Dr. Twinn: I congratulate my hon. Friend on the steady progress made by the Government over the past seven years in extending owner-occupation. Does he agree that the time is now right further to extend that, particularly by helping council flat tenants through bringing in the rents-to-morgage scheme as soon as possible?

Mr. Spicer: We are looking at several ways of increasing home ownership among lower-income groups. The rents-to-mortgage scheme is one of the options that we are considering, but we are also looking at other schemes such as increasing shared ownership and part-mortgage schemes.

Mr. Cryer: In pursuit of the right to buy, does the Minister intend to introduce rights for private tenants to buy their property or is the discrimination by the Tory party against private tenants and in favour of private landlords to continue? When will he consider those who cannot afford to buy, people who want decent homes at reasonable rents? The Minister must know that local authorities, which have traditionally provided such homes, are short of funds to build council housing, which remains the basic prerequisite for people who need housing.

Mr. Spicer: Unlike the Labour party, we do not believe in the sequestration of private property. I hope that people will look at the Labour party's pronouncements and writings on that subject, because it avowedly believes in the sequestration of private property. The hon. Gentleman asked about reasonable rents. I totally agree that we want a more thriving rented sector, especially in the private rented sector. One of the ways to reduce rents in the private sector is to supply more properties.

Mr. Patrick Thompson: Does my hon. Friend accept that those encouraging figures are very much due to the successful Government policy over the years of selling council houses? Is he aware that the Labour-controlled Norwich city council has never been keen on that policy and is still actively discouraging the sale of council houses? Does he agree that such a policy does nothing to increase the housing stock in Norwich or anywhere else?

Mr. Spicer: Norwich has to comply with the law. My hon. Friend is right in saying that the right-to-buy policy has been a tremendous success. More than 1·2 million households have now exercised that right. The pressure from people to buy is increasing and we think that about 80,000 people will buy this year. My hon. Friend is right to press his council to comply with the law.

Mr. George Howarth: When will the Minister recognise that there is no virtue in either owning or renting a property, but that the real difficulty is that the housing finance system is more chaotic and useless than that of any other European country? When will he introduce proposals to increase people's choice of whether to rent or buy, and when will he reform the housing finance system? The real problem is that people do not have a choice.

Mr. Spicer: I agree that we want a more thriving rented sector. However, I suspect that the hon. Gentleman will not agree when I say that we want that to be largely in the private and housing association sectors. Therefore, it is of great concern to us that the Labour party is preparing policies further to undermine and possibly to kill off the private rented sector, as that would kill the choice that the hon. Gentleman goes on about.

Land Register

5. **Mr. Ashby:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of unused land from the land register.

18. **Mr. Alison:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of derelict land from the land register.

Mr. Michael Spicer: We are considering various possibilities. Any firm proposals would be the subject of public consultation.

Mr. Ashby: Is not it a scandal that so much public land in our towns and cities is lying idle? Will my hon. Friend take urgent steps to ensure that that land is sold off to the private sector, which knows how to put it into good and productive use?

Mr. Spicer: I listen carefully to what my hon. Friend has to say on the matter. He is right that a great amount of vacant land is held in the public sector. There are at least 80,000 acres on the register, and there are questions as to whether that accurately reflects the total amount of vacant land. We are looking urgently and seriously at that matter.

Mr. Alison: Given that plenty of land is still on the register, will my hon. Friend undertake to call in proposals to develop a substantial small new town with new housing on Acaster Malbis airfield near York, in my constituency, given that that development is unrelated to any present settlements and is in conflict with the local structure and the local plan?

Mr. Spicer: I am sure that my right hon. Friend will understand that I cannot comment on specific applications. When we have further information about the plans in his constituency, and in particular about the local planning authority's view, we shall be able to take a view about calling in.

Mr. Winnick: In so far as this building land is for housing, will the Minister bear it in mind that the majority of people who are in desperate housing need, and others who sympathise with them, believe that local authorities should once again be in a position to build? Is the Minister aware that a recent survey published by the National Association of Citizens Advice Bureaux shows the failure, arising from the Housing Act 1988, of the private rented sector to provide accommodation for people with ordinary incomes? Does not that demonstrate that those who cannot afford a mortgage should be able to have decent accommodation without having to live with their families or their in-laws, or in bed-and-breakfast accommodation?

Mr. Spicer: The problems of the private rented sector have nothing to do with the 1988 Act. That Act has started the process of putting them right. The problems have more to do with the denigration of private landlords, which has gone on, largely led by the Labour party, over many years. That is very much in contrast with what happens in most other industrialised countries.

Mr. Pike: The Minister will recognise that much of the derelict and unused land is contaminated. Do the Government intend to respond to the report on contaminated land by the Select Committee on the Environment, which said that that is a major problem in many of the older and industrial towns?

Mr. Spicer: We are reviewing policy on contaminated land, but already £70 million of derelict land grant is available for contaminated as well as other vacant land.

Mr. Steen: I am sure that the House would like to know whether the Minister sleeps well at night knowing that there are 80,000 acres of derelict land on the register, another 80,000 acres of public vacant land that should be on the register, and three quarters of a million empty houses. Should not an embargo be placed on building houses on green-field sites until the derelict and vacant land in public ownership is used up and the empty houses all over the country are occupied?

Mr. Spicer: I am not sure whether my hon. Friend wants an answer about my sleeping habits, but I do understand that green-field development is questionable when large sectors of public land are vacant. Under present plans, we would be urbanising—if that is the right word—about 140,000 acres up to the end of the century, whereas, if my hon. Friend's figures are right—and I have no reason to dispute them—the area of public vacant land exceeds that figure. My hon. Friend is right to point that out.

Nature Conservancy Council

6. **Mr. Dalyell:** To ask the Secretary of State for the Environment what figures he has available on the cost to date of his proposals to reorganise the Nature Conservancy Council and for the establishment of new posts to cover work previously undertaken by Nature Conservancy Council headquarters in Peterborough.

Mr. Trippier: The Government have allocated £1·4 million in the current financial year to cover costs arising directly from the proposal to reorganise the Nature Conservancy Council and the other conservation agencies. To date, just over £95,000 has been spent. Work on the staffing and organisational structures of the new bodies continues, and we hope to make an announcement shortly.

Mr. Dalyell: Is William Wilkinson's figure of £30 million correct or incorrect?

Mr. Trippier: It is incorrect. Some rather wild estimates have been published in the national newspapers, but they have no basis in fact and are, at best, pure speculation. There is genuine confusion between what could be earmarked as reorganisation costs and the real costs of the new organisations that will be set up as a result of the green Bill currently going through Parliament. There is no basis for those estimates and I believe that the figure will be much more modest.

Mr. Maclennan: Does the Minister accept that the exaggerations expressed in those figures are of a piece with the chairman's propensity to exaggerate? Does he further accept that the reorganisation of the structure on which the Government have embarked is widely welcomed in Scotland because it will lead to a more sensitive handling of environmental issues there?

Mr. Trippier: I am most grateful to the hon. Gentleman for his latter comments, which I believe are realistic and present to the House a true and fair picture of precisely what will happen. The proposals in the Environmental Protection Bill will deliver improved conservation. There is no change in the Government's policy. We are simply changing the machinery.

Mr. Gould: But is not it the case that the slur that we have just heard cast on the chairman of the Nature Conservancy Council can be removed only when the figure produced by independent consultants is released for public information? Is not that figure in the area of £30 million? If the Minister does not accept that figure, why not, and what is his estimate? Why will not he guarantee that any extra administrative costs, whether £30 million or something like that, that are the result of the Government's unnecessary reorganisation, will be met by new money, not from the existing Nature Conservancy Council budget? If he will not do that, will not his refusal further undermine the Government's already and justifiably fading green pretensions as well as the vital nature conservancy effort?

Mr. Trippier: The hon. Gentleman will have taken note of the fact that I carefully did not join in the remonstration by the hon. Member for Caithness and Sutherland (Mr. Maclennan) in the earlier part of his question, nor should I wish to. I am sure that the hon. Member for Dagenham (Mr. Gould) would not wish to be associated with that. I met Sir William Wilkinson last week and we discussed the figure that has just been mentioned. There was a clear conflict between his understanding and the understanding of Mr. Timothy Hornsby, who also attended the meeting. I can assure the hon. Gentleman that a much more realistic figure was agreed between Mr. Timothy Hornsby and my officials at the Department of the Environment. I have never sought to deny in any way, shape or form that reorganisation will cost more money. If we are to deliver the policy to which I referred earlier, it will cost more money. My right hon. Friend the Secretary of State and I are clear about the matter. We are under the microscope. We know that we have to deliver improved conservation. That we have already shown in the 11 years that we have been in office. During that period we have increased expenditure on nature conservation by 160 per cent. in real terms. The previous Labour Government cut it. Labour Members just talk about conservation; they do absolutely nothing about it.

Mr. Dalyell: On a point of Order, Mr. Speaker. In view of the unsatisfactory nature of the Minister's answer, I give notice that I hope to raise the matter on the Adjournment.

Pollution Inspectorate and National Rivers Authority

7. **Mr. Alan W. Williams:** To ask the Secretary of State for the Environment what is the total number of employees of *(a)* Her Majesty's inspectorate of pollution and *(b)* the National Rivers Authority.

Mr. Chris Patten: The total number of staff in post in HMIP is 215. The National Rivers Authority employs a total of some 6,700 staff, of which some 750 are engaged in pollution control responsibilities.

Mr. Williams: Does the Minister accept that there are appalling double standards in that the NRA has 6,000 staff

to deal with water pollution while HMIP has only 200 staff to deal with air pollution and toxic waste management? Does that not result in poor monitoring and poor regulation? Is it not time that the Department considered the possibility of the NRA taking over the functions of HMIP, especially as the latter appears to be a shambles?

Mr. Patten: I am delighted with the hon. Gentleman's well-merited commendation of the NRA, whose performance is a result of the Government's admirable legislation on water privatisation which has had a beneficial effect on the water environment.

The hon. Gentleman may not have heard, but in my original answer I said that the correct figure for staff in the NRA doing jobs more or less comparable with those in HMIP was 750, not 6,700, although the jobs cannot be precisely compared. We are increasing the complement of HMIP, we have increased the salaries for pollution inspectors, and we are continuing to recruit.

The problem faced by both the public sector and the private sector in Britain and in other countries is a shortage of people with the requisite skills. We shall be saying a great deal about higher education and training in our White Paper later this year.

Mr. Churchill: Will my right hon. Friend convey to the director of HMIP the strong exception taken by my constituents and by the people of Greater Manchester to the inspectorate's rubber stamping of a proposal for a chemical and clinical waste incinerator at Trafford Park? Does my hon. Friend agree that the centre of a conurbation of 3 million people is no fit place for chemical, clinical, and toxic waste incinerators and will he investigate the situation?

Mr. Patten: I will certainly do that. As I understand it, my hon. Friend has an opportunity to raise the matter on the Adjournment tomorrow and I am sure that he will be satisfied with the Government's response.

Mrs. Ann Taylor: Does the Secretary of State accept that many difficulties are being encountered by both the NRA and HMIP in trying to work out their new relationship? At times, the two bodies have to monitor the same pipe or outlet to different standards. Does not that emphasise the need for an independent, integrated environmental protection executive, and does the right hon. Gentleman agree that he was wrong in Committee to reject our proposals for such an executive? Does he accept that there will not be proper progress on protecting and cleaning up the environment until such an executive is established?

Mr. Patten: No, I do not agree with the hon. Lady's last point. It is a matter to which we have paid close attention, but I am far from convinced that the right way to ensure better monitoring and regulation of pollution is to have a further reorganisation of the inspectorates charged with those responsibilities.

We are always open to bright ideas, even when they come from the Opposition, although that is all too rare an occurrence. We are looking forward to the announcement of some bright ideas about local government finance from Mr. Peter Mandelson later today. I am sure that it will take account of all that the Opposition have said about domestic rates.

I assure the hon. Lady that we shall deal with those institutional matters in our White Paper later this year. I do not take the view that institutional arrangements can substitute for sensible policies—and we have been pursuing sensible policies.

Standard Spending Assessments

9. **Mr. Squire:** To ask the Secretary of State for the Environment when he expects to finalise the elements which will determine standard spending assessments for 1991-92.

The Minister for Local Government and Inner Cities (Mr. Michael Portillo): My right hon. Friend will announce his proposals for standard spending assessments in the autumn.

Mr. Squire: Is my hon. Friend aware that as a result of standard spending assessments for the current year, the London borough of Havering has suffered a complete standstill in Government funding and thus finds itself charging adults £60 more each than if the settlement had allowed for even the average increase in outer London? Can my hon. Friend give even a cautious early warning of good news for my constituents in regard to next year's settlement, so that they may hope for a better outcome?

Mr. Portillo: I know of the Havering situation because my hon. Friend has led a number of delegations to Ministers in that regard. Havering's settlement was less than the average above its old grant-related expenditure assessment, but that does not suggest to me that it was unfair. I remind my hon. Friend that total standard spending for next year, as announced by my right hon. Friend the Secretary of State last week, will be up 19 per cent. The likelihood is that SSAs will, on average, increase considerably. My hon. Friend the Member for Hornchurch (Mr. Squire) will have heard my right hon. Friend's remark that we are, of course, willing to consider new evidence in respect of SSAs.

Mr. Campbell-Savours: What are the Minister's preliminary views on fixing the SSA for Wandsworth? Does he think that it is right for Wandsworth to be considering cutting its services to the elderly, the disabled and the blind in advance of fixing its poll tax for 1991? Is cutting services to those most in need what this flagship of Conservative local government is all about? Is not that approach quite squalid?

Mr. Portillo: Wandsworth's standard spending assessment was set on exactly the same basis as that used for every other authority. The proof of that is that Wandsworth received considerably less under its standard spending assessment than did a number of other London boroughs, such as Lambeth. There is no question of unfairness. I shall consider any new evidence relating to Wandsworth, as I shall in respect of other boroughs, but the spending decisions taken by local authorities are for them. In Wandsworth's case, the council is setting such a low community charge that there is, I am pleased to say, no question of capping.

Mr. Paice: When a local authority has to raise money to pay for its spending, will my hon. Friend consider the implications if that money were raised by a rate system from which two thirds of those apparently liable are either exempt or receive a 100 per cent. rebate? Would not that represent a return to the rotten borough situation which

applied to so many Labour local authorities, which bought votes at the expense of the few ratepayers who had to meet the bills?

Mr. Portillo: My hon. Friend is absolutely right. The twin evils of the rating system were that only about half the population paid for local authority spending, which was grossly unfair—particularly given how that sample was selected—and that with such a small proportion of the population paying, some local authorities felt that because there were so many freeloaders in the system they could spend very high amounts of money. It is inconceivable that any political party would want to return to the unfairness of a property-based system.

Mr. Corbett: When SSAs are determined, what account is taken of housing need, and in particular of the special needs of councils such as the city of Birmingham, which has put in a £52 million bid to deal with property designated under the Housing Defects Act 1984?

Mr. Portillo: That matter is dealt with under the housing revenue accounts, which are now ring fenced. Within the SSA falls the range of services provided by the local authority, but even under the new, simplified system they are established on a basis which is somewhat complicated. I shall be happy to take the hon. Gentleman through that procedure at any time, if he is interested.

Local Government Finance

12. **Mr. Mans:** To ask the Secretary of State for the Environment whether he has any intention of limiting the liability for paying directly towards the cost of local government to heads of households only.

Mr. Portillo: The community charge is based on the principle that it is only fair that nearly every adult should be liable to contribute to the cost of local authority spending. I believe that that principle is increasingly widely accepted.

Mr. Mans: I thank my hon. Friend for that reply. Does he agree that one way to ensure that everyone's liability is reduced is to encourage high-spending councils such as mine in Lancashire to cut their costs, and more specifically their overheads? Is my hon. Friend aware that my council has held back no less than 32 per cent. of the money granted from central Government for the administrative costs of education?

Mr. Portillo: I have found it very disappointing that a number of local authorities have used the introduction of the community charge to boost their spending considerably. I am afraid that a large number of county councils that are not facing election this year have taken advantage of the transition to the new system and the confusion that there may have been in some voters' minds to boost their spending substantially, knowing that the district councils were sending out the bills. If my hon. Friend's constituents have suffered in that way, I regret it.

Mr. Tony Banks: Is not there something absolutely grotesque in a system of taxation under which the Prime Minister and her husband in Dulwich will pay exactly the same poll tax as a couple round the corner living in a damp private flat? Is the Minister aware that during the summer, as councils struggle to collect the money from millions of people around the country who simply cannot afford to pay, there will be a great deal of social upheaval as bailiffs move in to try to seize people's property to pay a tax which those people know is unfair and which they cannot afford to pay?

Mr. Portillo: The hon. Gentleman has considerable experience of local authorities. He should know that the community charge provides only a minority proportion of the total spending of local authorities. Because of that, a lot of the taxes that people pay are then recycled in the form of Government grant back to local authorities. The House will have heard my right hon. Friend the Secretary of State for the Environment announce that the external finance to local authorities next year is to increase by 12·8 per cent. That means, for example, that a barrister earning £100,000 is likely to make a contribution of about £7,300 to the cost of local authority services. That is a very substantial amount indeed.

Mr. Nicholas Bennett: Does my hon. Friend agree that the most grotesque thing would be for half the population to receive the services and have a vote in the election, but make no contribution to the cost of the services? Is not it even more grotesque that the Labour party, having promised to abolish the rates in 1987, is now prepared to stand on its head and support that unfair tax?

Mr. Portillo: I believe that I saw it reported that the Leader of the Opposition had described the rates as a leap into the frying pan. I do not pretend entirely to understand what he meant by that, but I think that it must mean that at one time the Labour party thought that the rates were a very bad idea. There is a very good reason for thinking that. The rates are an unfair system. There is no relation between property ownership and income, and with only half the population paying, that is a fundamentally unfair system.

Mr. Gould: Will the Minister define those whom he described a moment ago as "freeloaders"? Are they the people who traditionally have made their own contributions towards household liability for the rates by virtue of arrangements made within the household—exactly the people whom we regard as valuable citizens and voters with full civil rights?

Mr. Portillo: I think that I can give a couple of examples of freeloaders. My first example, under the old system of rates—I gather that this would also be true under the system to which the Labour party wishes to return—would be the large number of wage earners in one house who pay a single rate bill between them, in comparison with the widow next door who has to pay the same amount or possibly more. My second example of freeloaders is those Labour Members who at the moment are choosing not to pay the community charge.

Mr. Favell: No doubt my hon. Friend has studied carefully the Labour party's proposals to reintroduce the rates. If those proposals were adopted, what would happen to the family of five earners, to the widow and to the deserted wife who is struggling to go out to work instead of living off the state?

Mr. Portillo: My hon. Friend flatters me in saying that I might have studied the proposals carefully. So far, I have not seen any detail worthy of study. I am afraid that my hon. Friend puts his finger on the point that returning to a property-based system such as the rates would recreate

all the problems of those people clustered in households who may have high incomes but participate in only one rates bill. I know of no way in which the Labour party could get out of that problem. That is the basic unfairness of the rating system and I am amazed that after 11 years the Labour party wants to return to it.

13. **Mr. Beith:** To ask the Secretary of State for the Environment what plans he has to reduce the poll tax liability of people on low incomes whose poll tax bills have not been significantly reduced either by transitional relief or by rebates.

Mr. Portillo: My right hon. Friend announced on 19 July that extra help would go next year to 7·5 million people receiving transitional relief and that 4 million more people would be brought into the transitional relief scheme.

Mr. Beith: What does the Minister intend to do about those elderly people who have struggled to pay their own way and who are in sheltered housing schemes where they previously paid their rates to the housing association and therefore did not get transitional relief? They now find that they are paying much more than they paid in rates but their income from limited capital puts them over the rebate limit.

Mr. Portillo: As the hon. Gentleman knows, transitional relief is available to those in sheltered accommodation on the same basis as to other former ratepayers. The only defensible basis for a transitional relief scheme is an actual rates bill. In a large housing scheme, just as in a large house, there will be the difficulty that the rates bill is too large and divided between too few people. However, the calculation for those people is carried out on the same basis and, of course, if they are in need those charge payers will qualify for community charge rebate.

Mr. Robert G. Hughes: Will my hon. Friend confirm that the people to whom the question refers, namely those on low or moderate incomes, would pay considerably more if they had to pay a local income tax, which is the plan proposed by the Liberal party?

Mr. Portillo: Yes, indeed. On previous occasions we have carried out exemplifications of that scheme, and the SLD party did not like the results. Of course, people on low incomes were treated worse under the old rating system because now, for every pound of income that a person on a low income may have, a 15p deduction is made from their benefit, whereas under the old rating system a 20p per pound deduction was made.

Mr. Madden: Will the Minister take this opportunity to withdraw and apologise for his description a few moments ago of pensioners, the disabled, those on low wages and others in receipt of rebates under the rating system? If he does not do so, his description of such people as freeloaders will go down as one of the worst slurs by any Minister on the most vulnerable people in our society.

Mr. Portillo: We are very fortunate that our words are recorded in *Hansard*. The official record will bear me out; I was asked by the hon. Member for Dagenham (Mr. Gould) to define whom I meant, and I spoke of those income earners who were clustered together paying only one rates bill. The second group of people was those Labour Members of Parliament refusing to pay the community charge. I endorse both those definitions which arise from Labour party policy.

Second Homes

15. **Sir Fergus Montgomery:** To ask the Secretary of State for the Environment whether he intends to introduce controls on the ownership of second homes.

Mr. Nicholls: We have no plans to do so.

Sir Fergus Montgomery: Does my hon. Friend agree that the policy of the Labour party to give councils the right to decide whether people should have second homes in their areas is the ultimate example of the Labour party's determination to give power to the bureaucrats over the freedom of the individual?

Mr. Nicholls: My hon. Friend has it exactly. Although the Labour party does its best to disguise the true effect of most of its policies, on this occasion it has helpfully been made perfectly clear. The hon. Member for Hammersmith (Mr. Soley) is on record as saying:

"The way it would work is if you wanted to sell to someone who wanted to use the house as a second home, you couldn't".

Mr. Butler: Does my hon. Friend accept that there are many modest second homes owned by people on low incomes, limited pensions and even income support? Will he consider extending transitional relief or rebates to those people?

Mr. Nicholls: My hon. Friend certainly makes an interesting point. People who own second homes do not always fit the rich profile that one may have in mind. The Labour party's policy would bite against everyone, particularly the hon. Member for Dagenham (Mr. Gould) who has a country home in the Cotswolds.

Joint and Several Liability

16. **Mr. Bill Michie:** To ask the Secretary of State for the Environment if he has any proposals to change the joint and several liability rule included in the community charge legislation; and if he will make a statement.

Mr. Portillo: It is important that every adult should receive a community charge bill of his or her own. Any couple on low income will have their need for benefit assessed as a couple, but where one partner is not earning, joint and several liability provides an important protection which I do not propose to remove.

Mr. Michie: Why has the Minister chosen during the review period not to take into account strong representations about the present suffering, particularly of non-working wives and non-working mothers? Surely there is a good argument for giving those people special consideration, but for some reason the Minister has ignored it. Is it because he is blinded by the policy or does he regard those people, too, as freeloaders?

Mr. Portillo: I reject what the hon. Gentleman says about suffering. The needs of people on low income are assessed to see whether they qualify for community charge benefit. A couple's needs are assessed together. Obviously, the system takes into account that a couple has higher needs than a single person and that if it is a pensioner couple, if one of the couple is disabled or if the couple has

children, the needs are higher again. The needs of a couple are fully assessed within the system. The provision of joint and several liability is there to ensure that where one of the partners is not earning, the debt can be recovered from the earning partner, who has liability for the couple as a whole.

Mr. Harry Greenway: Will my hon. Friend assure the community charge payers of Ealing that, with all of us, he will strenuously resist the reintroduction of rates, remembering that in 1987 the Labour-controlled Ealing council introduced a rates rise of 65 per cent? Some pensioners nearly starved as a result, but Labour Members do not care.

Mr. Portillo: It was remarkable that throughout our recent two-day debate on charge capping, not one Labour Member once talked about the hardship for community charge payers of the high community charge bills being put out by Labour-controlled authorities. My hon. Friend has that concern for his constituents. I only wish that it was shared on the other side of the House.

Mr. O'Brien: Is the Minister aware, or may I remind him, that millions of women stay at home to look after a family consisting of children or elderly relatives and thus do not earn any money or have any income or their own? Those women did not pay rates under the previous system, as the Minister pointed out. Is there any valid reason why they should not receive transitional relief, as they qualify in every way for it? Can the Minister explain why they do not qualify? When will he do away with the unfair and iniquitous provision of joint and several liability?

Mr. Portillo: We believe in treating couples as couples. A couple may decide that one of the partners will not earn and that the partner who earns will bear the responsibilities of the entire family. That decision is made by couples. If the amount that the partner who is earning receives is so little that the couple qualifies for relief, they will be assessed as a couple and their needs taken into account. As I have explained, if a couple has children, is elderly or disabled, the assessment of their needs will be higher. That is appropriate. The provision of joint and several liability exists to protect the non-earning partner.

Mr. David Nicholson: I am grateful to my hon. Friend for explaining the position so clearly in reply to the hon. Member for Sheffield, Heeley (Mr. Michie). Will my hon. Friend do all that he can to bring home to the public the fact that the onus for paying the community charge within a couple where one partner has no income must rest on the partner with income?

Mr. Portillo: My hon. Friend is absolutely right. We have joint and several liability to emphasise the fact that, although under the benefit system we treat couples as couples, we recognise that two people who each receive a personal community charge bill, when one is earning but the other is not, should have joint and several liability so that liability can be recovered from the earning partner if required.

Charge-capped Authorities

17. **Mr. Flannery:** To ask the Secretary of State for the Environment if he has carried out any assessment of the costs to those local authorities which have been charge-capped and have had to issue new community charge bills to each charge payer; and if he will make a statement.

Mr. Chris Patten: As I made clear in my statement on 3 April 1990 about community charge in England, we estimate that the costs will be about £200,000 per charging authority. I took account of that when I decided the authorities' caps.

Mr. Flannery: Is not it a fact that the Secretary of State, in whatever statements he has made, has never confessed that the Government are in total chaos about the poll tax and wish to God that they had never thought of it? Is not that the reality? If vast numbers of people are facing the bailiffs, and so on, and the chaos that that will produce, why on earth should local authorities now be having to raise an immense extra amount of money with no help from the Government and wondering what in God's name they are going to do? Is not it time that the Government withdrew the poll tax?

Mr. Patten: The answer to the hon. Gentleman's first, second and fourth questions is no. The answer to the third question is that local authorities should take some account of the consequences of excessive spending, not least for their community charge payers.

Mr. Donald Thompson: Is my right hon. Friend aware that many of my constituents are incensed that the local authority is refusing to remit to them the whole of the charge cap?

Mr. Patten: I recognise what my hon. Friend has said. It is astonishing, first, that some Labour local authorities are wriggling and squirming to avoid passing on budget reductions to their community charge payers and, secondly, that they have used so much of the community charge payers' money to try to ensure that community charge payers have to pay more. That is what the Labour party means by fiscal responsibility.

Mr. Ron Brown: Surely it is understood that the community charge—*[Interruption.]*—that the poll tax is clearly unacceptable to people both north and south of the border. If they refuse to pay, is not it a clear indication of people voting with their feet and with their pockets? Does the Secretary of State agree that if hon. Members say that they are not paying, as I do, they are leading by example? That is certainly important in the coming period.

Mr. Patten: Those Labour Members of Parliament and councillors who say that they will not pay the community charge are loading extra costs on to their own constituents. That is the worst sort of freeloading, and it should be deprecated by every hon. Member. I am sure that it is deprecated by the hon. Member for Dagenham (Mr. Gould).

Institution of Civil Engineers

19. **Mr. Thurnham:** To ask the Secretary of State for the Environment if he has received the report on pollution issued by the Institution of Civil Engineers; and if he will make a statement.

Mr. Trippier: The institution sent me a copy of its report, entitled "Pollution and its Containment", which it

published on 19 July. I welcome the report as a valuable contribution to continuing studies of environmental issues.

Mr. Thurnham: While fully considering the fuel needs of poorer households, will my hon. Friend consider the need for a tax on carbon fuels, as recommended by the Institution of Civil Engineers?

Mr. Trippier: Taxation is entirely for my right hon. Friend the Chancellor of the Exchequer. With regard to the recommendations in the document to which my hon. Friend referred, particularly in terms of the stabilisation of carbon dioxide levels at present levels by the year 2005, we shall address that matter in the forthcoming White Paper.

Mr. Holt: Will my hon. Friend read the report carefully before he passes comment, unlike the reporter of *The Observer* newspaper who last Sunday was able to write about the Environment Select Committee's report on beaches before having seen it, allegedly on the basis of a leaked document? Five days later the reporter asked the Clerk to the Committee for a free copy so that she could rewrite what she had written the previous Sunday completely inaccurately.

Mr. Trippier: I share the disgust of my hon. Friend, who is a distinguished member of the Select Committee on the Environment, about the article that appeared in the Sunday newspapers. It was far from the truth. I welcome the Select Committee's report and the nice things that it said, particularly about my right hon. Friend the Secretary of State for the Environment.

Mr. Simon Hughes: Will the Minister concede, either now or later, that the Government's best intentions to do environmentally good things in the White Paper have been shot through by the Treasury refusing to accept any fiscal penalty or advantage? There are to be no green taxes. Does not that undermine the pollution policy that the Government intended to introduce?

Mr. Trippier: The speculation in which the hon. Gentleman indulges is about as wide of the mark as *The Observer* article on bathing beaches to which my hon. Friend the Member for Langbaurgh (Mr. Holt) referred. Were I to convey to the hon. Gentleman the import of the White Paper, there would be no point in having the document.

Sikorsky Helicopter Crash

3.30 pm

Mr. Malcolm Bruce (Gordon) *(by private notice):* To ask the Secretary of State for Transport if he will make a statement following the crash of a British International helicopter in the North sea this morning on its way to the Brent Spar platform.

The Secretary of State for Transport (Mr. Cecil Parkinson): A Sikorsky S-61 helicopter on charter to Shell UK from British International Helicopters crashed into the North sea in the Brent field at about 10.45 am today. The helicopter was on its way to the Brent Spar loading rig, 116 miles north-east of Lerwick, from an accommodation unit also in the Brent field. The helicopter came down alongside the rig itself. The cause is not yet known.

Thirteen persons are known to have been on board the helicopter. Seven have so far been rescued, of whom four are seriously injured. They are being taken to the Aberdeen royal infirmary, along with the other three less seriously injured survivors. The two crew and four other passengers are so far unaccounted for, but the search is continuing.

Two Shell search-and-rescue helicopters based in the Brent field were on the scene within minutes of the accident. They were joined by a coastguard helicopter based at Sumburgh and an RAF Nimrod.

The rescue operations are being co-ordinated by the Aberdeen coastguards, assisted by the rescue co-ordination centre at Edinburgh. The wreckage of the aircraft has been located on the sea bed, in 400 ft of water. Specialist diving craft are on the scene.

Shell and Grampian police have set up contact telephone lines for relatives at their Aberdeen emergency control rooms.

The Chief Inspector of Air Accidents has ordered a formal investigation.

I am sure that I speak for the whole House in expressing sympathy for the families of those injured and missing.

Mr. Bruce: I am grateful to the Secretary of State for his full statement about this very unfortunate incident. May I extend on my own behalf, as constituency Member, and on behalf of my party and colleagues our sympathy to the families of those who have lost their lives and to those who have been injured, apparently seriously. This is just another example of how risky a business it is to win oil from the North sea and of how thousands of people every day are putting their lives at risk on behalf of the whole community. We should be grateful to them for that.

I have a few specific questions for the Secretary of State relating to the incident. Does he acknowledge that a similar helicopter, a Sikorsky S-61, burst into flames and crashed into the North sea—fortunately, without loss of life—on 13 July 1988 and that we have not yet received the accident investigation report? It has apparently been delayed for administrative reasons. Does the Secretary of State accept that we should not have to wait so long? In the case of this incident, will he ensure that a report is prepared more speedily? Will he also ensure that a fatal accident inquiry is set in motion as quickly as possible? I understand that an inquiry has been called for by British International Helicopters. I believe that an inquiry will be welcomed by the whole community. Does he accept that such incidents show how important offshore safety must be in all operations in the North sea? Once again, we are extremely grateful to those who put their lives at risk.

Mr. Parkinson: As the hon. Gentleman knows, in my former job I went offshore to various platforms and rigs. I confirm what he says. We take for granted the work of people who produce great wealth for the country at some risk to themselves.

I shall look into the question about the air accident investigation branch report on the fatal accident two years ago. As the hon. Gentleman knows, the AAIB is a highly regarded body and it has been very busy recently. In particular, the Lockerbie investigation has taken up a tremendous amount of its time. However, I shall make sure that that report is issued as soon as possible.

The fatal accident inquiry is a matter not for me but for the Scottish legal authorities. I am sure that they will get on with making the necessary arrangements.

I entirely agree with what the hon. Gentleman said about the importance of safety in the North sea. The Department of Transport uniquely funds research into helicopter operations and safety in conjuction with the Department of Energy, the Civil Aviation Authority and the United Kingdom offshore operators. So we recognise the importance of safety and, above all, the importance of safety in helicopters, which are a key way of moving people about the North sea.

Mr. Alick Buchanan-Smith (Kincardine and Deeside): At this moment, are there not only two things that matter—first, on behalf of the whole House, to express our deep sadness over the incident; and, secondly, again on behalf of the whole House, to express our deepest sympathy to the families of those involved?

Mr. Parkinson: I agree entirely with my right hon. Friend.

Mr. Frank Doran (Aberdeen, South): May I, too, extend my sympathy to the families and friends of those involved in the incident? Since I heard about the incident, I have spent a great deal of time on the telephone talking to people from my constituency who work offshore or represent those who work ofshore. There is a genuine sense of anger today about the incident. It is the latest in a long line of such incidents. We have had 250 deaths in the North sea on offshore installations and vessels alone. There have been 74 deaths in helicopters, not counting any deaths arising out of today's incident. That is a shocking total.

I wish to raise one important specific point with the Secretary of State. I understand that a survey was carried out recently on the Kittiwake platform, which is going through the hook-up process. In that survey, 36 people were found not to have offshore survival certificates, which hitherto were regarded as mandatory. The Secretary of State will be aware from his experience that helicopter evacuation is an essential part of that training process. If the survey results are correct—again, it is a shocking indictment of the attitude of the oil companies to safety in the North sea—will the right hon. Gentleman ensure that the question of offshore survival certificates is investigated as part of the process of investigating this incident?

Mr. Parkinson: The hon. Gentleman strikes a wrong note when he talks about increased helicopter accidents. There is no discernible trend of increase in the number of

accidents in helicopters. I am sure that he is as pleased as I am that for the past three years there have been no fatal accidents. There were two bad tragedies in the mid-1980s, but the record has not worsened. It is misleading for the hon. Gentleman to suggest that it has.

I shall look into the hon. Gentleman's point about Kittiwake. I cannot confirm what the hon. Gentleman said, but I am sure that my right hon. Friend the Secretary of State for Energy will look into the matter.

Mr. Bill Walker (Tayside, North): My right hon. Friend will be aware that all hon. Members whose Scottish constituencies have offshore workers will be saddened by today's accident. Does he agree that the investigation branch always does its work splendidly and thoroughly after such accidents, and that if anything is found during the investigation that requires immediate action it is dealt with immediately and all operators are instructed to implement the requirements? Does he agree that we should not require the full report before taking any necessary action to ensure that operations are safe?

Mr. Parkinson: Yes, the formal investigation that the chief inspector authorised is the highest priority investigation. The report will come forward in two stages. Any immediate lessons will be learned and information will be disseminated throughout the industry. In addition, a full report will follow, which will be published.

Mrs. Margaret Ewing (Moray): As a Member of Parliament from north-east Scotland, may I associate myself and my hon. Friends with the sincere comments that other hon. Members have addressed to families who have lost members and the seriously injured? I also pay tribute to the rescue services, including the crew and staff of RAF Nimrod from my home town of Lossiemouth.

Will the Secretary of State elaborate on the time scale that he invisages for the report's production? We all wish to see it undertaken quickly because of its implications. Do the Government have a view about the type of insurance policy advocated for such companies? Surely one of the difficulties that the families of the deceased will face is that of finance.

Mr. Parkinson: I thank the hon. Lady for her opening remarks.

The chief inspector will get on with the work and report as soon as possible. He sets his own timetable and wants to do the job thoroughly, which he will. I will convey to him the hon. Lady's views. I do not know about the insurance policies, but I shall find out and let the hon. Lady know.

Mr. Michael Colvin (Romsey and Waterside): The all-party group on energy studies will visit Shell in Aberdeen during the recess and we shall be able to express our condolences direct to the people involved. Will my right hon. Friend confirm that the S-61 is a good helicopter with a good accident record? Does he agree that, although the winning of oil and gas from the North sea is a risky business, travelling to and from the rigs is not necessarily the most risky part of it, and that the record in our sector compares favourably with that of the Norwegian sector?

Mr. Parkinson: My hon. Friend is correct in saying that the S-61 has a good safety record on the whole: there has been one fatal accident in S-61 operations in the past 10 years. We should not draw up a league table in the North sea between the Norwegians and us. We both want to do everything possible to avoid accidents, which operators on both sides of the North sea do.

Mr. Robert Hughes (Aberdeen, North): On behalf of myself and others, may I join in the expressions of sympathy for those who have suffered loss and serious injury in the accident, and pay tribute to the rescue services.

While I accept that it is impossible to make snap judgments on the information available, will the Secretary of State say whether weather was a factor at the time? Does he understand that the most urgent need is to determine whether the S-61 is similar to that which at one time suffered a spate of gearbox trouble? That must be determined as quickly as possible, and, if necessary, such helicopters will have to be grounded in the interests of the safety of people who continue to use them. Will he assure us that that will be done as quickly as possible because there will be great worry and concern among those people who have to fly over the North sea every day and their relatives?

Mr. Parkinson: I confirm that, although there was a little fog and cloud about in the North sea earlier today, visibility was about two miles. Therefore, visibility does not appear to have been a factor.

I entirely agree with the hon. Gentleman about snap judgments. The S-61 has a good record, but I shall ensure that the accident investigation branch is made aware of what the hon. Gentleman has just said.

Mr. John Prescott (Kingston upon Hull, East): May I join the Secretary of State and other hon. Members in offering our condolences and deepest sympathy to the relatives of those who are injured or missing, and yet again record our admiration for and thanks to the rescue services, on behalf of the survivors.

Is the Secretary of State aware that the Sikorsky S-61 has been involved in three losses in the past two years and eight ditchings in the past 20 years; and that, according to my information, a door fell off one yesterday? This anxiety is shared by many oil workers, and it is also highlighted in the Civil Aviation Authority's report, which the Secretary of State received yesterday. May I suggest that he reads that report about helicopter safety?

In the light of experience of inquiries, may I add my voice to those of others who have asked the right hon. Gentleman to press the Crown Office to ensure that there is no unnecessary delay in the fatal accident inquiry? As for the excellent aviation inspector's formal investigations, will the right hon. Gentleman ensure that no extraordinary pressures are brought to bear, as happened in the case of the Boeing company over the loss of the Chinook helicopter in 1986, when the inspector's report was delayed by more than two years? That caused unnecessary anguish among the relatives of the 45 men who died in it.

Mr. Parkinson: I thank the hon. Gentleman for his opening remarks. It appears that, once again, the rescue services have performed superbly.

I repeat what I have already said about helicopter safety: in the past 10 years there has been one fatal accident involving an S-61, so there is no reason to make sweeping remarks about the aircraft. The hon. Gentleman should do nothing to suggest that he has made a snap

[Mr. Parkinson]

judgment, which would cause unnecessary concern on the part of the relatives of those who are still working today in the North sea.

As the hon. Gentleman heard me tell the House, the fatal accident inquiry is a matter not for me but for the Law Officers. I shall convey to them the fact that the House feels that the matter should be treated urgently. I cannot do more than that; they must make their own arrangements, and I am sure that they will.

The accident investigation branch caries out its work, as the hon. Member for Kingston upon Hull, East (Mr. Prescott) kindly said, in a most thorough way which has earned it worldwide recognition as the leading operator in this area. I am sure that it will do its job as thoroughly and quickly as possible.

Defence (Options for Change)

3.47 pm

The Secretary of State for Defence (Mr. Tom King): With permission, Mr. Speaker, I should like to make a statement.

In the defence debate last month, I set out the basis on which we have been considering options for change in defence. I would now like to advise the House of the broad proposals that we are considering and on which we will now be consulting with the NATO authorities and our allies, with the defence industries, and, most importantly, with all those directly affected in the armed forces and the MOD's civilian staff. My statement today follows the publication this morning of a valuable report from the Select Committee on Defence on the defence implications of recent events in eastern Europe and the Soviet Union.

The declaration issued at the NATO summit meeting here in London earlier this month said:

> "Europe has entered a new, promising era . . . This alliance must and will adapt".

The "Options for Change" have identified the ways in which our forces might be restructured by the mid-1990s in the light of these developments. The pace of change will depend upon the signature and implementation of a Conventional Forces in Europe agreement, on the progress of the two-plus-four talks, and on how quickly Soviet troops leave eastern Europe and other Soviet forces are run down. The precise shape of our contributions to NATO must reflect discussions yet to come with the NATO authorities and with our allies.

In the options for change studies, we have sought to devise a structure for our regular forces appropriate to the new security situation and meeting our essential peacetime operational needs. The framework that we have provided would be reinforced in a period of tension by drawing on volunteer reserves and reservists, who will have an important role to play. We have also allowed for the possible need to build back up our forces over a longer period should international circumstances ever require us to do so.

There clearly are opportunities but also risks in Europe; and elsewhere some worrying trends—not least, the proliferation of sophisticated weapons systems. We shall therfore continue to need a robust defence capability as our insurance against the unexpected. Our armed forces, albeit at lower levels, will be as important a safeguard for our country in the future as they have been in the past.

Our proposals will bring savings and a reduction in the share of GDP taken by defence. We need force levels which we can afford and which can realistically be manned, given demographic pressures in the 1990s. The aim is smaller forces, better equipped, properly trained and housed, and well motivated. They will need to be flexible and mobile and able to contribute both in NATO and, if necessary, elsewhere.

What I now have to put before the House are some proposals for change and some elements that will not change.

We shall retain our strategic deterrent with a four-boat Trident force. In accordance with NATO policy for an appropriate mix of nuclear and conventional forces, based in Europe, we shall also need a sub-strategic force of dual-capable Tornados with a stand-off missile.

We must also continue to ensure the effective defence of the United Kingdom itself. A comprehensive air defence capability will still be essential, although with a smaller fighter force than had been planned. The United Kingdom fighter force would be held at seven squadrons of air-defence Tornados, supplemented by armed Hawks, and the remaining two Phantom squadrons would be withdrawn. We plan to retain at about present levels our home defence forces and our capability to deal with hostile mine-laying in home waters. We shall sustain our contribution in support of the police in Northern Ireland. For as long as they are needed, we will provide forces for our dependent territories and other overseas responsibilities in the Falklands, Cyprus, Gibraltar, Belize and—until 1997—Hong Kong.

We will continue to play our full part in the defence of Europe. We will continue to deploy forces in Germany alongside our German and other allies, a contribution which is, I know, warmly welcomed by the German Government. We envisage that, in the changed circumstances of the mid-1990s, our stationed forces could be roughly half their present strength. When reinforced from the United Kingdom, our Army contribution could comprise about two divisions, rather than four as at present. Our contribution will need to be shaped with that of our allies to fit the new force structures which we expect to see in the central region.

We expect to reduce the RAF presence in Germany from four bases to two. We envisage retaining Harrier and helicopter forces there. As Germany takes on the air-policing responsibility for its territory, we would envisage phasing out our air-defence contribution. We envisage maintaining six squadrons of Tornado aircraft in Germany and the United Kingdom with nuclear and conventional roles in Europe. The two variants of Tornado will provide the backbone of the future Royal Air Force. Aircraft not deployed in peacetime will be retained for use should we need to build back up our capability.

In view of Chancellor Kohl's request that troops of the three western powers should stay in Berlin as long as Soviet forces are in the present German Democratic Republic, we envisage continuing to contribute to an allied presence, including an RAF contingent, for this period in Berlin. We intend to retain an amphibious capability in the longer term, the role of which will include reinforcement of NATO's northern region. We shall also maintain an air contribution, to the defence of the northern region, but we are looking again at the future requirement for the United Kingdom mobile force.

Elsewhere in our maritime contribution, we need to take account of the decline in the size of the Soviet navy but also of its continuing modernisation, especially with new classes of submarine. We propose to maintain three carriers, update their Sea Harrier aircraft and, subject to satisfactory progress, proceed with the EH101 helicopter programme. I envisage a future destroyer/frigate force of about 40 ships. The reduction would be achieved by paying off older, less capable ships. In addition to Trident, we envisage a future submarine force of about 16 boats of which three quarters would be nuclear powered. We see the Buccaneer force in the anti-ship role being replaced by dual-capable Tornados redeployed from Germany and re-equipped with Sea Eagle missiles. There would be a small reduction in Nimrod numbers.

A capability for other contingencies would be provided by establishing a strategic reserve division bringing together amphibious, parachute, airmobile and armoured formations with roles also in Europe or in national defence.

I have described how we now see the armed forces evolving in the period to 1995. These proposals are now for further study and consultation with NATO and or Brussels treaty partners. When we are able to take final decisions will depend on many factors, not least progress in the autumn on CFE talks, a successful outcome to the two-plus-four talks, a clear timetable for Soviet withdrawals from Europe, and the pace of discussions with our allies on the evolution of NATO strategy and operational concepts.

We shall want in particular fully to consult the German Government over changes in our deployments in Germany. We aim to move in an orderly and properly planned way to our new force structure, after the consultations that I have described and when the necessary conditions have been met. We shall at the same time conduct a detailed scrutiny of our equipment plans, including our research and development effort, to ensure that they would be in keeping with our changed requirements.

Work remains to be done on detailed force structures and on changes in the support area, where we will be looking for substantial savings, before we can clarify the implications for individual units. We envisage in broad terms by the mid-1990s a Regular Army of about 120,000, Royal Navy/Royal Marines of about 60,000 and a Royal Air Force of about 75,000. On that basis, the overall reduction in regular service manpower would be about 18 per cent. We expect our civilian numbers to be similarly reduced. The volunteer reserves will continue to play a key role, and we wish to consider the appropriate numbers for the future, having regard to our needs and realistic levels of recruitment and retention.

There will now be further work on the detailed implications of these broad proposals. Their costs will, of course, be within the expenditure plans published in the last public expenditure White Paper. Revised figures for defence expenditure will be announced as part of the Government's decisions on the total public expenditure programme in the Chancellor of the Exchequer's autumn statement. In respect of the current year, the House is aware that I am taking steps to constrain expenditure within the agreed provision. Announcements have been made on aircraft. Consistent with our longer-term plans, we shall be easing back on Army recruiting and retiring early several ships and submarines, and making some other short-term changes to the programme which will be announced shortly.

This country has owed a great debt to its armed services throughout its history. Their abilities and professionalism are not something that can be lightly discarded and then easily recalled when they may suddenly be needed. We have a duty to tell them what we believe the future is likely to hold for them at a time when the pace and scale of events in Europe offer real opportunities for change.

We believe that the new force structures that we envisage can give us strong and reliable defences, in changing circumstances, and at an affordable cost. Our proposals provide for us to continue to make a major contribution to the north Atlantic alliance as it adapts to the changes that its resolution and cohesion have done so much to make possible.

[Mr. Tom King]

It is a time of opportunity and hope for change, yet without putting at risk the safe protection of our country nor neglecting fair consideration of those whose task that is. Our aim is an orderly and planned transition to the new world now unfolding, and I commend it to the House.

Mr. Martin O'Neill (Clackmannan): The House welcomes the statement. For a while, it was uncertain whether we would have it before the House rose, and today was both the first and last possible time to have it. The statement is the first useful step in the consideration of our response to changing events. As the Secretary of State said, it dovetails with the report of the Select Committee on Defence. I am sure that the House will agree that many of the changes set out in the statement will come as a consequence of arms control and of Soviet withdrawals from Germany.

I realise that the statement was lengthy, and that many hon. Members wish to ask questions about it, but some points must be made. What significance does the withdrawal of two Army divisions have for equipment requirements, and in particular the orders for the replacement of the Challenger tanks? What implications will that have for the proposed multinational force? What discussions has the Secretary of State had with his NATO allies about what form this will take?

The Secretary of State said that the two variants of Tornado will provide the backbone of the RAF. Where does this leave the European fighter aircraft programme? How many of the proposed nuclear-capable aircraft will be in Germany? Have the German Government been consulted about this? My understanding is that there is widespread reluctance within Germany to accept this nuclear-equipped aircraft and nuclear weapons. What is the basis for this hosting programme?

I am sure that the Secretary of State is aware that the Select Committee on Defence has expressed considerable reservations about the tactical air-to-surface missile project. The House is entitled to know roughly what the costs of this programme will be and from where the weapons will be procured. Will they be American or Franco-British?

Will the Secretary of State confirm that this is the first occasion on which he has recognised that there are Soviet naval reductions? On a number of occasions we have had lectures about the Soviet naval procurement programme. In the light of these reductions, and in the light of the reduction in our Navy to about 40 frigates, will there be a replacement for the type 42? There will be all-party relief at his remarks about the EH101 programme, about which there was great anxiety. His remarks will be taken as encouragement.

The significance of the announcements to service morale will not be lost on the House. In his statement, the Secretary of State suggests that there could be a reduction in recruitment, almost hinting at natural wastage as one of the solutions to the personnel problem. Will he confirm that natural wastage will not be the only method of securing reductions in troop numbers? Will he concede that it will be necessary to change the nature of service conditions and to attract to the services, for the new types of forces that he has recommended, a different breed of soldier who may well have to be paid more and who will certainly be looking for better conditions than those that have been suggested recently?

Will the Secretary of State confirm that the absence of any reference to an extended out-of-area role is in line with the views expressed in the Select Committee's report? Will he also confirm that we are seeing here an operation that will be working within the existing limits of British capabilities and that we will not have an enhanced out-of-area capability?

The Secretary of State's proposals will require much consideration within the House and outside. A number of people involved in the defence industries and the services have made a great contribution to the defence of Britain and they must be taken account of at this time.

Will the right hon. Gentleman make the financial implications of the changes known to the House as soon as possible and ensure that we have an early debate when the House returns after the recess or as soon as the autumn statement is available, so that we can discern the economic consequences of the cuts? They will mean little to the House without a price tag attached to them.

Will the Secretary of State arrange perhaps a two-day debate in Government time as soon as the House resumes so that we can examine properly the implications of his useful contribution to what we regard as a process which will be far longer and more extensive than he described today.

Mr. King: The House must respect the hon. Gentleman's courage. He rose to his feet with hon. Members behind him who are pledged, under a Labour party conference motion, to slash defence expenditure by as much as £9,000 million, and then made a moving speech on behalf of the workers in Leeds who hope to provide tanks, the workers of Westland who hope to provide helicopters and the workers in Edinburgh and Lancashire who hope to produce the EFA. We hope that it will be possible to proceed on all those projects, and I note his great concern for their future.

I am grateful to the hon. Gentleman for saying that this is a first useful step in putting forward proposals in response to the changing circumstances. I suspect that only the Conservative party will put forward concrete proposals on the matter. We shall look forward with great interest to a coherent response from the Opposition.

The hon. Gentleman referred to consultation in respect of the other proposals that I made. I sought to emphasise that I am putting forward a number of proposals on behalf of Her Majesty's Government in respect of our future defence structure which are precisely for consultation because we are determined to play our proper and full part in the NATO alliance.

The hon. Gentleman referred to TASM and the sub-strategic missiles with dual capable aircraft, but he will know that only this month the NATO summit here in London made the unanimous statement that there should be an appropriate mix of nuclear and conventional weapons based in Europe, and my announcement is absolutely consistent with that.

I am not hinting at natural wastage. I regard the opportunity to ensure that we make a proper, orderly and planned change as a virtue. We hope to achieve that in a way that takes proper account of the lifetime of service that many have given. We want to make changes to the

new structure in an orderly and planned way. That is a duty that we have to those in the armed forces, and it is one that the Government are determined to discharge.

Several Hon. Members *rose*——

Mr. Speaker: Order. This is a major statement, and the House will be aware that there is another statement to follow and then the Report stage—for which 45 groups of amendments have been tabled—and Third Reading of a Bill. I regret that I must impose some limit, and so will allow questions on this statement to continue until 5 o'clock. I ask for single questions, please.

Mr. Michael Mates (Hampshire, East): I thank my right hon. Friend for his kind remarks about the Select Committee's report, which I hope is an analysis of the circumstances in which changes are taking place, and which I hope will be helpful to the House. I strongly recommend it as holiday reading.

I congratulate my right hon. Friend on the thoughtful way in which he has produced the proposals for change, which must now be debated extensively and discussed in detail. He rightly said that it is in the context of our NATO obligations that we will decide the final shape of our forces. How does he envisage NATO making its options for change known, and how does he envisage that developing as the collective response to the changed circumstances in western Europe?

Mr. King: Our allies have made certain statements. For example, Chancellor Kohl announced a figure of 370,000 for the Bundeswehr for a united Germany. Other NATO allies have also made proposals. It is now urgent that NATO gets together with the various elements and components to determine how that might develop.

I did not respond to the point raised by the hon. Member for Clackmannan (Mr. O'Neill) about the concept of multinationality. There is the possibility of a multinational corps in which we could make a significant contribution. That is the way to go forward.

I am grateful for what my hon. Friend, who is Chairman of the Select Committee, had to say and for the encouragement expressed in the report for the view that it is necessary to tell as soon as possible all those who work in the armed forces about the likely shape for the future. That is the purpose of my statement. I shall honour my pledge of a genuine opportunity for consultation so that the charges can be orderly and sensible, with the maximum involvement of those concerned.

Mr. Menzies Campbell (Fife, North-East): I welcome the broad thrust of the proposals as a first step for conventional forces. I support the right hon. Gentleman's proposal for a fleet of four Trident submarines. I hope that he will understand my disappointment that, as yet, no consideration has been given to the suggestion that the number of warheads to be deployed should be no greater than those presently deployed in the Polaris system.

The right hon. Gentleman should understand that there will be great disappointment about the suggestion that the United Kingdom might seek to deploy the tactical air-to-surface missile. There may be a NATO case for the deployment of that weapon, but thus far no compelling evidence has been produced to justify the United Kingdom embarking upon that course.

Mr. King: I am grateful for the hon. and learned Gentleman's general welcome, even though he let himself down a little at the end of his remarks. The biggest waste of money conceivable would be to have a nuclear deterrent that was not credible and not effective. That is the base line. There is no point in having a deterrent if it is not likely to work and is not likely to provide the deterrent effect that we seek. The deterrent has proved to be the biggest life saver in the history of man, and we are determined to maintain that capability. That is my first point.

Secondly, our policy is absolutely clear in the sense that the background to my statement today is the success of the policy to which we have held over the years. Part of that is not to depend solely on a strategic nuclear deterrent but to have a sub-strategic nuclear deterrent. That of course has the unanimous agreement of NATO.

Mr. Michael Heseltine (Henley): Does my right hon. Friend recognise that the caution with which he has made his statement today, both as to the size of the possible economies and the time scale within which they may be available, will be much welcomed on this side of the House? Will he continue to reaffirm that the reason why he is able to make his statement—cautiously optimistic as it is—is precisely because this Government supported the policies of the NATO alliance, which brought about the reassessment of Soviet foreign policy, against continual opposition from the Labour party at every stage? Will my right hon. Friend tell the House how he sees the ever-increasing costs of weapons procurement within a constrained defence budget being met unless we recognise the need for ever-wider international co-operation in weapons procurement?

Mr. King: I thank my right hon. Friend for his comments. The leadership of my right hon. Friend the Prime Minister, and of my right hon. Friend the Member for Henley (Mr. Heseltine) as one of my predecessors, in standing firm at a critical moment in our history, is now viewed by many as the turning point that opened up the possibility of the wonderful changes that we have seen. One might have hoped that some of those lessons would at last be appreciated by some Labour Members.

We now begin an intensive period of examination of force structures, equipment programmes and support arrangements. There is a tremendous amount of work to be done. My right hon. Friend the Member for Henley made the point that our allies face similar challenges. I spoke to our major allies this afternoon, and they are considering at this moment the difficult challenges that confront them. We shall wherever possible examine taking advantage of co-operation and cost sharing in programmes.

Mr. Michael Foot (Blaenau Gwent): As far as I can see, the Secretary of State's statement makes no reference—any more than did his defence statement of a few weeks ago—to the nuclear non-proliferation treaty, even though it comes up for possible renewal or may end in a few months. The Government must surely have a policy on that issue. Do not the Government understand that, especially in the light of the most welcome ending of the cold war, far and away the worst danger of the world being blown to pieces is the proliferation of nuclear weapons in other countries? If Defence Ministers in other parts of the world listen to the Secretary of State, it might be a recipe

[Mr. Michael Foot]

for the multiplication of their weapons. Will the right hon. Gentleman say what steps the Government will take to make the nuclear non-proliferation treaty truly effective?

Mr. King: The House will certainly hand to the right hon. Gentleman any award for consistency of position, no matter how consistently wrong that position has been. Our position has always been abundantly clear. If the right hon. Gentleman cannot distinguish the benefits that have come from our possession of a deterrent and the sensible maintenance of it, there is little that I can add to the length of previous debates.

Sir Geoffrey Johnson Smith (Wealden): I congratulate my right hon. Friend on his measured and orderly response to the challenge of the momentous events in eastern Europe and the Soviet Union. He will recall the disastrous effects of some of the cuts of the past—from the mindless disarmament talks in the 1930s to the more recent cuts that affected the Army's regimental system in the 1960s and 1970s. To help Army morale, what reassurance can my right hon. Friend give that we will not repeat the mistakes of the 1960s and 1970s?

Mr. King: I hoped in my statement to give a broad outline of our proposals. There have been some very worrying rumours suggesting that the reductions in the Army would be much more substantial, and the figure of 80,000 was quoted, implying that one in two people in the Army would lose their jobs. I hope that I have been able to give some reassurance about the numbers and the time scale.

The defence staff and the chiefs of staff have worked quite excellently on what I have been able to say today. We now want to widen the circle so that the individual services can also address the particular problems that they have to address and we can therefore have a wider involvement of people. That is the best way to achieve a more sensible outcome.

I do not conceal from the House the fact that we will have to face some very difficult decisions and problems. However, throughout the armed forces and the Ministry of Defence there is a recognition that this is an opportunity for change. If it can be a movement towards a smaller and better defence structure for our country, it is to be welcomed.

Mr. Harry Cohen (Leyton): Is not this statement a case of no serious change and no significant savings? Are not the Government guilty of extreme cowardice in failing to face up to the opportunities for disarmament and so transfer resources from war to peace? Will not the consequences be a slowdown in world disarmament and an increase in arms proliferation as other countries quote Britain's military posture as a reason for their actions?

Mr. King: I do not know whether the hon. Gentleman talks to the leader of his party about his policy. However, he may have noticed that my statement today, in certain important respects, follows on from the outcome of the NATO summit. He may not have noticed that, when the Leader of the Opposition was in Washington and talking about developments in Europe and the NATO summit agreement, the right hon. Gentleman said that it was good to be alive. I am not sure whether that spirit has quite spread to the hon. Gentleman.

Mr. Julian Amery (Brighton, Pavilion): I congratulate my right hon. Friend the Secretary of State for Defence on making it clear that the reductions that he envisages will depend not just on agreement over Soviet withdrawal and disarmament, but on the achievement of what is agreed. May I also congratulate him on making it clear that British forces will remain in Germany? The presence of British and French forces in Germany is fundamental under the Brussels treaty to the maintanance of the European Community. Does my right hon. Friend agree that developments in the Gulf over the past few days have made it clear that we may well have to share responsibility for out-of-area operations?

Mr. King: I am grateful to my right hon. Friend for his kind welcome for what I have said today. With regard to the continuing presence of British forces in Germany, it has always been made clear to me by the German Government and NATO that stationed forces—those of the United States, the British and our other allies—are an important element in the cohesion of the alliance.

With regard to my right hon. Friend's second point about developments elsewhere, whatever implications such developments may have for us, in many areas the world is not a very steady and safe place at the moment. It is very important for the basic needs of this country, with its responsibilities, alliances, interests and connections, that we maintain an adequate defence capability.

Mr. James Molyneaux (Lagan Valley): I welcome the undertaking to continue the commitment to Northern Ireland, but would it be possible to increase the number of specialist elements, including the supply of helicopters, which are urgently needed by the Regular Army, the Ulster Defence Regiment and the police, particularly in the light of yesterday's atrocity.

Mr. King: I am grateful to the right hon. Gentleman for noting that I confirmed our determination to maintain our contribution. We will certainly consider specialist aspects. There is always a steady stream of requests for one thing or another, as I know very well, wearing one hat or another. We will certainly seek to respond to those requests as effectively as we can.

Mr. Cyril D. Townsend (Bexleyheath): May I commend my right hon. Friend on his timely statement and on appearing to get the balance about right in these crucial matters? I wish him well in carrying out the restructuring and making sure that we shift slowly towards a maritime strategy as opposed to a continental one. In that context, I note the considerable reduction in submarines.

I wish my right hon. Friend well in making sure that his future programme is led by strategic needs and not by the considerable pressures of the Treasury Bench.

Mr. King: My hon. Friend waited until my right hon. Friend the Chief Secretary to the Treasury had withdrawn before embarking on that brave sally. Certainly we have tried to strike a fair balance. I understand why my hon. Friend picked up my point about the change in submarine numbers from 27 to 16. The reduction appears bigger than the reality. The Soviet Union is reducing the number of submarines but introducing more capable, effective and modern submarines. That is exactly what we shall be doing.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Does the Secretary of State agree that the first challenge which faces him in his restructuring task is to preserve the high quality and motivation of British service men, who are so widely admired throughout the western alliance? His second challenge is to find the right strategic decision when no one can foresee the strategic shape of things to come. The right hon. Gentleman mentioned the lack of agreement on CFE and two-plus-four; he might have mentioned instability in the Soviet Union. Therefore, he is quite right to resist the temptation to cut the services ruthlessly and arbitrarily. If the House is entitled to look for a peace dividend, the services are entitled to look for a services dividend. Will the right hon. Gentleman say a word about the force structure that he envisages for the strategic reserve division?

Mr. King: The whole House knows the keen interest that the hon. Gentleman takes in these matters. I am extremely grateful for what he said. Now that our words go rather further afield, I know that his comments will be deeply appreciated by our armed forces who serve in many parts of the world. On a day when two of them have just been awarded the George medal, it is a reminder of the professionalism and courage that they bring to bear in quite unexpected circumstances and of the debt that we owe them.

The exact structure of the strategic reserve division will require further consideration. I have tried to set out the elements that will be within it, and that work will now be carried forward.

Sir Antony Buck (Colchester, North): Does my right hon. Friend agree that his statement today illustrates the fact that a multi-balanced force reduction approach is more appropriate than a unilateralist approach? He would not have been able to make reductions without reductions on the other side of the iron curtain. Will he say a little more about the future of amphibious capability, as many of us take the view that the Royal Marines and the flexibility they provide are particularly appropriate to modern defence?

Mr. King: I am grateful to my hon. Friend. I made it clear that we intend to maintain an amphibious capability in the longer term. Obviously, that includes the capability of marine commandos to discharge their amphibious work. The House knows that we are considering the vessels that are required for that, but it is important that we maintain that capability which provides the flexibility and mobility that will become increasingly important if we have lower force structures and levels.

Mr. John Cartwright (Woolwich): In adding my welcome to the broad objectives of the statement, may I put it to the Secretary of State that, in an uncertain world, it is prudent common sense for Britain to maintain an effective minimum nuclear deterrent for the foreseeable future? As the sub-strategic systems are just as important as the four-boat Trident force, when will the Secretary of State be able to announce a decision on the weapons system to be carried by the Tornado?

Mr. King: I am grateful to the hon. Gentleman, who takes a close and well-informed interest in these matters which qualifies him to contribute to defence debates in the House. On the latter point, as he knows, we are considering two alternatives—the American and the French options. I cannot give him a precise date, but by the end of the year we hope to have formed a view on that. I cannot say anything more precise than that.

Mr. Robert Boscawen (Somerton and Frome): Will my right hon. Friend accept that many thousands of people with the sort of experiences of my generation will regard this as a sensible package, above all because we retain the capability to meet unforeseen circumstances, albeit at a lower level? Will he ensure that the three services can, within the overall figures, make their proposals for reductions and give their ideas on the new form of services? Will he say how pleased many thousands of people will be that the Harrier and EH101 programmes are to proceed?

Mr. King: I am grateful to my hon. Friend, who has a distinguished record. Obviously, the House listens with great respect to his comments. He may be interested in the quotation that I found today, which says of the Korean war:

> "It was a contingency which took the British Government and its military Chiefs of Staff by surprise; the first of many in following years to make unexpected and irresistible claims on money and manpower."

We certainly hope that we shall not face anything like that again. My job is not to take risks but to ensure that, if what we do not want to happen occurs, we can defend ourselves. My hon. Friend knows the importance of that better than any. In answer to his two points, yes, I hope that that will be possible.

Mr. John McWilliam (Blaydon): I welcome the Secretary of State's decision to make a statement before the recess, but may I press him for a debate when we return? Will he give the House the benefit of his thinking on the threat assessment, which led him to his conclusion to go ahead with the tactical air-to-surface missile? How many ships does he intend to decommission, given that we have about 40 frigates and destroyers? In view of the importance of the statement to the economy of the fourth poorest country in the world, will he reassure the House that today's announcement does not entail any change to his previous statement about the future of the Brigade of Gurkhas?

Mr. King: My right hon. Friend the Patronage Secretary has a good line to my right hon. and learned Friend the Leader of the House and he will have heard the hon. Gentleman's first comment. I would welcome the opportunity for a debate, the timing of which can be discussed.

The hon. Gentleman asked about the number of frigates. The current number is 48 and, as I said, it will decrease to about 40 through decommissioning or disposing of some older frigates. There will not be an equivalent reduction in capability. I am aware of the statement on the Gurkhas made by my predecessor in May last year.

Mr. Michael Jopling (Westmorland and Lonsdale): Is my right hon. Friend aware that the most welcome part of his statement was the undertaking that the reductions are entirely dependent on successful CFE and two-plus-four talks, and the reduction of Soviet troops in eastern Europe? Can he assure us that he is aware that, at a time when he is reducing manpower in the services, it has never been more important to ensure that our troops are given

[Mr. Michael Jopling]

the best possible equipment available in the world, whether tanks or whatever, regardless of where it is manufactured?

Mr. King: I again confirm that what I have said today is conditional on the developments going in the direction that we want them to go. We can change direction or arrest development and build back up if our hopes are dashed. The hon. Member for Sheffield, Attercliffe (Mr. Duffy) picked up the phrase "service dividend". I attach importance to that, as well as to any implication of savings called a peace dividend. In a service dividend I certainly include equipment which is reliable, which works and for which there are spares, so that we can ensure better equipped, even if smaller, armed forces.

Mrs. Margaret Ewing (Moray): Will the Secretary of State, in simple and straightforward terms, tell the House exactly how much money the Government envisage saving as a result of his statement? Will he confirm that there will be an early opportunity for debate, particularly as the announcement that four Trident submarines will be based on the Clyde will be met with bitter resentment in Scotland? Will there be an opportunity in the course of that debate to explore why the Opposition Front-Bench spokesman did not carry through the clear declaration from the Labour party conference in Scotland that it did not wish Trident submarines to be based on the Clyde?

Mr. King: On the first point, which I sought to cover in my statement, I cannot give an answer to the hon. Lady, for the obvious reason that I have set out our policy. We believe that this is the right approach to the defence strategy of our country. We must now examine the matter in detail and cost in detail the implications of it. I have talked about an 18 per cent. reduction in the level of our armed forces, equivalent reductions in civilian manpower, the need to examine the support area for equivalent savings, and the need to examine our procurement budget and weapons system as well. The outcome of that will produce significant savings during the later part of the year.

As I have told the House, as for this year, I am facing serious problems with transitional costs and inflation. I have already announced to the House certain savings that we must make. We shall obviously live within whatever cash base line we have for this year. That is the answer to the first point about money.

On the second point, I do not want to intrude on private grief between the hon. Lady and whichever is the nuclear wing of the Labour party.

Sir Hector Monro (Dumfries): Following my right hon. Friend's most constructive statement, will he give an assurance that the regimental system will be maintained and that the old regimental area and county names and Scottish regimental names will be retained? In view of the statement by the hon. Member for Moray (Mrs. Ewing), I assure my right hon. Friend that Scotland will play its full part in the defence of the United Kingdom with pleasure.

Mr. King: I am grateful to my hon. Friend, and I can give him that confirmation. Unlike the Opposition spokesman, we believe that the regimental system has real relevance and is a valuable part of our structure. I am amazed that the hon. Member for Clackmannan (Mr. O'Neill) should say that he no longer regards it as relevant. I have no doubt that he will live to regret his remark very much. Anybody who knows anything about the Army deeply believes in the importance of the regimental system.

Mr. David Lambie (Cunninghame, South): When will the Government recognise that England is no longer an imperial power? Instead of continuing with the overseas commitments that the Secretary of State has announced today, in the present political and military climate, is it not about time that we withdrew completely from those commitments? Now that the Soviet Union has agreed to withdraw Soviet forces from eastern Europe within four years, why does not the Secretary of State announce that we shall withdraw British forces from the mainland of western Europe in the same time scale?

Mr. King: I am not pretending that we are an imperial power; I am making it clear that we are a loyal member of an alliance. I am interested to know whether it is the hon. Gentleman's party's policy to dishonour an alliance and to betray the allies with whom we have stood for 45 years. If that is his policy, perhaps the hon. Gentleman will tell us.

Mr. Julian Brazier (Canterbury): My right hon. Friend's statement will be welcomed for clarifying the future of the armed forces as well as the wider community. Will he give an assurance that the welcome plan to form the new division to bring together our various land and air capabilities will take full account of the present instabilities in the middle east, not only in the Persian gulf but in other parts of the middle east where there are considerable threats to security and the supply of oil to western Europe.

Mr. King: I am grateful to my hon. Friend. I commented earlier on instabilities in the world. Certainly we must recognise that the proliferation of weapons and the tensions combine in a worrying way at this time. We are certainly aware of that.

Mr. Bruce George (Walsall, South): It may be possible in two years' time to cut even more substantially the present force levels. Most people would agree that, because there are so many uncertainties, prudence is necessary in the meantime. The cuts that have already been announced are substantial and will hurt deeply. If, as appears to be correct, the Soviet naval building programme continues and the Royal Navy is unable adequately to meet its existing commitments with about 50 frigates and destroyers, how can the Secretary of State believe that with about 40 frigates and destroyers there will be no loss of capability? I await anxiously his reply. I simply do not believe that it will be possible to cut to 40 without having to reduce capability. Is the Secretary of State considering reducing capability?

Mr. King: Our naval capability has to be matched to our assessment of the threat, as it has been in the past. As I have already made clear, the Soviet numbers are being reduced. However, as the hon. Gentleman knows, the enhanced capability and quality of the new submarines are high. Our changes are in much the same direction. We know the enhanced capability of our newer submarines. The reduction in submarine and frigate numbers relates to older boats. We shall seek to ensure that a balance is kept.

I ought to warn the hon. Gentleman—he may not be aware of this—that his hon. Friend the Member for Clackmannan (Mr. O'Neill), who is the shadow

spokesman on defence, used the phrase, "This is something that we shall have to pay very close attention to," when referring to a new study, published today, that proposes that no more tanks, frigates or attack submarines should be bought. Apparently, the European fighter aircraft will be cancelled, but Trident will be kept. I do not know whether that is the new Labour party policy, but it shows how confused it is getting.

Sir Peter Emery (Honiton): My right hon. Friend's statement will be admired well beyond the House. Within the NATO alliance, however, there are certain nations, and many more political parties, that wish more drastic cuts to be made in their national defence structures than that which my right hon. Friend suggests for the United Kingdom. Will he bear in mind the fact that the CFE negotiations in Vienna are not going as well as might have been expected? We hope that a treaty will be signed in December, but until it is signed, will my right hon. Friend make it absolutely clear in NATO that our defence structures must stay as strong as he has suggested and that we must not give way to demands for a peace dividend?

Mr. King: I am grateful to my hon. Friend. We are trying to get the balance right. There have been massive changes. Whatever happens in Vienna, it is difficult to believe that east Germany, Hungary and Czechoslovakia will shortly return as fully paid-up membes of the Warsaw pact, as they were, say, two years ago. The position in the Soviet Union is much more uncertain; there are enormous tensions there. That is why I believe that the balance that I have put before the House today is the right one to strike.

Mr. Ken Livingstone (Brent, East): Before the right hon. Gentleman's statement, Britain was spending 40 per cent. more of its gross domestic product on defence than West Germany, although West Germany is closer to the Soviet Union than we are. However, his statement means that we shall be spending a greater proportion of our gross domestic product on defence than West Germany. How does he justify that?

Mr. King: I am grateful to the hon. Gentleman for joining in the debate. We know that he speaks for the majority of Labour party members. At the Labour party conference, the hon. Gentleman, the hon. Member for Lewisham, Deptford (Ms. Ruddock) and Bruce Kent carried their motion by a 2:1 majority against the Opposition Front Bench, so he is entitled to speak, and he speaks with authority. He wants a £9 billion cut in the defence budget, so it is either the end of the Royal Navy, or the end of the Royal Air Force, or both.

My announcement will lead to a reduction in our armed forces from 310,000 to some 255,000. In Moscow, Chancellor Kohl announced a figure of 370,000 for the Bundeswehr in Germany. That is for a country that does not carry responsibilities that some other countries have to bear. I am not sure whether behind his question lies the proposal that we should shift to conscription. Anybody who examines the financial costs knows that one of the reasons why German costs could be lowered is that Germany does not have a volunteer army: it has conscription.

Dr. Charles Goodson-Wickes (Wimbledon): I welcome the soundness of my right hon. Friend's statement, but will he confirm that the retention of trained personnel will be of even more importance in the future? Will he emphasise the role of the services in the peace dividend?

Mr. King: I am grateful to my hon. Friend. I hope that he understands that we shall approach that question positively. I am anxious that the consultation should be meaningful. I am grateful to have had the opportunity to set out the framework within which we shall work. We shall consider a number of suggestions, such as the one that my hon. Friend made.

Mr. Tam Dalyell (Linlithgow): What was meant in the statement by

"a detailed scrutiny of research and development in keeping with changed requirements"?

I acknowledge that it is a complex subject, that there are many contracts with people and that there is a great deal of talent in the research industries and establishments of this country, so could they not be put to use by British industry? Why is it that our industrial costs are so much greater than those of the Germans and the Japanese in terms of research expertise? Could not an imaginative plan be devised before September or October to help not only the universities but institutions such as the natural history museum, which is important for its research into global warming? We have obligations to skilled people. Can we honour them?

Mr. King: I am sorry to disappoint the hon. Gentleman, but the sentence means exactly what it says. It may lead in part in the direction in which he looks. We must examine the scale of research and development in defence and decide how much we can afford and what research and development is justified. If that means that we can release resources, they may be able to go to some of the institutions to which he referred.

Sir Jim Spicer (Dorset, West): Does my right hon. Friend accept that both the Royal Marines and the Parachute Regiment will be delighted with the formation of the new division? I am sure that they will work in friendly rivalry within it.

In all that my right hon. Friend said there is the presumption that Germany will remain within the NATO alliance. However, he knows that there is a very outside chance that the socialists and the greens in Germany will win the election in December. Does he agree that, if that unfortunate circumstance were to come about, there might have to be yet another rethink?

Mr. King: I would have expected my hon. Friend's opening comments. I know of his great loyalty to and support for the Royal Marines and the Parachute Regiment. As for his question about Germany's membership of NATO, I have always believed that in the end the Soviet Union, whether reluctantly or otherwise, will be forced to accept the democratic decision of the people of East Germany and of a united Germany. It is important for the coherence of NATO that that remains the position.

Mr. John Home Robertson (East Lothian): The statement is a welcome start, but the Secretary of State cannot be accused of seizing opportunities or grasping nettles, let alone of beginning to convert the defence industries. The right hon. Gentleman referred to the Select Committee's report. May I therefore appeal to him to pay particular attention to the cautionary remarks of the Select

[Mr. John Home Robertson]

Committee about the danger of nuclear escalation through the deployment of tactical air-to-surface missiles? Would it not be a vicious irony if a conventional peace dividend were to clear the decks for a nuclear war?

Mr. King: I am not sure how the hon. Gentleman ended, because I lost the thread in the middle. Although he may think that my statement was modest, I assure him that its implications will be profound for both those in the armed forces and those who work in support industries. He should reflect on the implications of that. There will also be implications on the procurement side for some of the defence industries. I dare say that even in his surgery he may find people who will not believe that my statement was modest.

Mr. Peter Viggers (Gosport): Will my right hon. Friend confirm that recruiting will continue at a sufficient level to maintain an appropriate profile of age and experience in the armed forces and to ensure that the armed forces continue to provide a worthwhile and rewarding career? Does he share my surprise, indeed incredulity, that the Opposition spokesman should express anxiety about pay in the armed forces when his party held down pay as a matter of policy? As a result, our first act in government was to increase armed forces' pay by 32 per cent. to bring it back in line.

Mr. King: Whatever the Opposition Front-Bench spokesman may say, I shudder to think what the hon. Member for Brent, East (Mr. Livingstone) would propose for armed forces' pay in view of his proposals for defence as a whole.

My hon. Friend's first point was an important one. It will be a challenge for us to ensure that the changes are made in a way that maintains the structure of the armed forces and a sensible age profile. I am under no illusions that that will be a real challenge.

Mr. Martin Flannery (Sheffield, Hillsborough): Without casting aspersions on the morals of the Secretary of State, may I say that he sounds like a religious prostitute who said, "Oh God, make me pure, but not yet." *[Interruption.]* The House should not get so excited; I have waited all this time. We are slower than any other major nation to realise precisely what has happened in the Soviet Union and eastern Europe. The Secretary of State and the Government act as if the Russians were about to attack next Thursday. In all conscience, why do the Government not realise that this is not only a militaristic matter? The poor, the sick and the old are waiting for the peace dividend, and it is time that we did something about the money. What does the Secretary of State intend to do, other than being so militaristic or conveying that impression? Do we always need an enemy? Will the enemy continue to be the Soviet Union, or could it be that we are getting weapons together like Gaddafi and others and that the Arabs are the real enemy?

Mr. King: I was in the House last week when the hon. Member for Wallsend (Mr. Garrett) had something to say as someone who had fought in the last world war. It was an attitude like that of the hon. Member for Sheffield, Hillsborough (Mr. Flannery) which made people believe that they could safely plan on the basis that there would not be a war for the next 10 years. It was the 10-year rule. That was carried through from a Cabinet to the defence chiefs in 1919 and it rolled forward to 1932. It resulted in soldiers having to exercise with football rattles instead of real ammunition and it left the country dangerously undefended. It is precisely that attitude——

Mr. Tony Banks (Newham, North-West): My hon. Friend fought in the war.

Mr. King: —which assumes that there cannot be a risk in future from which——

Mr. Flannery: Do not be patronising. I was wounded in the last war.

Mr. Speaker: Order.

Mr. King: The hon. Gentleman talks about morals. Our responsibility is to ensure above all the security of our country.

Mr. Robert Key (Salisbury): In congratulating my right hon. Friend on his courageous statement, may I ask him to take special care with the 173,000 civilian employees of the Ministry of Defence? Will he bear in mind the fact that health, education and housing costs for soldiers are borne at present by the defence budget but in future will be borne by the civil budget? Will he take particular care to consult the local authorities and the providers of those services?

Mr. King: My hon. Friend's point is beginning to sink in with some Opposition Members. It is that some of the changes may have greater impact in some constituencies than certain Opposition Members appear to appreciate. I certainly take note of the proper concern of my hon. Friend about the position that may arise in his constituency. I understand why he is anxious about it.

Mr. Bob Cryer (Bradford, South): Does the Secretary of State accept that his decision not to cancel Trident and thereby save billions of pounds is immoral and outrageous? What will he say to the 139 non-nuclear nations which renounced the possession and deployment of nuclear weapons at the review conference? What does he intend to say in his pompous and arrogant tones? Will he say that, as Secretary of State, he is prepared to be disloyal and to dishonour clause 6 of the United Nations nuclear non-proliferation treaty, which his Government support, which successive Governments have signed, which commits us to getting rid of nuclear weapons and which he is betraying?

Mr. King: I am grateful to the hon. Gentleman for letting us hear the real voice of the Labour party.

Mr. Cryer: Tell us about the treaty.

Mr. King: The hon. Gentleman knows that what he said is not the view of any Labour Front-Bench Member or that of the leader of his party.

Mr. Cryer: Tell me the answer.

Mr. Speaker: Order.

Mr. King: I know that the hon. Gentleman holds that conviction passionately and sincerely. I happen to believe that he is profoundly wrong, and that at this very moment the lesson of history proves it.

Dame Janet Fookes (Plymouth, Drake): Is it my right hon. Friend's intention to maintain or reduce the number

of the Royal Marines, bearing in mind the excellence of that corps and its capacity to turn its hand to almost anything? May I point out to my right hon. Friend that the Government may be considering the amphibious capability but that they have been doing so for longer than I care to remember?

Mr. King: No. we are not considering it—we intend to maintain it. I make that absolutely clear. I ask my hon. Friend not to read anything specific into my statement. I made a broad statement of our approach. I have tried to give as much reassurance and clarification as possible.

Several hon. Members asked about the position and prospects of individual units. I do not anticipate any significant change in the position of the marine commandos. However, I want to have a genuine consultation exercise in which we can carry forward our approach and, under the broad structure that I have defined, consider what the future should be. I do not want to dictate it from the Dispatch Box. I want the people involved to take part in the process.

Mr. Tony Banks: Thank you for calling me, Mr. Speaker. At least I have been able to produce my own peace dividend by betting that I would be the last to be called!

The Secretary of State's statement tells me two things. First, it is a defeat for the Minister of State for Defence Procurement. Secondly, the Secretary of State has missed a wonderful opportunity. The people of Britain expect a peace dividend. The opportunities were there for the Secretary of State to cut defence by as much as 50 per cent. to allow the real problems, not the problems from the Soviet Union, to be addressed, including the education crisis in our schools, homelessness and poverty. We are left, as before, with the best defended cardboard cities and dole queues in Europe. The right hon. Gentleman has missed a wonderful opportunity.

Mr. King: The hon. Gentleman's oratory sounds impressive, but why has he totally failed to persuade the leadership of his party of the arguments that he just advanced? He knows that that is not its policy. I have sought to put before the House a sensible response to the changes that have occurred. It will maintain the security of our country against the unexpected. A defence policy must provide that insurance. The hon. Gentleman was wrong on his second point, and completely wrong on the first.

Mr. Cecil Franks (Barrow and Furness): The majority of the House will welcome the commitment to a four-boat Trident submarine fleet. That is good news, not only for those who believe in a credible nuclear deterrent but for my constituents, even if it is bad news for the Opposition and the Labour party in my area.

Will my right hon. Friend clarify one part of his statement? He said that he envisaged a 16-boat submarine fleet, three quarters of which will be nuclear-powered. Will he elaborate on the future shipbuilding programme and, in particular, say whether there is to be a follow-on to the Trafalgar class submarine, a nuclear-powered submarine, the seventh and last of which is currently being completed in Barrow?

Mr. King: For the reasons I gave in relation to the Marines, I hope that my hon. Friend will forgive me if I do not talk in detail about the programmes. We are looking at them now. As my hon. Friend rightly said, we are committed to a four-boat Trident programme and we are looking at the future programme. We see a continuing need for nuclear submarines and to maintain a modern nuclear capability. I would rather not go any further today than my statement.

Mr. Jonathan Sayeed (Bristol, East): According to some newspapers, my right hon. Friend and the chiefs of staff do not see eye to eye. Is that correct, or do the chiefs of staff fully support his approach?

Mr. King: I read those reports, too, as did the chiefs of staff. If I failed to make it clear earlier, I reaffirm my deep appreciation of the work of the Chief of the Defence Staff, Marshal of the Royal Air Force Sir David Craig, and the chiefs of staff of the individual services. There is a new structure in the Ministry of Defence under the Chief of the Defence Staff which has been responsible for the work I have been able to announce today. Signals have gone out to all the individual services today, and I am pleased to see the positive approach that has been taken. I have referred to the concept of smaller and better. Throughout the services, I think that it is genuinely felt that this is an opportunity to reshape the services on a basis that can provide benefits, albeit on lower force numbers, for the services. I have been encouraged by the positive and helpful way in which the Chief of the Defence Staff and the chiefs of the individual services have responded to the challenge.

Mr. David Martin (Portsmouth, South): With the reduction in the surface fleet, can my right hon. Friend give as much reassurance as possible to me and the people of Portsmouth about the future of the naval base there, the fleet maintenance repair organisation and other supporting roles within the naval base?

Mr. King: I am afraid that I have to give my hon. Friend the same reply as I gave to my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes). There are some detailed issues that now have to be examined against the broad structure I have described. I do not want to go into that today. They are matters of concern to my hon. Friend, with his close interest in issues affecting his constituency, and we shall try to reach conclusions on them as early as possible.

Mr. O'Neill: Will the Secretary of State accept that his substantial statement today, much of which will have been welcomed by many in the House, will be largely meaningless if price tags are not quickly applied? We urge the Secretary of State to make available all the financial information as early as possible, so that the best and widest possible debate can take place.

Mr. King: That work is in hand now, but I cannot say when it will be ready. As I have said, in part it has to be incorporated within the autumn statement.

Local Government Finance (Scotland)

5.2 pm

The Secretary of State for Scotland (Mr. Malcolm Rifkind): With permission, Mr. Speaker, I should like to make a statement about my proposed financial settlement for Scottish local authorities for 1991-92.

This is the first year in which the Scottish announcement is in respect of the total level of local authority resources that are determined by the Government—that is, revenue support grant, specific grants and business rates. Collectively, those are known as aggregate external finance. In determining the settlement I have taken into account the views of the Convention of Scottish Local Authorities expressed when I met it on 6 July regarding the spending levels that it thought were required for next year. I have also had full regard to the additional burdens facing local authorities and to the scope that undoubtedly exists in local government for improved efficiency.

I propose that aggregate external finance for 1991-92 should be set at £4,338 million. That is £410 million higher than the corresponding figure for the current year. The House will realise that that is substantially more than the application of the normal formula rules to the comparable English settlement would produce. In addition, a further sum of £15 million will be provided for safety netting next year. This also will be the second year in which the safety net has been funded entirely by the Exchequer. So, overall, the settlement amounts to a total of £425 million. Proposals for the distribution of that amount to individual authorities will be announced in the usual way in the autumn.

In reaching this settlement, I have assumed that local authorities will contribute the sum of £10 million in the second year of the Government's policy of moving to a common rate poundage with England and thereby reduce the excess rate burden on Scottish business. I shall announce the total reduction that will be made in business rates next year at a later date, but the fact that the local authorities' contribution has already been taken into account in this settlement means that the reduction in non-domestic rate income will not require a reduction in aggregate Exchequer finance below the figure that I have just announced.

Overall, the settlement that I have announced today is a very fair one. Even if, as COSLA has forecast, authorities were to budget to increase their expenditure next year by as much as 9 per cent.,—that is, close to the current rate of retail prices index inflation—there should be no need for community charges to increase, on average, by more than that amount. And if, particularly with the expected fall in the rate of inflation, authorities increase spending by rather less than 9 per cent.—as I would hope they would—there should be scope for next year's charge levels to be lower in real terms. I hope that Scottish local authorities will also take into account their very high expenditure compared to local authorities in England and Wales. If local authorities in Scotland were to reduce their spending to levels closer to those elsewhere in Britain, there would be scope for large reductions in the community charge.

As hon. Members will know, I announced last Thursday a number of changes to the community charge. Those included major revisions to the transitional relief scheme, the prescription of a boundary for the rating of bed-and-breakfast establishments and additional classes with restricted maximum multipliers for the standard community charge. The changes to the transitional relief scheme, which will take effect in Scotland from 1 April 1990, will increase significantly the value of relief received by individuals and the numbers entitled to receive relief. Our decision to set a boundary for the rating of bed-and-breakfast establishments has been widely welcomed, while the additional standard charge classes have been identified as a result of experience gained in operating the new powers, which took effect at the beginning of this year.

Those changes and the settlement that I have announced today represent good news for community charge payers in Scotland.

Mr. Donald Dewar (Glasgow, Garscadden): Does the Secretary of State accept that the adjustment to the transitional relief scheme to which he has just referred and which was announced earlier in the week is no substitute for the fundamental reform that the injustices of the poll tax demand? Can he confirm that the first year of transitional relief has been worth only £11 million to poll tax payers and not the £30 million that he promised when it was announced? Why is the scheme still to be fraudulently based on notional poll tax figures dreamt up by the Scottish Office rather than on what people actually pay? Will he confirm that barely one in six will qualify for help under the new scheme, even with the so-called improvements? Can he give an undertaking that this small cosmetic change will not be funded from money already allocated but not used in earlier years of the transitional relief scheme and that the Treasury will be providing additional help? Will he say what the transitional relief changes will be worth to the poll tax payer in a full year and will he give the cost of the total package that he has announced, on which there has been a remarkable silence so far?

On the aggregate external finance figure, the Secretary of State sounded remarkably smug. Does he accept that there are some question marks about the figures? Is it not the case that the Government's contribution to the cost of rebates has been cut by 2 per cent. and that the resultant shortfall of £14 million has, for the first time, been included in the aggregate external finance figure? If he takes the aggregate external finance total with the safety net contribution included, for the current and coming year, is not the picture rather different? The Government's contribution to the safety net is being halved from £30 million to £15 million. When that is taken into account, the increase in grant falls to a true figure of £395 million or 10 per cent. The Secretary of State might remember that the comparable figure announced by the Secretary of State in England a few days ago was 12·8 per cent.

The Secretary of State proclaims that this statement is good news for the poll tax payer. Does he accept that, on a standstill budget with no expansion of service, the average payment is likely to rise by about £30 a year? This package will not do.

Does the Secretary of State accept that the most bitter disappointment will be felt not in local government circles but in the community at large, where no one will see this minor tinkering with transitional relief as an answer to the desperate need for radical changes in the poll tax system? It will be condemned as inadequate to the point of insult.

Does the Secretary of State realise that, to restore his damaged reputation, he must tackle the unjust principles of the poll tax? He cannot get away with doling out a little conscience money in the vain hope of buying peace.

Mr. Rifkind: The hon. Gentleman's protestations about the community charge would sound more convincing if he was not wallowing in a sea of controversy as a result of his ill-judged proposals for a roof tax in Scotland. Scotland is still waiting to hear what the hon. Gentleman proposes to do with his misguided, ill-judged and ill-thought-out proposals.

Today, the hon. Gentleman started by asking about transitional relief. It is indeed the case that the cost of transitional relief in the first year is likely to be less than originally anticipated. The precise amount is not yet known because there are a still several applications to come forward. There is likely to be less cost because it has become clear that the cost of the transition to community charge from rates has imposed less of a burden in Scotland than south of the border, about which the hon. Gentleman should be pleased, not sad. The criteria are exactly the same throughout Britain—fewer people meet those criteria in Scotland precisely because the change to the new system has produced less individual hardship.

The hon. Gentleman also asked why it was a notional community charge payment that was taken into account. The reason is simple—the purpose of the taxpayer paying transitional relief is to help those whose bills have gone up purely because of the change from a rating system to a community charge system. It is not intended to compensate for decisions taken by individual local authorities to increase their real spending and impose additional burdens on their charge payers, which is a matter for them to answer for to their charge payers.

The hon. Gentleman also referred to the percentage increase that he said that today's aggregate external finance statement represents, and suggested that it was 10 per cent. He is wrong—the figure is actually 10·4 per cent. The hon. Gentleman said that the figure was nevertheless less than the percentage increase announced to the House last week by the Secretary of State for the Environment, which was 12·8 per cent. Of course it is less—does the hon. Gentleman realise that, because of the huge level of Scottish local authority spending compared with that in England, to achieve an equal percentage to that announced by the Secretary of State for the Environment, I should have to provide for Scottish local authorities no less than £70 million more than COSLA even requested? I would have to give Scotland £165 million more than its normal formula share of United Kingdom expenditure —a formula that is already generous to Scottish requirements.

The hon. Gentleman and Scottish local authorities cannot avoid the fact that their expenditure is no less than 32 per cent. higher for every adult in Scotland than comparable expenditure in England and 29 per cent. higher than comparable expenditure in Wales. As long as they insist on such excessively high expenditure, comparisons in terms of percentages are, frankly, meaningless. The settlement that I announced today represents not only the full formula consequentials of the announcement made by the Secretary of State for the Environment, but £70 million more than the formula would have provided for. I take no great comfort in that, because, if I were not providing that £70 million to help support local authority current expenditure, those resources could be made available for health, and capital expenditure on housing, education or elsewhere. The hon. Gentleman should take that into account.

Mr. Alick Buchanan-Smith (Kincardine and Deeside): Am I correct in thinking that the sum announced by my right hon. and learned Friend is close to the sum bid for by local authorities in Scotland? If that is so, does it not put particular responsibility on local authorities in Scotland to act properly and fairly towards the community charge and rate payers in their districts in the coming year?

Mr. Rifkind: My right hon. Friend is absolutely correct —the Convention of Scottish Local Authorities asked for a settlement of £433 million, and the figure that I announced today is £410 million, which is so close to the figure that it was seeking that it can hardly make a great song and dance about the settlement that I announced.

Mrs. Ray Michie (Argyll and Bute): I welcome the changes to the poll tax, particularly those relating to bed-and-breakfast accommodation, which will be helpful in my constituency. Does the Secretary of State agree that all those changes to the poll tax have increased administrators' problems and shown that the system is in a terrible mess? The changes have also increased problems for the elderly, particularly those who applied for transitional relief and found that they were ineligible, and others who did not apply. Is the Secretary of State aware that the elderly are suffering stress and distress as a result of the number of forms with which they have to cope, because the administrators cannot cope with all the changes?

In his statement, the Secretary of State referred to the high expenditure of local authorities in Scotland compared with those in England and Wales. Is it not time that he started to compare like with like, in population terms, and gave us a breakdown of the subsidies and public expenditure that go to regions of England, particularly the south-east, where there is such benefit from mortgage tax relief? Will the Secretary of State do some work during the summer, return for the new Session and tell us exactly what Scotland contributes to the Exchequer from its industries and the amount spent by the Departments, not the Scottish Office, on Scotland, compared with England? If he did that work, we might prevent much of the argument.

Mr. Rifkind: I thank the hon. Lady for her welcome for the changes in relation to bed-and-breakfast accommodation, which will be important, particularly for the tourist industry in the rural regions of Scotland.

The hon. Lady is correct to say that pensioners—and indeed others—can be disturbed and upset by complicated and difficult forms, whether in this or any other sector of public administration. With regard to the community charge, I am entitled to add that single pensioners are among those who have benefited most from the change from the old rating system to the community charge. The hon. Lady should consider that.

The hon. Lady is right to say that the south-east of England may have considerable prosperity that is not enjoyed by some other districts. That is why I concentrated on a comparison between Scotland and Wales, which is a part of the United Kingdom with a similar economy and social profile. Expenditure per adult by local authorities in

[Mr. Rifkind]

Wales is £776; in Scotland it is £978—I am curious to know the explanation for that. When I asked COSLA whether it had an explanation, I was met with blank incomprehension. It admitted that it had no explanation and said that it would try to find one. I hope that it does, because I am genuinely curious to know whether there is a good basis for a higher level of local authority spending. If there is a good reason, we all wish to know it, and if there is not, there may be scope for reduced spending and reduced tax bills.

Sir Hector Monro (Dumfries): May I, too, thank my right hon. and learned Friend for the changes that he has made in the community charge this week, particularly with reference to the anomaly over bed-and-breakfast accommodation in the tourist industry? Does he agree that his announcement today of 10·4 per cent. is above the likely level of inflation next year and should give local authorities an opportunity at least to hold, if not reduce, the community charge?

Mr. Rifkind: My hon. Friend is quite correct. The percentage increase is likely to be considerably above the inflation rate for the financial year in which the settlement will apply.

Mr. Norman Hogg (Cumbernauld and Kilsyth): Does the Secretary of State accept that the poll tax is, of itself, a local authority cost that need not exist if we had a proper system for funding local government, which he has refused to introduce? Instead of making fundamental changes to the poll tax, he continues to tinker with the system, with the attendant costs to local authorities in the administration of the tax. Could not he be more flexible in his approach, give local authorities the power to reintroduce the rating system if they consider that appropriate for their district and get rid of a poll tax that is thoroughly unpopular?

Mr. Rifkind: I am increasingly interested by various comments by Opposition Members. The hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) has just called for the reintroduction of the rating system. His hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) is still thirled to a roof tax——

Mr. Dewar: What is the difference?

Mr. Rifkind: The hon. Gentleman says that there is no difference, which is an interesting statement. If it is the Labour party's view that there is no difference between roof tax and rates, perhaps there is more agreement between both sides of the House than I realise.

Mr. Allan Stewart (Eastwood): I congratulate my right hon. and learned Friend on this fair and generous settlement. Can he give the House a broad idea of the probable implications for community charge payers in Renfrew and Eastwood district councils? Looking ahead, will he agree to study with care over the recess the strong representations that he has received from the hon. Member for Renfrew, West and Inverclyde (Mr. Graham) and myself against the absurd proposal to transfer large parts of Hillington industrial estate from Renfrew to Glasgow district, which would result in an unfair burden on community charge payers in Renfrew?

Mr. Rifkind: I shall certainly consider my hon. Friend's latter point, which is presumably in the first instance a matter for the Boundary Commission for Scotland.

Although at the end of the day it will be the local authority that determines the level of the local community charge on the basis of its proposed expenditure, in the light of the settlement announced today there is every prospect that authorities—particularly good authorities such as Eastwood district council—will be able to reduce their community charge in real terms.

Mr. John McAllion (Dundee, East): Is the Secretary of State aware that his previous so-called concessions on transitional relief amounted to nothing less than a fraud perpetrated on Scottish poll tax payers? When he announced that the upper savings limit for rebate purposes had been increased to £18,000, there were 500 inquiries in Dundee alone, yet only 17 of the cases qualified for rebate.

Will the right hon. and learned Gentleman take this opportunity to make a genuine concession by announcing the restoration of 100 per cent. rebates for those on income support and rebates for those who are entitled to rebates but who have not received them for whatever reason?

Mr. Rifkind: The hon. Gentleman appears to leave out of the equation the fact that those who pay the minimum 20 per cent. community charge and who paid the minimum 20 per cent. rates in the last year of the rating system received—if they were on income support—an increase in income support equivalent to the average community charge. As the community charge in Scotland is below that in England, the hon. Gentleman cannot call for a 100 per cent. rebate unless he simultaneously accepts that that would lead to a reduction in income support—and I cannot believe that he would want that.

Mr. Bill Walker (Tayside, North): Is my right hon. and learned Friend aware that this generous settlement, which is almost exactly what local authorities requested, is certainly not in keeping with all the girning and greetin' from hon. Members?

How can the constituents of Tayside, North protect themselves from councillors who refuse to pay the community charge but who also collect their expenses and set the charge levels for their expenditure? What do my right hon. and learned Friend and the Government propose to do if councillors continue to follow that unsatisfactory and unsavoury practice?

Mr. Rifkind: My hon. Friend is certainly right that Labour or nationalist councillors who collect their allowances but who refuse to pay their taxes put themselves in a position that is neither ethical nor moral. It would be a matter either for the Commission for Local Authority Accounts in Scotland or for the local authority itself to ensure that councillors do not put themselves above the law in terms of their community charge obligations, which are the same as those of the rest of the public, who I believe hold such people in contempt.

Mr. Alexander Eadie (Midlothian) As the right hon. and learned Gentleman mentioned ill-judged schemes of raising local government revenue, does he not realise that he is the number one expert when it comes to ill-judged schemes in Scotland, to the extent that the poll tax is one of the most hated taxes ever inflicted on the Scottish people? The fact that the Conservative party's rating in

Scotland is now equivalent to the vote received by the communists in the elections in East Germany is a political indictment of the right hon. and learned Gentleman.

As the settlement is based on the assumption that inflation will remain in the region of 9 per cent.—it is actually higher than that now—does the Secretary of State realise that, even in his own area, there is talk about free travel for the elderly, home helps and education services being cut? Does he realise that this announcement is accompanied by appeals to local authorities to cut services for the people?

Mr. Rifkind: I am delighted that the hon. Gentleman shares my pleasure at the Conservative victory in the East German elections; I have no doubt that that will give East German Conservatives great pleasure, too.

The hon. Gentleman is aware that, even in the Scottish context, Lothian community charge payers, of whom I am one, have the dubious privilege of paying the highest community charge in Scotland. The suggestion that Lothian cannot modify its expenditure to a level that seems sufficient for many other local authorities, including Labour-controlled local authorities in other parts of Scotland and Britain, does not carry credibility.

Mr. Alex Salmond (Banff and Buchan): If the Secretary of State is to continue with the con trick of basing transitional relief on notional poll tax payments, why are they not also based on notional rate levels? Why has he announced further changes, modest though they are, to the poll tax today instead of a year ago, after three months' experience of it? If three months' experience of the poll tax was enough for a review in England, why was not three months enough for a review in Scotland? Is it not true that every change in the poll tax has been dictated by circumstances south of the border? What level of resistance and antagonism in Scotland will be necessary to convince the Secretary of State that this unjust tax will never be accepted by the Scottish people?

Mr. Rifkind: The hon. Gentleman is, not uncharacteristically, wrong. About half the changes that the Secretary of State for the Environment announced last week about the standard charge we announced last year and they have been in force in Scotland for some time. The hon. Gentleman should check his facts before he makes such allegations.

Mr. Harry Ewing (Falkirk, East): Will the Secretary of State confirm that, as a Lothian poll tax payer, he is £40 a week better off as a result of the legislation that he himself introduced, whereas many of the constituents whom he represents are a great deal of money out of pocket as a result of that legislation? When will he stop being more anti-Scottish than the Prime Minister? Today he has given a good impression of being the most anti-Scottish Secretary of State that Scotland has ever had.

Mr. Rifkind: The hon. Gentleman's original remark could not have been more wrong. If he consults the old valuation rolls he will discover that he owes me a substantial apology. [HON. MEMBERS: "How much?"] These are public matters that can easily be scrutinised in the valuation rolls.

The hon. Gentleman must realise that there is nothing anti-Scottish in pointing out that Scottish local authorities levy taxes which must be paid by people in Scotland and which result in local authority expenditure being dramatically higher than that in any other part of Britain. Why the hon. Gentleman should believe that drawing that to the attention of the Scottish public is against Scotland's interests I fail to understand. If the local authorities have a convincing explanation for it, they will no doubt provide it; so far, they have failed to do so.

Mr. Salmond: On a point of order, Mr. Speaker. I could not hear the Secretary of State telling us how much he saved from the poll tax. Will he please repeat it?

Mr. Speaker: I heard clearly enough.

Mr. Robert Hughes (Aberdeen, North): Why is it that, when the Secretary of State believes that he has given a generous settlement, he preens himself at the Dispatch Box, whereas today he has come here blustering and foaming at the mouth? Does not that disguise the fact that the settlement that he has announced—*[Interruption.]* I could do without heckling from my own side. Is not the right hon. and learned Gentleman trying to disguise the fact that the settlement that he has announced is below that considered necessary merely to keep pace with a standstill budget? As he has always said that the main purpose of the poll tax is to bring about accountability in local government, will he take into account the fact that we recently had regional council elections; and will he pledge that the verdict of the Scottish people will not be set aside by capping authorities which believe that they have to deliver services?

Mr. Rifkind: If the hon. Gentleman had listened to what I said, he would realise that the settlement is more than even the current rate of inflation, never mind next year's likely rate. I have powers granted by Parliament to take selective action on capping. I did not use them in the current year because I did not think that it would be appropriate to do so, given the decisions of some local authorities. I should certainly use them if I thought that that was justified. We shall have to await the expenditure decisions of Scottish local authorities to see whether the criteria laid down in the Act would persuade me to use those powers. I do not rule that out. I have not used the powers since the introduction of the community charge, and would use them only if I felt it right and proper in the circumstances.

Several Hon. Members *rose*——

Mr. Speaker: Order. I must protect the legitimate interests of hon. Members waiting to take part in the debate on the Courts and Legal Services Bill, on which there are 45 amendment groupings as well as Third Reading. If hon. Members ask brief questions, I may be able to get them all in.

Mr. Jimmy Hood (Clydesdale): Is the Secretary of State aware that many thousands of those who are in arrears with the community charge are in that position because of the administration of the rebate system? Will he confirm what was said early this morning by the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) in Committee on the Law Reform (Miscellaneous Provisions) (Scotland) Bill—that local authorities have been administering the rebate system unfairly, and perhaps unlawfully, by imposing a three-month limit on the backdating of rebate? Will he also confirm what the Under-Secretary of State told that Committee, that those who are in trouble with

[Mr. Jimmy Hood]

community charge arrears because of administration difficulties, which are outside their control, can get rebate not only back to the beginning of this year but back to April 1989?

Mr. Rifkind: My hon. Friend the Under-Secretary of State did not say what has been attributed to him by the hon. Gentleman. My hon. Friend said that the legislation has always permitted those who can show good cause for not having applied for a rebate within the prescribed time to be entitled to a rebate if they can satisfy the criteria to which I have referred.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): May I caution the Secretary of State against the extravagant use of the phrase "excessive public expenditure by local authorities"? I have looked carefully at the expenditure by district and regional authorities in my area and found that the biggest single increase in the past two years has been in the cost of collecting the poll tax. That is his fault, not theirs. I invite him to come to the Borders and look at the unmet needs for housing, nursery education and other items and to tell those councils where their spending is excessive.

Mr. Rifkind: If the right hon. Gentleman wishes to be fair, he will acknowledge that local authorities were fully reimbursed for the additional cost of collecting the community charge.

Sir David Steel *indicated assent.*

Mr. Rifkind: I am glad that the right hon. Gentleman acknowledges that. We are now talking about other areas of expenditure. I have no doubt that any local authority could find new ways to spend taxpayers' money, because that would not require too much imagination. We are entitled to know from local authorities whether they have good reasons for much higher public expenditure than that of comparable authorities in other parts of the kingdom.

Mr. Mike Watson (Glasgow, Central): The Secretary of State should withdraw the profoundly insulting remark that Scotland, the country that he is supposed to represent, is over-provided for in terms of local authority finance and services. I invite him to come with me during the recess to parts of my constituency, such as Royston and the Gorbals, where schools and houses are crumbling and potholes in roads left unfilled because the local authority does not have adequate finance to do the things that people who come to my surgeries ask to be done.

The right hon. and learned Gentleman continually asks why local authority spending in Scotland is higher than in England and Wales. Why does he not take up the offer made to him by the Convention of Scottish Local Authorities, which remains on the table, to fund a proper inquiry to look into the reasons, not least of which is geography? That would give him the answers and he might be prepared to fight Scotland's corner for the level of services we need and not give us a reduced figure that is below the 12·8 per cent. that the Secretary of State for the Environment announced for England last week.

Mr. Rifkind: I am perfectly prepared to have the matter examined. It is significant that the local authorities that are responsible for this expenditure cannot provide any explanation and say that they need to study the matter before they can come up with a preliminary response to the question. Geography might be relevant if we were talking simply about Highland region, but why Glasgow, Dundee, Hamilton or Motherwell should require so much additional expenditure compared with similar industrial towns in Wales or England is a legitimate matter for public debate, given that it is the same United Kingdom taxpayer and Parliament who are funding that expenditure.

Mr. David Lambie (Cunninghame, South): Recently the Secretary of State or his hon. Friend the Under-Secretary of State, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) met representatives of the Scottish Federation of Small Businesses, who complained that many members of the federation were suffering because of increasing rates and facing bankruptcy. They compared business rates in Scotland with those paid by comparable businesses in England and Wales. When the representatives emerged from the meeting they confidently said that the Secretary of State or the Under-Secretary had given them a sympathetic hearing. What help is available in the settlement for small businesses in Scotland that was not available in last year's settlement?

Mr. Rifkind: The hon. Gentleman will be aware that the Government are committed to eliminating the discriminatory high level of business rates in Scotland, which is damaging to employment and the economy. We have already reduced the gap by about £80 million, and later this year I shall make an announcement about next year's proposals. Protests about that from the Labour party are crocodile tears, because the Labour party is committed, not to completing that process, but to reversing it. It has made it quite explicit that, when it has the power to do so, it will return to local authorities total freedom to determine the level of business rates. As such local discretion has led to Scottish business, industry and commerce paying higher business rates then those in other parts of the kingdom, it would be disastrous to the prospects for employment and inward investment in Scotland if the Labour party were to carry out the policy to which it is publicly committed.

Mr. John Home Robertson (East Lothian): Of all the things on which to choose to spend more public money, why on earth did the Government insist on imposing this absurdly inefficient and unfair new tax system on Scotland? The Secretary of State spoke about inflation. As a fellow Lothian Member of Parliament, will he tell me what he proposes to do about the discrepancy between 52 per cent. accumulated inflation since 1983 and less than 15 per cent. extra Government funding for Lothian regional council over the same period?

Mr. Rifkind: If the hon. Gentleman wishes to criticise the community charge, it would at least be helpful if he told us to which wing of the Labour party he belongs and whether he wants to see a roof tax or rates, or whether he is part of the tendency that believes that the two are identical. That would be a helpful clarification of his aspirations. Like other local authorities, Lothian has been provided with increased resources to take account of inflation over the years. The fact that local authorities, and Lothian in particular, seem to feel committed to such high levels of spending is, in the first instance, a matter between them and their electorate.

Mr. Tam Dalyell (Linlithgow): Leaving out the yah-boo for a moment, may I ask, if Lothian regional council quietly and politely asked to come to see the Secretary of State, would he be prepared and able at least to steer it in those directions where he thinks that there are so-called areas of excess spending?

Mr. Rifkind: I shall come to the hon. Gentleman's question in a moment, but first I shall deal with the distribution of resources between Lothian regional council and other local authorities. We discuss that matter with the convention as a whole. Clearly, the debate within Lothian about the level of its resources has identified various options put forward by the different political parties. It is not my business to suggest to a local authority a specific item of policy, but if it seeks taxpayers' money to help finance its spending, it is my business to point to the fact that the level of spending in Lothian is greater than that in other parts of Scotland as well as in other parts of the United Kingdom.

Mr. Ron Brown (Edinburgh, Leith): As a lawyer, the governor-general will know that the poll tax, the so-called community charge, has doubtful legal status in Scotland. Why should anyone, irrespective of party, accept his edict, his Tory law? Plainly, many people do not and I support them. The mass non-payment campaign makes sense, and has forced his Government and his leader, the Prime Minister, to rethink the poll tax. They have not thought about it enough. The people should reject it and put it on the scrap heap of history, along with the Government. If there is any message, it is this. People power is important in Europe, important in Britain and most of all important in Scotland.

Mr. Rifkind: The legal status of the poll tax is being determined by the Scottish courts rather than by the hon. Gentleman. He is saying that, irrespective of the judgment of the Scottish courts, he intends to put his view of the matter before the law of the land and before a decision of Parliament. That approach is indicative of the hon. Gentleman's attitude.

Sir Nicholas Fairbairn (Perth and Kinross): I congratulate my right hon. and learned Friend on this enormous grant. I suggest that it is a light so grand that he should find a big bushel before the Courts and Legal Services Bill is debated on Report, and the English appreciate his generosity. Given that the Welsh have said that their community charge could be reduced to £9 or £10 if they had the generosity that has been meted out to us —they are a similar nation—should not my right hon. and learned Friend say that, until COSLA can justify anything else, he will reduce our poll tax to £10?

Mr. Rifkind: My hon. and learned Friend—[HON. MEMBERS: "Answer."] My hon. and learned Friend has identified a strong argument in favour of COSLA recognising the need to identify the reasons for high expenditure in Scotland, and, if it is unable to justify that different level of expenditure, encouraging local authorities not only to reduce their spending but to pass on the benefits to their community charge payers, whom I am sure would be delighted to see such an initiative.

Mr. Tony Worthington (Clydebank and Milngavie): Last week, the Secretary of State for Health postponed implementation of the community care proposals on the grounds that local authorities were not ready, and that there was confusion over the poll tax in England and Wales. In Scotland, local authorities claim that they are ready and have put a great deal of effort into the work, and the Secretary of State claims that the poll tax is working well in Scotland. If the poll tax can come first to Scotland, why cannot community care come first to Scotland? By how much would the poll tax have had to go up in Scotland so as to implement community care? What calculations has he made?

The Secretary of State claims that the Scottish people were receiving an excessively high level of services—not that there were excessively high levels of expenditure. In education, Scotland is better served than England and Wales—the pupil-teacher ratio is better and there are better staying-on rates. Over 50 per cent. of local authority spending is on education. Would the Secretary of State like a cut in that sector?

Mr. Rifkind: We have said that we wish to see a phased introduction of community care. The hon. Gentleman may have noticed from today's reports in the Scottish newspapers that that decision has been welcomed by the Mental Welfare Commission for Scotland, which feels that delay in implementing the Government's community care programme provides much-needed time to co-ordinate mental health services. *[Interruption.]*. On this matter, not unreasonably, I prefer the views of the commission to those of the *Scotsman* editorial.

Education expenditure is one of the issues that Scottish local authorities will wish to consider. They will also wish to consider whether higher expenditure on education compared with other parts of the kingdom gives a proportionate benefit to the youngsters who attended Scottish schools. We need to identify whether Scottish education is so demonstrably superior to that in England and Wales as to justify the higher expenditure. That is a legitimate matter of public debate, which the local authorities and no doubt others will wish to address.

Power Stations (Closure)

5.46 pm

Mrs. Alice Mahon (Halifax): I beg to ask leave to move the Adjournment of the House, Under Standing Order, No 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the decision taken today by PowerGen to close two of its power stations.'

One of those power stations, Elland, is in Calderdale, which is near Halifax. This makes the proposed closure a problem for my constituents, many of whom work at the plant. The closures are likely to trigger a round of cost cutting as PowerGen and its rival National Power seek to maximise profits. This is the first sign of what will happen to the industry if Hanson takes over.

PowerGen has given the age of the power stations and the excuse of non-commercial viability as reasons for closure. It does not appear to have considered other factors, such as the importance of the position of Elland, which is within 20 miles of the Yorkshire coalfield, and the effect on the local community of job losses.

The unions do not accept the reasons given for the closures, and neither do I. In the past few months, Calderdale has lost more than 1,000 jobs in manufacturing, and a further 130 jobs will go if Elland closes. Under the Central Electricity Generating Board, all power stations had excellent and expensive regular overhauls. There was a good level of investment and superb background of training. The CEGB was scrupulous in providing safe and efficient power.

The Labour party is committed to clean, safe power and is looking at the clean coal burn technology, which could be fitted to power stations such as Elland. Experts inform me that, if proper maintenance is carried out, there is little difference between old and new plants. While power stations under the CEGB were valid, efficient, safe public assets, we are witnessing now the wicked, unacceptable face of privatisation, the worshipping of profit and the scattering of our precious assets to land speculators. The callous disregard for communities and skilled jobs, and the destructive wrecking of a superb public industry are issues that the House should debate.

Mr. Speaker: The hon. Member for Halifax (Mrs. Mahon) asks leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that she thinks should have urgent consideration, namely,

"the decision taken today by PowerGen to close two of its power stations."

I have listened with care to what the hon. Lady said about this matter, which affects her constituency. As she knows, the decision that I have to take is whether to give it precedence over the business set down for consideration today. I have to say that the matter that she has raised does not meet the criteria of the standing order. Therefore, I cannot submit her application to the House.

Points of Order

5.49 pm

Mr. Jack Straw (Blackburn): On a point of order, Mr. Speaker, of which I have given you and the Secretary of State for Education and Science brief notice. It concerns the rights of Parliament in respect of its duties to protect the public purse and to ensure that there is no abuse in expenditure of money voted by Parliament.

You, Mr. Speaker, will be aware that a detailed code of conduct has been laid down by the Cabinet Office in relation to expenditure on Government publicity. For example, paragraph 2(c) of that code says that Government publicity

"should not be, or be liable to misinterpretation as being, party political."

Paragraph 2(d) says that it should be produced

"in an economic and relevant way."

Paragraph 5 says:

"it is no less crucial if government publicity is to remain acceptable within the conventions, that it avoids any doubt about its purpose".

Paragraph 6 states:

"Image building, whether explicit or implied, whether by Government as a whole or by Ministers, is not acceptable."

Paragraph 10 says:

"in each case, those responsible must be able"

for the purposes of the expenditure

"to give a persuasive reply to the following questions . . . Is it necessary to have a publicity proposal which goes beyond what can be achieved in the normal way (eg Parliamentary announcement, Ministerial speech, regular publication)?"

Annex A says:

"distribution of unsolicited material should be carefully controlled."

It has come to my notice that the Secretary of State for Education and Science has had printed and distributed 76,500 copies of a little pink book which, according to the front, contains

"A summary of messages from recent speeches by the Rt. Hon. John MacGregor, OBE, MP, the Secretary of State for Education."

The cost, which will have run into thousands of pounds of taxpayers' money, plainly breaches the code.

Moreover, it comes oddly from a Secretary of State who in February made a speech saying that he was taking measures to cut the burden of paperwork caused by the Education Reform Act 1988, and proclaimed that he had reduced the paperwork by 150,000 sheets, to allow 1,680,000 sheets of paper, paid for by the taxpayer, to be used in the production of such a booklet.

Given what I have read out from the code—that image building is not acceptable and that publicity, where there is any doubt about its purpose, is not acceptable—and given that the Secretary of State has already made those speeches and received a perfectly fair press in respect of them, there can be no doubt that the expenditure of thousands of pounds of public money clearly breaches the code. In addition, it smacks of the kind of the practice of some of the regimes to the east of Britain which have just collapsed.

I understand, Mr. Speaker, that your powers are limited, but Parliament has a duty to control such abuses of expenditure. As you are the guardian of Parliament's rights and duties, I put it to you that, before the House rises, the Secretary of State—not the Under-Secretary of State—must have an opportunity to come to the House to make a statement about how he came to waste thousands

of pounds of Government money on what is explicitly party-political propaganda when cuts in education and schools are occurring throughout the country. The Government have clearly breached the dividing line between legitimate Government information and party-political propaganda.

Mr. Speaker: The hon. Gentleman raises an important matter. As he correctly stated, it is not a matter that I can deal with on a point of order. It is a matter for the National Audit Office and the Comptroller and Auditor-General. I am sure, however, that what the hon. Gentleman has said has been heard by those on the Government Front Bench, and we may hear more about the matter tomorrow.

Several Hon. Members: Further to that point of order, Mr. Speaker.

Mr. Speaker: There is no point in saying anything further about it, because there is nothing that I can do.

Mr. Terry Davis (Birmingham, Hodge Hill): Further to that point of order, Mr. Speaker. I too have received complaints from governors, parents and teachers in my contituency about the booklet. I realise that this is not the time to debate the spending priorities of the Department of Education and Science which, to the consternation of my constituents, prefers to spend money on printing the Secretary of State's speeches rather than on textbooks for under-resourced schools. The Public Accounts Committee has recently recommended that accounting officers in Government Departments should not only consider the propriety of such publications, but record the results of their considerations. Is there any way in which we can discover the views of the accounting officer at the Department of Education and Science without waiting for the files to be opened in 30 years' time?

Mr. Speaker: That is not a matter of order for me. It is not a question that I can answer.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker.

Mr. Speaker: Is it a different point of order?

Mr. Madden: It is on the point that this blatant party political propaganda was unsolicited by the schools which have been deluged with booklets. I have received many complaints about schools having to charge playgroups for the use of facilities this summer because of the new budget arrangements forced upon them by the Government. They will be shocked and dismayed to receive thousands of copies of this party-political propaganda, for which they have not asked, at a time when playgroups and many other users of school buildings have been placed in great difficulty. As we are approaching the recess, is there any way in which, you, Mr. Speaker, can pass on the concern of hon. Members about the matter to the Public Accounts Committee so that at least some investigations can be made during the summer?

Mr. Speaker: The hon. Gentleman should do that himself.

Dr. John Cunningham (Copeland): Further to that point of order, Mr. Speaker. [HON. MEMBERS: "It is not a point of order."] That is for you to decide, Mr. Speaker, not for Conservative Members.

It is increasingly the case that the Government twist and cheat the taxpayer in the interests of their own party-political propaganda. This is only the latest in a series of such disclosures. It is a matter on which the House should have the opportunity to question the Secretary of State for Education and Science. Who has authorised this expenditure and how can it possibly be justified, especially at a time when many children in schools throughout Britain are short of basic educational materials? I place the matter on the record because I hope that we can have your assistance, Mr. Speaker, in obtaining later today or tomorrow a statement from the Secretary of State so that the House can ask him those important questions.

Mr. Speaker: It is not for me to grant a statement. The Chair does not have that authority. As the shadow Leader of the House, the hon. Gentleman's best course would be to have a word with the Leader of the House himself to see whether a statement could be made.

Sir Geoffrey Finsberg (Hampstead and Highgate): Further to that point of order, Mr. Speaker. Is it in order for me to complain that I have not had a copy of what is clearly a valuable document? I hope that the Secretary of State will send me one.

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. You will be pleased to know that it is a different point of order, for the simple reason that the Minister responsible for education in Scotland would be dead scared to send us a copy of his speeches.

You, Mr. Speaker, heard the exchange between the Secretary of State for Scotland and myself during his statement, in which he said that I owed him an apology. You, Mr. Speaker, know better than most that I am always pleased to apologise, especially when I am wrong. I wish to put it on record that if the Secretary of State had not withheld the information that I sought I would willingly have apologised, but he chose to withhold the information.

Mr. David Winnick (Walsall, North): On a different point of order, Mr. Speaker. I do not wish to pursue the point about booklets which come more or less direct from Tory central office being published at public expense.

I assume, Mr. Speaker, that you have not received a request from a Minister to deal with the tense situation in the middle east and the military threat by the Iraqi regime against Kuwait, because had you done so there would have been a statement. As it is important that hon. Members on both sides of the House should express their points of view about this dangerous situation which arises directly from the criminal regime which rules in Iraq, has serious consideration been given to recalling the House at the first instant should the situation become more tense and the British Government decide to take action of any kind?

Mr. Speaker: I do not initiate a recall of the House during the recess, but no doubt what the hon. Gentleman has said will be taken into account if anything serious were to occur. In that event, I am sure that what he has suggested would happen.

BILL PRESENTED

PERSONAL RECORDS (EMPLOYMENT)

Miss Emma Nicholson, supported by Mr. William Cash, Mr. Richard Holt, Mr. Steve Norris, Sir Geoffrey

Pattie, Mr. Richard Shepherd, Mr. Teddy Taylor, Mr. Bowen Wells, Sir Jim Spicer, Mrs. Ray Michie and Mr. Greville Janner, presented a Bill to impose duties upon employers and other holders of factual information about employees or applicants for employment in respect of such information; to provide for the correction or deletion of incorrect information; to extend the powers and duties of the Director General of Fair Trading; to define offences and prescribe penalties; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 15 October and to be printed. *[Bill 194.]*

Breath Tests on Licensed Premises

5.59 pm

Sir Ian Lloyd (Havant): I beg to move,

That leave be given to bring in a Bill to require every holder of a justices' on-licence to install on the licensed premises concerned a device enabling persons who have consumed intoxicating liquor to take a breath test before leaving the premises; and for connected purposes.

No one will be more aware than you, Mr. Speaker, that much of the most basic controversy in the House is not about objective, but about method. Objectives are easily stated; implementation and method are altogether another matter, involving not only resources but generally that most difficult civil procedure, an adjustment of rights and obligations. The Bill is no exception. Its objective is quite clear and I wish to make it unequivocal. It is to reduce the incidence of dangerous driving associated with alcohol.

Both the motor vehicle and alcohol, taken separately, may be described as good servants and bad masters. Taken together, the combination can be lethal. We know that the current cost to society is some £400 million per annum and an unmeasurable quantity of tragedy, pain and grief. The current Government philosophy assumes that a total separation of the vehicle and its driver from alcohol is both desirable and possible. It is expressed in the exhortation, "Don't drink and drive", and that has been confirmed most recently in a letter to me from my right hon. Friend the Prime Minister. All concerned now accept that there is a gulf between the law and the advice given, and some advocate a stiffening of the law which, taken to its logical limit, would require a zero limit and random breath testing. My Bill is based on an analysis which seeks to demonstrate that the current philosophy is fundamentally flawed.

First, a zero limit implies that the motor vehicle can be used as an instrument for enforcing prohibition on the roads. No state has ever achieved that, and none ever will. It is an aspect of moral fundamentalism, and fundamentalism flies in the face of human nature. Secondly, it is based on an assumption that random breath testing, on a large enough scale and enforced with Cromwellian rigour, will eventually achieve the objective. That, too, flies in the face of experience. It is an emotional response to the problem, and that is something that we cannot afford.

Emotions are malleable; facts are very stubborn—and the House will probably not welcome the facts that I shall now place before it. They are drawn largely from two official reports from the Transport and Road Research Laboratory, published within the past two years, on drinking and driving. They disclosed that, of some 2,500 people stopped and tested on a random basis in Warwickshire and Sussex recently, 52 per cent. had consumed alcohol within the last 12 hours; 17 per cent. had alcohol in their bloodstream; and that, of those, 3·6 per cent. were just under the limit and 1·3 per cent. over the limit. Some 33 per cent. of those sampled had visited a pub, club, hotel or restaurant.

What does that suggest? First, it suggests that the elimination of the 1·3 per cent. is an essential and legitimate target; secondly, that the reduction of the 3·6 per cent. is both desirable and practical; thirdly, that exhortation—however brilliant or intense—will not have much effect on the remaining 69 per cent. There is not

much point in endeavouring to push water uphill or alcohol back into the stills and vats of the distillers and brewers.

I come now to the crucial figure of 33 per cent. who had visited clubs, pubs, hotels and restaurants. There are about 135,000 licensed premises in the United Kingdom. Assuming that each receives a modest 50 visits per day by car, we have a target figure of more than 2,000 million visits per annum. If we apply the research laboratory's figures to that total, we must conclude that 344 million journeys will be made by drivers with alcohol in their bloodstreams, and that 2·6 million—1·3 per cent.—will be made by drivers unfit to drive.

That last figure is the real target of the Bill, bearing in mind two other research laboratory figures—that 40 to 50 per cent. of those tested drove themselves home and that a significant number of those tested who thought that they had consumed fewer than three units had, in fact, consumed more. Fifteen were over the limit. That ignorance cannot be right or justified, and it is not in the public interest.

What can be done? I have already eliminated draconian enforcement, which leaves only one obvious alternative —to assist members of the public to discover for themselves whether they are in categories 1, 2, 3 or 4. That requires the Government, first, to abandon the absurd notion that either laws or exhortation can achieve a total segregation of drinking and driving; secondly, to encourage drivers to test their alcohol levels as a matter of routine; and thirdly, to provide them with the means to do so.

My Bill would make the provision of such a facility an obligation on every licence-holder. I could not bring a machine into the Chamber, but I have a photograph with me which some hon. Members have already seen. The machine is accurate, reliable and easy to use. It has been successfully applied in Australia, California, Germany, Sweden and many other countries. It is estimated that 17,000 tests a day are carried out voluntarily by members of the public in Australia alone. The Royal Australian Navy has rated such machines an outstanding success, and some states are considering compulsory installation. It would cost £137 million, at a cost of £1,000 per machine, to install one in every pub in the United Kingdom—but what is that against a saving of thousands of lives and a medical bill of several hundred million pounds?

One outstanding criticism is that such devices would encourage drivers to drink up to the limit. There is no evidence to support that view. A pilot study in Australia revealed that there was

"no evidence of changes in respondents' behaviour as a result of obtaining BAC levels."

The inventor of the fuel cell—I have two examples with me, of the sort used by the police and of those that can be applied to the ignition lock of a car—concluded that

"their installation does not, contrary to some opinion, lead to brinkmanship but to responsible and knowledgeable drinking by an educated public."

That is our target.

Drivers should never be driving when out of the yellow zone depicted in the diagram I am holding. It is the zone of virtually nil risk. The whole of the red zone is a legitimate target and it should enjoy all our attention. If we endeavour to eliminate the yellow zone, we shall be squandering massive resources to no avail. There are about 7,000 breathalysers in the United Kingdom, almost all in the hands of the police. My purpose is to put 135,000 in the hands of the public, and thereby both reduce dangerous and drunken driving and release the police for much more important tasks.

I shall conclude with an analogy. Aircraft flying into Heathrow have their height and operations controlled by two devices—the radar at Heathrow and the altimeters in the aircraft. To suggest that the pilot should come in without altimeters and that the only people to know the aircraft's height should be the controllers at Heathrow, is obviously ridiculous. To suggest that vast numbers of the public who are likely to be driving with alcohol in their bloodstreams should have no method of discovering that fact until they are stopped by the police has always struck me as ridiculous. To put that right is the purpose of the Bill.

Question put and agreed to.

Bill ordered to be brought in by Sir Ian Lloyd, Sir Hal Miller, Mr. Stanley Orme, Sir Gerard Vaughan, Mr. Ted Garrett, Mr. Patrick Cormack, Mr. Ted Leadbitter, Mr. Anthony Nelson, Mr. Jerry Wiggin and Mr. Michael Colvin.

Breath Tests on Premises

Sir Ian Lloyd accordingly presented a Bill to require every holder of a justices' on-licence to install on the licensed premises concerned a device enabling persons who have consumed intoxicating liquor to take a breath test before leaving the premises; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Tuesday 15 October and to be printed. *[Bill 193.]*

WAYS AND MEANS

Courts and Legal Services Bill *[Lords]*

6.9 pm

Mr. Keith Vaz (Leicester, East): On a point of order, Mr. Deputy Speaker. As you may know, I served on the Committee considering the Bill. You may know also that, in the past few weeks, the Government have tabled 30 new clauses and amendments to it. I agree with the hon. Member for Great Grimsby (Mr. Mitchell) that some of them are acceptable and welcome. However, it is usually the Government's practice—as it was in Committee—to produce guidance notes for the benefit of right hon. and hon. Members who have not had an opportunity fully to study new clauses and amendments. Such notes would be useful to members of the Committee and to all right hon. and hon. Members as we arrive at the Report stage.

I wonder whether you, Mr. Deputy Speaker, have been informed by the Attorney-General whether such notes have been prepared and, if so, whether they have been circulated to members of the Committee.

Mr. Deputy Speaker (Mr. Harold Walker): The provision of guidance notes is not a matter for the Chair, but perhaps the Solicitor-General will comment when I ask him to address the House on the Ways and Means motion.

The Solicitor-General (Sir Nicholas Lyell): I beg to move,

That, for the purposes of any Act resulting from the Courts and Legal Services Bill *[Lords]*, it is expedient to authorise the payment into the Consolidated Fund of any sums falling to be paid by the Authorised Conveyancing Practitioners Board by way of repayment of grants made to the Board by the Lord Chancellor.

The hon. Member for Leicester, East (Mr. Vaz) is right to say that there are a large number of amendments. A high proportion of them arise in response to matters which were debated both on Second Reading and in Committee, and come forward as a result of constructive suggestions made during the course of the Committee stage. I apologise to the hon. Member if we have been unable to send him guidance notes, but I hope that the purpose of the amendments will become clear, and I am sure that he will make a constructive contribution to our debates.

Question put and agreed to.

Resolved,

That, for the purposes of any Act resulting from the Courts and Legal Services Bill *[Lords]*, it is expedient to authorise the payment into the Consolidated Fund of any sums falling to be paid by the Authorised Conveyancing Practitioners Board by way of repayment of grants made to the Board by the Lord Chancellor.

Orders of the Day

Courts and Legal Services Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 6

ALLOCATION OF FAMILY PROCEEDINGS WHICH ARE WITHIN THE JURISDICTION OF COUNTY COURTS

'.—(1) The Lord Chancellor may, with the concurrence of the President of the Family Division, give directions that, in such circumstances as may be specified—

(a) any family proceedings which are within the jurisdiction of county courts; or

(b) any specified description of such proceedings,

shall be allocated to specified judges or to specified descriptions of judge.

(2) Any such direction shall have effect regardless of any rules of court.

(3) Where any directions have been given under this section allocating any proceedings to specified judges, the validity of anything done by a judge in, or in relation to, the proceedings shall not be called into question by reason only of the fact that he was not a specified judge.

(4) For the purposes of subsection (1) "county court" includes the principal registry of the Family Division of the High Court in so far as it is treated as a county court.

(5) In this section—

"family proceedings" has the same meaning as in the Matrimonial and Family Proceedings Act 1984 and also includes any other proceedings which are family proceedings for the purposes of the Children Act 1989;

"judge" means any person who—

(a) is capable of sitting as a judge for a county court district;

(b) is a district judge, an assistant district judge or a deputy district judge; or

(c) is a district judge of the principal registry of the Family Division of the High Court; and

"specified" means specified in the directions.'.

—[The Solicitor-General.]

6.11 pm

The Solicitor-General (Sir Nicholas Lyell): I beg to move, That the clause be now read a Second time.

Mr. Deputy Speaker (Sir Harold Walker): With this, it will be convenient to consider the following: Government new clause 7—*Family proceedings in magistrates courts and related matters.*

Government new clause 20—*Extension of powers of justices' clerks.*

Government amendments Nos. 168, 47, 50, 53 to 58, 172, 59 to 61, 182, 62 to 64, 173, 76, 175, 79, and 82 to 85.

The Solicitor-General: This group of new clauses and amendments relates to or arises from the Children Act 1989 and the need for new arrangements for family proceedings. The changes will allow the 1989 Act to deliver its aims and objectives more fully in all family proceedings.

Clause 6 enables the Lord Chancellor to make directions about the allocation of family proceedings in county courts. They will fall into two parts. First, directions will be made allocating particular types of proceedings to a particular level of judge. That will enable the Lord Chancellor to give a comprehensive direction

covering all family business and to ensure that particularly sensitive proceedings, such as care cases, are heard by judiciary of sufficient standing.

Secondly, directions will be made allocating a particular type of proceedings to a specific individual judge. The effect will be to create a nominated group of circuit and district judges who will specialise in specific types of family work in county courts. Their selection will be a matter for the Lord Chancellor on the advice, and with the concurrence, of the president of the family division.

New clause 7 extends the rule-making provisions in section 93 of the Children Act 1989 to cover all family proceedings. That will ensure that children and other family proceedings brought in the magistrates court under the Children Act 1989 will be subject to the same rules of procedure. New clause 20 amends section 28(1) of the Justices of the Peace Act 1979 to enable rules to be made under section 144 of the Magistrates Courts Act 1980 to allow for the delegation of the duties and powers authorised to be done by a justices' clerk to somebody who is his deputy or assistant.

Amendment No. 59 concerns section 97 of the Children Act 1989, which provides for rules to enable a magistrates court to sit in private in certain proceedings under that legislation, and restricts the publication of material that might identify the child in question. Those measures supplement other statutory provisions concerning privacy, and amendment No. 59 clarifies that point. Amendment No. 53 makes it clear that when a young person is brought before a court for variation or discharge of a supervision order, the court will have the power, should it be necessary, to remand him to local authority accommodation if he is under the age of 18 or, in the sad cases where this is necessary, to a remand centre or prison if he has attained the age of 18.

Amendment No. 54 concerns regulations about staying access—that is, access to a member of the family with whom the child or young person is staying, which needs to be properly planned. Amendment No. 54 provides for that. Amendment No. 60 removes the 90-day time limit for complying with directions made under a supervision order, and amendment No. 61 will ensure that no child in care will remain a ward of court. Amendment No. 168 will ensure that the power to make rules of court contained in section 93 will be available also to the relevant rule-making authorities in Northern Ireland. The remaining amendments make the necessary consequential amendments, repeals and minor technical changes, and correct certain inconsistencies.

I commend the amendments, which will enable changes to be made to the Children Act 1989 necessary to allow that very valuable legislation to deliver its aims in a full and proper way.

6.15 pm

Mr. John Morris (Aberavon): I welcome the Solicitor-General's explanation, but we are dealing with a host of new clauses and amendments which would have been better introduced in Committee, when there would have been an opportunity for organisations and individuals to consider and comment on a major initiative. That would have been the right course, rather than introducing these amendments on Report.

Having said that, I welcome the proposed changes, and hope that we may eventually see the emergence of a complete family court, bringing together all the jurisdictions. The Bill is an important step in that direction. I should like to know how many different tiers of courts will still be dealing with children's work and what changes are envisaged in substantive law. Judging from the new clauses and amendments, I suspect that no changes are anticipated.

It is some years since I ventured into a juvenile court or into the family division, but I know from magistrates close to me that they look forward to the new challenges in family work. Shall we still have wardship dealt with in the High Court, custody in the equivalent of the divorce courts, care in the magistrates courts, and so on? Will the old divisions remain, or will a change emanate from the proposals that we have had only a short time to study?

I welcome the proposals for specified judges and for "specified descriptions" of judges—whatever that expression may mean. I accept the need for specialisation. I am told that nothing is more impressive than the solicitors panel which appears in care cases before London juvenile courts. The expertise and the care that it exhibits is, I am told, impressive. It follows that the Lord Chancellor is right to propose a degree of specialisation, and the considerable training and familiarity gained from dealing with like cases on a regular basis will be of assistance.

How are the new procedures to be monitored once they have been implemented? We all recognise and regard as important the independence of the judiciary, but we know also that some are better than others. Where people no longer wish to be specified or are quite frankly, not up to the task of being specified, it is important that they should be able without difficulty to be transferred to other tasks. There is plenty of demand in the realm of general Crown court work, so none of them would be unemployed.

It is important not to specify or allocate responsibilities to someone who, over a period of time, finds that he is perhaps not attuned to the needs and changes. I hope that we can have an assurance that the president of the family division will keep a most watchful eye on those who have been chosen to ensure that standards are not only maintained, but improved.

In a half sentence before he finished his opening remarks, the Solicitor-General referred to the reliance on local authorities with regard to care and accommodation facilities. My impression is that that is rather patchy in some areas and perhaps one or two local authorities are not so co-operative as they might be.

That co-operation must exist in the provision of facilities and we must bear in mind that local authorities have very few financial resources these days. It must also exist in the provision of reports. I have heard complaints from magistrates that local authorities do not always produce the required reports and that they are not always particularly co-operative. We should be told about that because it is very important. If any persuasion is necessary, I am sure that in the face of argument, those who may not be so good as the others will do what they can to improve the necessary co-operation between the judiciary and local authorities.

Mr. Gerald Bermingham (St. Helens, South): I wish to raise one point about the Children Act 1989. It has been brought to my attention by the Justices' Clerks Society that there is a proposal that legal aid certificates for the

[Mr. Gerald Bermingham]

child and the parents should be granted by the Legal Aid Board. The board's delivery rate is in the region of up to 20 weeks for 100 per cent. delivery. In such cases it is absolutely essential that legal aid is granted immediately.

The justices' clerks know the facts of the matter and can very often grant legal aid overnight or during the course of the night. They can assess the needs and representation in those delicate cases in which speed is often essential and in which the aid should be granted at the first available opportunity.

To leave it to the Legal Aid Board with its cumbersome processing procedures—I do not say that unkindly—would, I believe, be a considerable mistake. I hope that the Solicitor-General will take on board that one small point, which could mean a terrific amount to the children and parents involved. Perhaps he can suggest to the Lord Chancellor that that proposal is not wise.

Mr. Austin Mitchell (Great Grimsby): I echo the concern voiced by my right hon. and learned Friend the Member for Aberavon (Mr. Morris) about this procedure today. We now face complicated new clauses which have been introduced at the last minute and without adequate briefing for hon. Members. It would have been convenient and a courtesy if the Government had provided some notes on clauses to allow for a better informed debate.

Not only hon. Members are being neglected in that way. The interest groups affected by the changes, in many cases, learned of them only at the last minute. Some of those groups learned about the changes only last Friday. That is far too late to allow a proper process of consultation. This procedure is a preparation for inadequate legislation. I am not sure whether Ministers want to give the House of Lords a useful job and something to do, but having considered the Bill initially, further changes will have to be made in the House of Lords to remedy the deficiencies caused by the last-minute rush of clauses before us today.

There is such enormous legal power on the Government Front Bench that it is virtually an all-knight party. However, it is not good enough for the best legal brains to be vamping the Bill at the last minute in this fashion. The president of the National Union of Mineworkers was invited to go away and run a fish and chip shop. On the evidence of this Bill, the best legal brains could not run a fish and chip shop. Cobbling things together in this way is just not good enough. Indeed, my most devastating criticism is that I could have done it better myself. That should certainly bring them to their knees.

I welcome the Government's proposals as a first step along a road which we need to take and along which we need to progress far more quickly than the measures propose. However, the road leads towards a separate self-contained structure of family courts to deal with those matters as a specialised area. That proposal is long overdue in this country and we delayed far too long in developing such a structure. The faster the progress we can make, the better. That structure will need a specially trained and selected hierachy of judges to deal with family matters. People with sensitivity and with experience and training in that area are required and any step along that road is welcome.

I have long been an advocate of a Manpower Services Commission or Training Commission scheme for judges. The training of judges in this country is totally inadequate in view of the weight of responsibility that falls on them. Training is to be provided in family matters. Such training is long overdue in many areas.

I understand that, in France, judges who deal with family matters are required to undergo a course of psychotherapy so as to understand their own prejudices, what motivates them and their own feelings, hang-ups, inhibitions and problems about the family—in short, so that they can know themselves. I do not know what results would be produced if some of the judges that I have seen around this country were required to undergo psychotherapy in that way, but if they at least knew themselves and the prejudices that motivated them, that would be extremely useful.

Mr. Keith Vaz (Leicester, East): At the beginning of our proceedings, it is right that I should yet again declare my interest in the matter. When the proceedings on the Bill began, I was a solicitor. Since then, I have transferred to the Bar as a mere pupil, although I am not sure whether that has happened as a result of the standard of debate in Committee. However, I receive no income either from the solicitor's profession or from the Bar.

Mr. Austin Mitchell: That must be the first example of going back to the sinking ship.

Mr. Vaz: I wonder whether my hon. Friend would like to sink with me.

The history of the discussions and debates about family courts and related matters is not good. On Report on the Children Act 1989, when the Solicitor-General was present and we were discussing family courts, my hon. Friend the Member for Bolsover (Mr. Skinner) entered the Chamber and announced the resignation of the Chancellor of the Exchequer. Unfortunately, following that, discussions on the Children Bill were curtailed. I am not sure whether that will happen again with quite the same drama today.

New clauses 6 and 7 raise important points, which were raised during the passage of the Children Act and in the Standing Committee on this Bill. The clauses proceed from a press release—not a statement—by the Lord Chancellor on 9 July this year in which he referred to the creation of family hearing centres.

I share the disappointment voiced by my hon. Friend the Member for Great Grimsby (Mr. Mitchell). Having started on the road to family courts in the Lord Chancellor's Second Reading speech in December 1988, having been promised a family court at some stage and having been told that the Children Bill was the family court in all but name as it dealt with the judicial matters, it is disappointing that the Solicitor-General has decided not to announce the formal establishment of a family court. There is great support by hon. Members on both sides of the House for the creation of a family court, for the reasons that have been outlined by hon. Members in debates on family matters during the proceedings on the Children Bill and on Second Reading and in the Standing Committee stage of this Bill.

The case for a family court is unanswerable. How disappointing it is that the Solicitor-General, having promised in the Children Bill that he would set up a rolling programme to establish a family court, has given us something rather less than that—that is, family proceedings panels and family hearing centres. I hope that the Solicitor-General will confirm that next week he will

announce the venues for those family hearing centres. If that is the case, it would have been much more appropriate for him to make that announcement today, as it would have given us the opportunity to discuss those important matters.

I agree with what has been said about consultation. What a different approach has been taken on the Bill from that taken by the right hon. and learned Member for Putney (Mr. Mellor), now the Minister for the Arts, during the passage of the Children Bill, which was heralded as a consensus Bill, when the right hon. and learned Gentleman adjourned the Committee and allowed discussions between Opposition Members and officials of his Department when any new or different proposal was put forward, especially one of such complexity.

6.30 pm

Despite the army of civil servants present today, no attempt has been made by the Lord Chancellor's office or his Department to contact members of the Committee to discuss an issue of deep concern to those of us involved in family rights and the Family Court Campaign. There have been ample opportunities to do that. Pledges have been made about the need to carry the Committee with the Government, but none of those pledges has been realised.

On 11 July 1990, Baroness Faithfull, chairperson of the Family Court Campaign, issued a statement in which she commented quite favourably on the Lord Chancellor's press release, saying:

"Now is the time to move that step forward to ensure that we have a family court."

She ended her statement with the following words:

"It is vital to maintain the momentum of the Lord Chancellor's rolling programme of family court reform by a firm public commitment to the next stages in the process. It is hoped that under the new arrangements there will be reasonable access for families to the courts."

She went on to comment on the Children Act.

I hesitate, as my hon. Friend the Member for Bolsover has just entered the Chamber. I do not know whether he is bringing us news of a resignation as he did on a previous occasion, or whether he intends to take part in a debate on family courts. Today, I received a letter from the Solicitor-General about a new body called the Authorised Conveyancing Practitioners Board, which I know he will deal with when we discuss amendment No. 26, which talks about the need to provide almost £1 million of Government money for the new board. If he is prepared to provide £1 million for a board dealing with licensed conveyancers, surely he can provide the necessary resources for fully fledged, all-singing, all-dancing family courts—to use the words of the Solicitor-General when we discussed the matter on Report of the Children Bill. Money cannot be the problem, so it must be the Government's commitment to enable that to happen.

In my constituency an overworked and understaffed juvenile court deals with family matters. Only one court in Leicester deals with such cases. The waiting room has to accommodate more than 140 people. No refreshments are available for the advocates, the parents or the children. People have to wait for a long time for their cases to be heard, as there is no fixed appointments system. The conditions are intolerable. On hot days such as today, people have to submit to the pressures of the weather. Their cases are dealt with in the same building that houses young people who may have been found guilty of criminal offences. It is not good enough for the Government to say that there is no outside pressure. If they look at juvenile courts throughout the country, they will find that the service is inadequate.

I should like to know which groups the Solicitor-General, the Attorney-General or the Lord Chancellor has consulted about the proposals. What are the Solicitor-General's plans for monitoring the proposals? Are there any precedents for what he suggests in any other areas of law? Will he give me a straight answer to a straight question? When will we reach the end of the rolling programme? When will he or the Attorney-General come to the Dispatch Box and say, "We have tried out various experiments; we have made progress and time has moved on. We have had consultations with the Department of Health and now is the time for us to have fully fledged family courts with trained lawyers and judges." When will the Government make that commitment? Instead of having a rolling programme with no timetable and no end, the Solicitor-General should make a specific pledge that at a fixed time and date family courts will be introduced into our judicial system.

The Solicitor-General: I am most grateful for the welcome of the right hon. and learned Member for Aberavon (Mr. Morris) for the legislative provisions. As he said, he did not take part in the discussions on the Children Act, but he and the hon. Member for Leicester, East (Mr. Vaz) will know that the major initiative which relates to the group of amendments was the Children Act 1989. The amendments use the Bill as a legislative vehicle to build upon that major initiative.

Several hon. Gentlemen, including the hon. Member for Leicester, East, asked how the provisions fit into the framework of family courts, about the monitoring of the proposals and about training. The hon. Member for St. Helens, South (Mr. Bermingham) asked a detailed and pertinent question about the granting of legal aid certificates. I shall seek to answer those points. I emphasise to the hon. Member for Great Grimsby (Mr. Mitchell) that this is not the first step; we are building upon an important major first initiative, the Children Act.

The hon. Member for Leicester, East has just become a barrister, and he will be concentrating upon clarity of expression. As the Lord Chancellor has made clear, in order to have a successful family court, whether it deals with children or wider family law, it is necessary first to create and establish a proper body of law which applies to those matters. That is exactly what we have done in the Children Act, which has been widely recognised on all sides to be a major initiative. Having created a body of law, we can create the specialised courts structure to administer it. That is what we are in the process of doing, and the amendments assist us in that process.

The proposals will be put into effect in accordance with the framework which the amendments help to construct. To that extent, they are a significant first step towards the creation of the family courts. The next step must be to establish a coherent body of family law, drawing together the different aspects, and then to create the court structure —I suspect in a way similar to what we are doing for children in relation to the wider body of family law. Then the programme to which I refer will have rolled on and we shall not simply have been making pledges for the future, with which we have been all too familiar in politics in the past. We have seen a certain amount of it from the Labour

[The Solicitor-General]

party in the recent past. We shall be dealing not with pledges for the future, whether or not they have been costed, but with the constructive creation of a real system.

Mr. Vaz: I accept that it is necessary to create a substantial body of law, but that is what we did in the Children Act 1989. My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding), who is present in the Chamber, served on the Committee on that Bill and I think that my hon. Friend the Member for Norwood (Mr. Fraser), who is also present, served on it too. We repealed and consolidated much legislation about children. It is accepted that it was a landmark piece of legislation. Can I tease from the Solicitor-General when the process will end? He must have some sort of timetable in mind. Governments must work to some schedule and not just embark on a continuous rolling programme. When will the process end?

The Solicitor-General: We have created a body of law. With these new clauses we are creating the administrative structure—the court framework—to operate that body of law. That will be the first major step in the creation of a family court. The next steps will come with the development of family law.

Mr. Vaz: When?

The Solicitor-General: I will not answer the hon. Gentleman. I have told him that it is a rolling programme, and it will roll forward. He should welcome the advance and recognise how important it is.

The programme will be monitored and staffed at every level by a specially selected and trained judiciary. The monitoring will be undertaken by the Lord Chancellor and the president of the family division, who will have the benefit of a central advisory committee drawn from experts in the wide number of disciplines which come together in this aspect of children law. The committee will be judicially chaired and will assist in monitoring. There will be training at every level.

The Legal Aid Board will set up a special structure to ensure that legal aid certificates can be dealt with swiftly. Meantime, I take note of the point made by the hon. Member for St. Helens, South. As in many areas, we are anxious to move from one practical system which works well only when we have in place another practical system which will work well.

Mr. Bermingham: Does the Solicitor-General accept that experience is the best teacher and that experience has taught us that in these matters time is essential? I cannot foresee a stage when the board will be able to give the 24-hour cover which is necessary. Later, I shall give another example in which it is blatantly clear that the board cannot deal with legal aid applicants appropriately.

The Solicitor-General: We have not immediately reached the stage where the board is pretending to do that. We are creating a framework in which it can do so. The hon. Gentleman will appreciate, particularly if he has had an opportunity to read the board's recent annual report, that it has already made valuable progress in other areas.

We are using this part of the Bill to make major advances in an area in which we began even more fundamentally with the Children Act. I commend the new clauses to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 7

FAMILY PROCEEDINGS IN MAGISTRATES' COURTS AND RELATED MATTERS

To move the following Clause:—

'.—(1) In this section "family proceedings" has the meaning given by section 65(1) of the Magistrates' Courts Act 1980.

(2) For the purpose of giving effect to any enactment mentioned in that section, rules made under section 144 of that Act may make, in relation to any family proceedings, any provision which—

(a) falls within subsection (2) of section 93 of the Children Act 1989 (rules of court); and

(b) may be made in relation to relevant proceedings under section 93 of the Act of 1989.

(3) In section 35 of the Justices of the Peace Act 1979 (composition of committee of magistrates for inner London area), in subsection (3)—

(a) in paragraph (b) for the words "three members of the juvenile court panel" there shall be substituted "one member of the juvenile court panel"; and

(b) after that paragraph there shall be inserted the following paragraph—

"(bb) two members chosen, in such manner as may be prescribed by rules made for the purposes of this subsection, from any family panel or combined family panel for the inner London area".

(4) At the end of that section there shall be added the following subsection—

"(7) No rules shall be made under subsection (3)(bb) above except on the advice of, or after consultation with, the rule committee established under section 144 of the Magistrates' Courts Act 1980."

(5) In section 37(1)(a) of that Act (justices' clerks) after the words "juvenile courts" there shall be inserted "and family proceedings courts".'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 8

POWER TO OBTAIN INFORMATION AND REQUIRE PRODUCTION OF DOCUMENTS

To move the following Clause:—

'.—(1) The Board may serve a notice on any—

(a) authorised practitioner;

(b) officer or employee of an authorised practitioner;

(c) qualified person who is acting, or has acted, on behalf of an authorised practitioner; or

(d) officer or employee of such a qualified person,

requiring him to provide the Board (within such time and at such place as may be specified in the notice) with such document, or documents of such a description, or with such information, as may be so specified.

(2) The Board shall not exercise its powers under subsection (1) except for the purpose of obtaining such information as it thinks reasonably necessary in connection with the discharge of any of its functions.

(3) The Board's power under this section to require a person to produce any document includes power—

(a) if the document is produced, to take copies of it or extracts from it and to require that person, or any other person who is or was a director or officer of, or

is or was at any time employed by or acting as an employee of, the practitioner concerned, to provide an explanation of the document;

(b) if the document is not produced, to require the person who was required to produce it to state, to the best of his knowledge and belief, where it is.

(4) The Board's power under this section may be exercised in relation to a person who falls within subsection (1)(c) or (d) only in relation to the provision of conveyancing services on behalf of the authorised practitioner concerned.

(5) Any person who, without reasonable excuse, fails to comply with a requirement imposed on him under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level five on the standard scale.

(6) Any person who, in response to any requirement imposed on him under this section, knowingly or recklessly provides any information or explanation or makes any statement which is false or misleading in a material particular shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; and

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(7) Where any person from whom production of a document is required under this section claims a lien on the document, the production of it shall be without prejudice to the lien.

(8) Nothing in this section shall compel—

(a) the production of a document containing a communication which is privileged from disclosure in legal proceedings in England and Wales; or

(b) the furnishing of information contained in such a communication.

(9) In this section "document" includes any information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include references to producing a copy in legible form.".—*[The Solicitor-General.]*

Brought up and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to consider Government new clauses 9 to 13 and Government amendments Nos. 44, 65, 66, 69 and 70.

The Solicitor-General: These new clauses and amendments give the Authorised Conveyancing Practitioners Board the powers it needs to exercise proper administration and control over authorised conveyancing practitioners, to preserve assets pending investigation and to provide for an appeal system against its decision, should an aggrieved party wish to appeal.

New clause 8 allows the board to serve a notice on an authorised practitioner requiring him to provide the board with such documents or information as it thinks reasonably necessary in connection with the discharge of any of its functions. New clause 9 allows the board to appoint one of more competent persons to investigate the affairs of the authorised practitioner. New clause 10 creates a general prohibition against disclosure of information received by the board, its staff or an investigator appointed by it in the exercise of their functions under the Bill without the consent of the person from whom the information was obtained or, if they are different, the person to whom it relates. New clause 11 deals with exceptions from restriction on disclosure.

6.45 pm

Amendments Nos. 65, 66, 69 and 70 to schedule 16 are consequential amendments to the Fair Trading Act 1973, the Consumer Credit Act 1974, the Restrictive Trade Practices Act 1976, the Estate Agents Act 1979 and the Competition Act 1980 to allow other regulators to pass information to the board without committing offences under their disclosure regime.

Taken together, the four new clauses and five amendments complement new clauses 12 and 13, which deal with the board's intervention powers. Together, they should provide the board with all the powers it needs to take action to protect the interests of clients and to obtain the evidence necessary to pursue disciplinary proceedings against authorised practitioners. They represent the result of the Lord Chancellor's undertaking during the Lords Report stage, which was conferred by my right hon. and learned Friend the Attorney-General in our Committee stage, to consider further what powers of intervention and investigation the board might need. The Law Society sought to have similar amendments moved in the Lords Committee stage. Its amendments were modelled on its own papers.

In presenting these results of the further consideration which the Committee stage afforded us, I commend the new clauses to the House.

Mr. John Fraser (Norwood): I confirm that we pressed for some, although not all, of the new clauses and amendments in Committee. They are welcome, and I hope that we can make speedy progress with them.

Mr. John Greenway (Ryedale): I have no wish to detain the House, which is faced with a galaxy of amendments and new clauses, or to intrude too much into these proceedings. However, Report stage allows Back-Bench Members to raise concerns. I shall try to be as brief as possible.

I welcome the new clauses, as do many organisations, such as the Law Society, which have been considering extending the availability of conveyancing by authorised practitioners. We all recognise that the Building Societies Act 1986 paved the way for this provision. We are anxious to ensure that there should not be any conflict of interests. I should be grateful if my right hon. and learned Friend could confirm that there will be further consultation on clause 38, which allows the Lord Chancellor to make provision for regulations, after the Bill receives Royal Assent.

One issue causes me great concern. It relates to the potential conflict, not just of interest, but within the role of authorised practitioners who are, in effect, acting as agents for large financial institutions and building societies. It is impossible to regard the issue separately from the general supervision of the financial services industry and the Financial Services Act 1986.

Building societies, insurance companies and banks are generally tied agents of life assurance companies. Polarisation rules mean that, as tied agents, their duty and interest is to the life assurance company, but as conveyancers their interest and duty must be to the client. I must declare an interest as an insurance broker and representative of one of the insurance broking institutions. Independent financial advisers have a duty to the client, not just to the life office. Will my right hon. and learned Friend have particular regard to that? Over the next year

[Mr. John Greenway]

or so, we are likely to see further development of the financial services industry regulatory regime. Indeed, the first debate after the recess will be on precisely that subject.

I am concerned that there should be a proper fiduciary relationship, so that each part of any arrangement can be properly costed. The public should have the maximum possible safeguards. The House and the country will have noted that a large insurance company recently bought up 500 estate agency practices and has now effectively withdrawn from that market. A similar event would be a disaster for rural solicitors' practices and for the public whom they serve. There is a risk of small practices closing down because of the loss of conveyancing business only for the institutions to decide that conveyancing is less profitable than they thought. These are important considerations, as these firms would be lost.

I hope that my comments are helpful. Perhaps my right hon. and learned Friend will say that those points have been taken on board.

The Solicitor-General: I am grateful to the hon. Member for Norwood (Mr. Fraser) for his welcome and to my hon. Friend the Member for Ryedale (Mr. Greenway) for his contribution. I understand the points that my hon. Friend makes on behalf of independent financial advisers, with whose position I have the greatest sympathy, who are rightly watching the regime that we are creating for authorised conveyancing practitioners to ensure that proper safeguards are provided for clients and for the public as a whole.

The first point that my hon. Friend raised was on consultation. He will have noticed that in the Bill consultation is required statutorily on many points. My right hon. and noble Friend is anxious to consult. Indeed, I have had the opportunity of taking part in the consultation processes with interested parties, including independent financial advisers, to see that the structure that we create on the statutory framework is practical and achieves the objectives and the safeguards that we have set out to achieve, which we are debating today and which we debated in some depth in Committee in relation to this new clause and new clause 88.

My hon. Friend will know that my right hon. Friend the Secretary of State for Trade and Industry and his predecessors have consulted on some interesting possible developments in the financial services framework. They should tie in with what we are discussing today. I hope that those assurances are of assistance to my hon. Friend. I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 9

INVESTIGATIONS ON BEHALF OF BOARD

'.—(1) If it appears to the Board desirable to do so—

(a) in connection with the discharge of any of its functions; and

(b) in the interests of customers or potential customers of an authorised practitioner,

it may appoint one or more competent persons ("the investigators") to investigate and report to it on the state and conduct of the affairs of that authorised practitioner.

(2) The Board shall give written notice of any such appointment to the authorised practitioner concerned.

(3) If the investigators think it necessary for the purposes of their investigation, they may also investigate the affairs of any qualified person who is acting, or has acted, on behalf of the authorised practitioner (so far as concerns the provision of conveyancing services on behalf of the authorised practitioner), after giving the qualified person written notice of their investigation.

(4) Any investigation under this section of the affairs of—

(a) any institution which is authorised by the Bank of England under Part I of the Banking Act 1987, to carry on a deposit taking business;

(b) any building society which is authorised to raise money from its members by the Building Societies Commission under section 9 of the Building Societies Act 1986; or

(c) any insurance company which is authorised under section 3 or 4 of the Insurance Companies Act 1982,

shall be subject to such direction (if any) given by the Lord Chancellor with a view to limiting the scope of the investigation to matters concerned with the provision of conveyancing services.

(5) Any such direction may be general or be given with respect to a particular investigation.

(6) It shall be the duty of every person whose affairs are being investigated and of any officer or employee of his—

(a) to produce to the investigators, within such time and at such place as they may reasonably require, all documents relating to the provision of conveyancing services by the practitioner which are in that person's custody or power;

(b) to provide the investigators, within such time as they may require, with such information as they may reasonably require with respect to the provision of those services; and

(c) to give the investigators such assistance in connection with the investigation as he is reasonably able to give.

(7) The investigators may take copies of, or extracts from, any document produced to them under subsection (6).

(8) This section applies in relation to a former authorised practitioner or former qualified person as it applies in relation to an authorised practitioner or qualified person.

(9) Any person who, without reasonable excuse, fails to produce any document, or provide any information, which it is his duty to produce under subsection (6) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level five on the standard scale.

(10) Any person who, in response to any requirement imposed on him under this section, knowingly or recklessly provides any information or explanation or makes any statement which is false or misleading in a material particular shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; and

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(11) Nothing in this section shall compel the production by an authorised practitioner or qualified person acting on his behalf of a document containing a privileged communication made by him or to him in that capacity.'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 10

RESTRICTIONS ON DISCLOSURE OF INFORMATION

'.—(1) Subject to section (*Exceptions from restrictions on disclosure*), restricted information which relates to the business or other affairs of any person shall not be disclosed—

(a) by the Board or any member of its staff;

(b) by any person appointed as an investigator under section (*Investigations on behalf of Board*) or any officer or servant of his; or

(c) by any person obtaining it directly or indirectly from a person mentioned in paragraph (a) or (b),

without the consent of the person from whom it was obtained and, if they are different, the person to whom it relates.

(2) Subject to subsection (3), information is restricted information for the purposes of this section if it was obtained (whether or not in response to any requirement that it be provided) for the purposes of, or in the discharge of functions under, any provision made by or under this Act.

(3) Information shall not be treated as restricted information for the purposes of this section if it has been made available to the public by virtue of being disclosed in any circumstances in which, or for any purpose for which, disclosure is not prevented by this section.

(4) Any person who contravenes this section shall be guilty of an offence and liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both;

(b) on summary conviction, to a fine not exceeding the statutory maximum.'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 11

EXCEPTIONS FROM RESTRICTIONS ON DISCLOSURE

'.—(1) Section (*Restrictions on disclosure of information*) shall not prevent the disclosure of information—

(a) with a view to the institution, or otherwise for the purposes, of any criminal proceedings;

(b) with a view to the institution, or otherwise for the purposes, of any civil proceedings arising under or by virtue of this Act;

(c) in a summary or collection of information framed in such a way as not to enable the identity of any person to whom the information relates to be ascertained; or

(d) in pursuance of any Community obligation.

(2) Section (*Restrictions on disclosure of information*) shall not prevent the disclosure of information for the purpose of enabling or assisting—

(a) the Lord Chancellor to discharge any of his functions under this Act with respect to the Board or authorised practitioners;

(b) the Board to discharge any of its functions;

(c) the Law Society, the General Council of the Bar, the Council for Licensed Conveyancers or the Faculty Office of the Archbishop of Canterbury to discharge any of its functions;

(d) the Building Societies Commission to discharge any of its functions;

(e) the competent authority or a designated agency, recognised investment exchange, recognised clearing house, recognised self-regulating organisation or recognised professional body (all those expressions having the meaning given in the Financial Services Act 1986) to discharge any of its functions;

(f) the Bank of England to discharge any of its functions;

(g) the Secretary of State to discharge any of his functions under this Act, the Financial Services Act 1986 or any enactment relating to competition, companies, insurance or insolvency;

(h) any inspector appointed by the Secretary of State under any of the enactments mentioned in paragraph (g) to discharge any of his functions;

(i) an official receiver to discharge any of his functions under any enactment relating to insolvency;

(j) a body which is a recognised professional body under section 391 of the Insolvency Act 1986 to discharge any of its functions as such a body;

(k) the Insurance Brokers Registration Council to discharge any of its functions under the Insurance Brokers (Registration) Act 1977;

(l) any person appointed or authorised to discharge any powers under section 94, 106 or 177 of the Financial Services Act 1986 to exercise any of those powers;

(m) the Director to discharge any of his functions under—

(i) this Act;

(ii) the Fair Trading Act 1973 (other than Part II);

(iii) the Consumer Credit Act 1974;

(iv) the Restrictive Trade Practices Act 1976;

(v) the Estate Agents Act 1979;

(vi) the Competition Act 1980;

(vii) the Financial Services Act 1986;

(viii) the Control of Misleading Advertisements Regulations 1988;

(n) the Monopolies and Mergers Commission to discharge any of its functions under the Fair Trading Act 1973 and the Competition Act 1980;

(o) the Scottish Conveyancing and Executory Services Board to discharge any of its functions;

(p) an authority in a country or territory outside the United Kingdom to discharge any functions corresponding to—

(i) the functions of the Board, the Building Societies Commission or the Bank of England; or

(ii) those functions of the Secretary of State mentioned in paragraph (g);

(q) the Insolvency Practitioners Tribunal to discharge any of its functions under the Insolvency Act 1986;

(r) the Financial Services Tribunal to discharge any of its functions under the Financial Services Act 1986.

(3) Subject to subsection (4), section (*Restrictions on disclosure of information*) shall not prevent the disclosure of information for the purpose of enabling or assisting any public or other authority for the time being designated for the purposes of this section by an order made by the Lord Chancellor to discharge any functions which are specified in the order.

(4) An order under subsection (3) designating an authority for the purposes of this section may—

(a) impose conditions subject to which the disclosure of information is permitted by subsection (3); and

(b) otherwise restrict the circumstances in which disclosure is permitted.

(5) Where information has been disclosed by one person ("the first person") to another, by virtue of subsection (2), section (*Restrictions on disclosure of information*) shall not prevent that other person from disclosing that information to any person to whom it could have been disclosed by the first person by virtue of subsection (2).

(6) The Lord Chancellor may by order modify the application of any provision of this section so as—

(a) to prevent the disclosure of information by virtue of that provision; or

(b) to restrict the extent to which disclosure of information is permitted by virtue of that provision.'.

—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 12

BOARD'S INTERVENTION POWERS

'.—(1) The powers conferred on the Board by this section may be exercised if it appears to the Board to be desirable to do so for the purpose of protecting the interests of the clients, or prospective clients, of an authorised practitioner.

(2) The Board may, in particular, exercise any such power where it appears to it—

(a) that an authorised practitioner who is an individual is no longer fit to provide conveyancing services;

(b) that any person carrying on the business of an authorised practitioner is not fit to provide such services; or

(c) that an authorised practitioner has failed, or is likely to fail, to comply with any regulation made under section 38.

(3) The Board may direct the authorised practitioner not to dispose of, or otherwise deal with, except in accordance with the terms of the direction—

(a) any assets belonging to any client of the authorised practitioner and held by or under the control of the authorised practitioner in connection with his business as an authorised practitioner; or

(b) any assets of such a kind which are specified in the direction.

(4) The Board may direct the authorised practitioner to transfer to the Board, or to such persons ("the trustees") as may be specified in the direction—

(a) all assets belonging to any client of that practitioner and held by or under his control in connection with his business as an authorised practitioner; or

(b) any assets of such a kind which are specified in the direction.

(5) Any assets which have been transferred as a result of a direction given under subsection (4) shall be held by the Board, or by the trustees, on trust for the client concerned.

(6) The trustees may deal with any assets which have been transferred to them only in accordance with directions given to them by the Board.

(7) In this section—

"assets" includes any sum of money held (in whatever form and whether or not in any bank, building society or other account) by the authorised practitioner or on behalf of the client concerned and any instrument or other document belonging to that client; and

"authorised practitioner" includes a person whose authorisation has been suspended or revoked under section 37.

(8) Any direction under this section—

(a) must be given in writing;

(b) must state the reason why it is being given;

(c) shall take effect on such date as may be specified in the direction (which may be the date on which it is served on the authorised practitioner);

(d) may be varied or revoked by a further direction given by the Board.'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 13

Board's intervention powers: Supplemental Provisions

'.—(1) In this section—

"the intervention powers" means the powers given to the Board by section (*Board's powers of intervention*); and

"a direction" means a direction given under that section.

(2) An authorised practitioner to whom a direction is given may appeal against it to a Conveyancing Appeal Tribunal.

(3) Any authorised practitioner to whom a direction is given shall comply with it as soon as it takes effect (and whether or not he proposes to appeal).

(4) If, on an application made to the High Court by the Board, the court is satisfied—

(a) that an authorised practitioner has failed, within a reasonable time, to comply with any direction given to it; or

(b) that there is a reasonable likelihood that an authorised practitioner will so fail,

it may make an order requiring the authorised practitioner, and any other person whom the court considers it appropriate to subject to its order, to take such steps as the court may direct with a view to securing compliance with the direction.

(5) Where an authorised practitioner is—

(a) an authorised person under the Financial Services Act 1986; or

(b) an appointed representative (as defined in section 44(2) of that Act) of such an authorised person,

the intervention powers may be exercised only after consultation with the body by reference to which the authorised person acquired its authorisation under that Act.

(6) Where an authorised practitioner is—

(a) an institution which is authorised by the Bank of England under Part I of the Banking Act 1987 to carry on a deposit-taking business; or

(b) an appointed representative of such an institution,

the intervention powers may be exercised only after consultation with the Bank of England.

(7) Where an authorised practitioner is—

(a) a building society which is authorised to raise money from its members by the Building Societies Commission under section 9 of the Building Societies Act 1986; or

(b) an appointed representative of such a building society,

the intervention powers may be exercised only after consultation with the Commission.

(8) Where an authorised practitioner falls within more than one of subsections (5) to (7), the Board shall comply with each of the subsections in question.'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 14

The Council for Licensed Conveyancers

'.—(1) Subject to subsection (2), the Council for Licensed Conveyancers shall have the powers necessary to enable it to become—

(a) an authorised body for the purposes of granting rights of audience under section 25(2)(a);

(b) an authorised body for the purposes of granting rights to conduct litigation under section 26(2)(a); and

(c) an approved body for the purposes of granting, in accordance with section 46, exemption from the provisions of section 23(1) of the Solicitors Act 1974 (preparation of probate papers).

(2) The Council may exercise the powers given to it by this section only with respect to persons who are licensed conveyancers.

(3) Where the Council—

(a) becomes an authorised body for the purposes of section 25 and grants any right of audience;

(b) becomes an authorised body for the purposes of section 26 and grants any right to conduct litigation; or

(c) becomes an approved body for the purposes of section 46 and grants an exemption under that section,

it shall do so by issuing a licence to the licensed conveyancer to whom the right or exemption is being granted.

(4) Any such licence may be granted as a separate licence or as part of a composite licence comprising the licensed conveyancer's licence issued under Part II of the Administration of Justice Act 1985 and any other licence which the Council may grant to the licensed conveyancer concerned.

(5) The Council's general duty shall include the duty to ensure that the standards of competence and professional conduct among licensed conveyancers who are granted rights of audience, rights to conduct litigation or an exemption under section 46 are sufficient to secure adequate protection for consumers, and that the advocacy, litigation or (as the case may be) probate services provided by such persons are provided both economically and efficiently.

(6) Where the Council exercises any of its powers in connection with—

(a) an application under section 27 for authorisation or an application under Schedule 8 for approval; or

(b) the granting of any right of audience or right to conduct litigation or of an exemption under section 46,

it shall do so subject to any requirements to which it is subject in accordance with the provisions of this Act relating to the grant of any such right or exemption.

(7) Schedule (*Licensed conveyancers*) makes further provision in connection with the powers given to the Council by this section and the provision made by the Act of 1985 in relation to licensed conveyancers, including amendments of Part II of that Act.

(8) The Lord Chancellor may by order make such—

(a) amendments of, or modifications to, the provisions of Part II of the Act of 1985; or

(b) transitional or consequential provision,

as he considers necessary or expedient in connection with the provision made by this section and Schedule (*Licensed conveyancers*).

(9) Subject to any provision made by this section, Schedule (*Licensed conveyancers*) or any order made by the Lord Chancellor under subsection (8), the provisions of Part II of the Act of 1985 shall, with the necessary modifications, apply with respect to—

(a) any application for an advocacy, litigation or probate licence;

(b) any such licence;

(c) the practice of any licensed conveyancer which is carried on by virtue of any such licence;

(d) rules made by the Council under Schedule (*Licensed conveyancers*);

(e) the management and control by licensed conveyancers (or by licensed conveyancers together with persons who are not licensed conveyancers) of bodies corporate carrying on businesses which include the provision of advocacy, litigation or probate services; and

(f) any other matter dealt with by this section or Schedule (*Licensed conveyancers*),

as they apply with respect to the corresponding matters dealt with by Part II of that Act.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this we shall discuss Government amendments Nos. 11, 72, 75, 80 and 81.

The Solicitor-General: The amendments, although necessarily bulky—I apologise to the House that they are bulky, but they will be recognised by members of the Committee as following our previous discussions—are straightforward in their main purpose, which is to extend the powers of the Council for Licensed Conveyancers so that it will have the opportunity to apply, under the framework in part II of the Bill, for approval to license conveyancers to undertake probate work, and authorisation to grant them rights of audience and rights to conduct litigation.

The council is a statutory body, established under the Administration of Justice Act 1985 to grant licences and regulate practitioners solely for the provision of conveyancing services. It therefore has no power to license its members to do other work.

Under clause 27 of the Bill, however, professional or other bodies will be able to apply for authorisation to grant their members rights of audience and rights to conduct litigation. Under clause 46, bodies may be approved by the Lord Chancellor to grant their members exemptions from the provisions of section 23(1) of the Solicitors Act 1974, thus enabling them to undertake probate work.

The Council for Licensed Conveyancers has already shown its interest in seeking such authorisation and approval. Furthermore, in the Green and White Papers that preceded the Bill, the Government made it clear that they intended that licensed conveyancers should be able to offer probate services.

It is therefore necessary to amend the Administration of Justice Act 1985 to enable the council to pursue applications for authorisation or approval under those provisions, and the new clause 14 and first part of the new schedule provide for that.

The procedures required in the event of a successful application are set out in detail to be consistent with the framing of the original legislation. The amendments will not in themselves, however—this should be understood—give the council the power to grant any further rights or exemptions. They will simply place it on the same footing as other bodies able to seek authorisation in due course.

Part II of the schedule extends the council's more detailed powers to enable it to operate and to regulate its members more efficiently and effectively, and to improve the position of the consumer client. They include increased powers to delegate functions to committees of the council, and to intervene in the practice of a licensed conveyancer; revised powers to deal with cases in which the professional services provided are inadequate, including a new power to award compensation of up to £1,000 in such cases and adopt for licensed conveyancers the powers in relation to solicitors that were added to the Bill in Committee in this House; and finally, additional powers to require licensed conveyancers to account for deposit interest on money held for clients, and powers to endorse or attach conditions to licences.

Amendments Nos. 72, 78, 80 and 81 concern necessary minor consequential and transitional changes, and repeals.

The amendments will enable the new profession of licensed conveyancers to seek to develop other new areas of business in the provision of legal services, to the benefit, we hope, of the profession and the consumer, and to make further changes to increase consumer protection.

Mr. Fraser: I thank the Solicitor-General for his comments. Did the Council of Licensed Conveyancers ask for those powers to obtain rights of audience, did it ask solely in relation to probate work, or did it ask at all? Perhaps the Solicitor-General can confirm that only 200 licensed conveyancers are actually in private practice, At the end of 1993, the Government will have provided £466,000 in subsidy to the licensed conveyancers' body. Is that expenditure to continue? Is it consistent with the Government's rather market-orientated, vigorous financial approach to those matters?

I welcome the hon. Member for Ealing, Acton (Sir G. Young) to the Government Front Bench. It is always good to see Lambeth councillors in the House. One is the Chancellor of the Exchequer. It is nice to see another on the Government Front Bench. It is only a pity that hon. Members cannot hear him talk.

Mr. Peter Temple-Morris (Leominster): One need not go through the rather enormous declarations of interest that all those who served on the Standing Committee went through in their traverses between one side of the legal

[Mr. Peter Temple-Morris]

profession and the other. Although I do not intend to do that, it will shorten matters if I inform the House—most hon. Members are aware of this—that I shall be speaking on behalf of the Law Society, as I did in Committee. Although my personal thoughts may penetrate my arguments, it will be much easier if everyone presumes, unless I say otherwise, that the views that I am giving are those of the Law Society.

The hon. Member for Norwood (Mr. Fraser) has more or less made the points that I wanted to make. However, may I underline one of them, which I hope that my right hon. and learned Friend will deal with in his answer. The Law Society's solicitors' branch believes that this is an entirely proper new clause. The creation of licensed conveyancers to compete with solicitors is fair enough, but if they continued to receive public subsidy, that would not be totally satisfactory; indeed, it would be unsatisfactory.

7 pm

Mr. Austin Mitchell: I rise only to sound a note of dissent from the tendency to praise with faint damns. I welcome the new clause and the expenditure. We shall achieve a social purpose by breaking the solicitors' monopoly over conveyancing. Therefore, the expenditure to achieve that end is justified. We are creating a new professional. Our creation needs the encouragement and support that he is getting. On that basis, I welcome the new clause.

Sir Hugh Rossi (Hornsey and Wood Green): I do not know whether I am talking out of turn. I was not a member of the Committee that considered the Bill and I saw the papers only about an hour ago. Therefore, the House will forgive me if I am somewhat confused about the matter.

My right hon. and learned Friend referred to the use of authorised conveyancers in probate cases. This may therefore be an opportune moment to ask him a question about that. Little was said about probate practice when the Bill was discussed in Committee. If authorised conveyancers are to be allowed to do probate work, will provision be made to ensure that reasonable charges are set by them for the work that they undertake? Solicitors' costs are taxed. Solicitors charge far less than banks for their probate services. The general public will not be given the protection that they ought to have unless the Bill contains such a provision. I have been unable to spot one. Is a complaints procedure provided for in the Bill, to which the general public will have access, in respect of the probate services that the new profession will be allowed to provide?

The Solicitor-General: This new profession will supplement the great solicitors' profession which has existed for hundreds of years. I am sorry that the hon. Member for Great Grimsby (Mr. Mitchell) has left the Chamber. To some extent, he can claim to be the midwife of the new profession, and to some extent the midwife's fees have been paid in the form of the £466,000 that was mentioned. I take the figure from the hon. Member for Norwood (Mr. Fraser). I do not have it in front of me. However, that will be pump-priming money to enable this professional body to get off the ground.

There are about 700 licensed conveyancers. The hon. Member for Norwood was right when he said that only about 200 of them are in independent private practice. Most of the others are employed by solicitors. A good many of them are legal executives, and some of them are quite distinguished. That is a sound basis for a new profession.

I shall seek to find the answer to the question asked by my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi) about the taxation of costs. The Bill will create a framework within which the Council for Licensed Conveyancers will be able to provide protection to the public of the kind that the Law Society seeks to provide for the public in relation to solicitors. I do not suggest that that protection is as sophisticated and advanced as that which has been developed by the Law Society over a long period. That, however, is the objective, and that is why the Government have primed the pump.

Mr. Vaz: Do the Government intend to continue to provide money for the council? Do they intend to get some of it back? Is the council to be self-financing in the way that the Authorised Conveyancing Practitioners Board is to be self-financing?

The Solicitor-General: There is both a similarity and a distinction. We do not intend to seek to get back the pump-priming money. That is where there is a distinction, compared with the Authorised Conveyancing Practitioners Board. The board figure is £900,000. That is the figure that the hon. Gentleman and I discussed in Committee. I intended to write to him, and I apologise for the fact that I did so only today, with more details of the make-up of that sum. It is intended that some of the start-up money for the Authorised Conveyancing Practitioners Board should be recouped. The purpose of the money resolution is that the necessary financial structure should be capable of being put in place.

Mr. Vaz: Is it right that the latest grant of £130,000 for the next three years will be the last grant that the Government intend to give to the Council for Licensed Conveyancers?

The Solicitor-General: I do not know the answer to that question. However, several hon. Members have asked whether the council is to become self-supporting. That is most certainly the Government's intention. I shall seek to find out whether a decision has been reached on whether that is to be the last pump-priming figure.

Question put and agreed to.

Clause read a Second Time, and added to the Bill.

New clause 15

LEGAL PROFESSIONAL PRIVILEGE

'.—(1) This section applies to any communication made to or by a person who is not a barrister or solicitor at any time when that person is—

(a) providing advocacy or litigation services as an authorised advocate or authorised litigator;

(b) providing conveyancing services as an authorised practitioner; or

(c) providing probate services as a probate practitioner.

(2) Any such communication shall in any legal proceedings be privileged from disclosure in like manner as if the person in question had at all material times been acting as his client's solicitor.

(3) In subsection (1), "probate practitioner" means a person to whom section 23(1) of the Solicitors Act 1974 (unqualified person not to prepare probate papers etc.) does not apply.".—*[The Attorney-General.]*

Brought up, and read the First time.

The Attorney-General (Sir Patrick Mayhew): I beg to move, That the clause be read a Second time.

This new clause extends the concept of legal professional privilege so as to apply to the new classes of legal practitioner established by the Bill—that is to say, authorised advocates, authorised litigators, authorised practitioners and probate practitioners.

Legal professional privilege is based on the practice, developed in the Court of Chancery in the first instance, which ensures—this is a sensible and thoroughly up-to-date purpose—that communications made to and from a legal adviser for the purpose of obtaining and providing legal advice and assistance are protected from disclosure in the course of any subsequent legal proceedings. The reason is not undue love of secrecy; the protection exists to enable the client to confide fully in his adviser without fear of disclosure. That is valuable in the interests of the administration of justice.

Clearly, a person seeking advice from one of the new classes of legal practitioner being created by the Bill should be in no worse position, as regards the confidentiality of his communications to and from the practitioner, than if he were seeking advice from an established legal practitioner.

The new clause therefore ensures that communications to or from one of the new legal practitioners will enjoy legal professional privilege, just as if the practitioner acting for the client had been a solicitor.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 16

DISCRIMINATION BY, OR IN RELATION TO, ADVOCATES

'.—(1) The following shall be inserted in the Sex Discrimination Act 1975 after section 35A (as inserted by this Act)—

"*Advocates*

Discrimination by, or in relation to, advocates.

35B.—(1) It is unlawful for an advocate, in relation to taking any person as his pupil, to discriminate against a woman—

(a) in the arrangements which he makes for the purpose of determining whom he will take as his pupil;
(b) in respect of any terms on which he offers to take her as his pupil; or
(c) by refusing, or deliberately omitting, to take her as his pupil.

(2) It is unlawful for an advocate, in relation to a woman who is a pupil, to discriminate against her—

(a) in respect of any terms applicable to her as a pupil;
(b) in the opportunities for training, or gaining experience, which are afforded or denied to her;
(c) in the benefits, facilities or services which are afforded or denied to her; or
(d) by terminating the relationship or by subjecting her to any pressure to terminate the relationship or other detriment.

(3) It is unlawful for any person, in relation to the giving, withholding or acceptance of instructions to an advocate, to discriminate against a woman.

(4) In this section—

'advocate' means a member of the Faculty of Advocates practising as such; and

'pupil' has the meaning commonly associated with its use in the context of a person training to be an advocate.

(5) Section 3 applies for the purposes of this section as it applies for the purposes of any provision of Part II.

(6) This section does not apply to England and Wales."

(2) The following shall be inserted in the Race Relations Act 1976 after section 26A (as inserted by this Act)—

"*Advocates*

Discrimination by, or in relation to, advocates.

26B.—(1) It is unlawful for an advocate, in relation to taking any person as his pupil, to discriminate against a person—

(a) in the arrangements which he makes for the purpose of determining whom he will take as his pupil;
(b) in respect of any terms on which he offers to take any person as his pupil; or
(c) by refusing, or deliberately omitting, to take a person as his pupil.

(2) It is unlawful for an advocate, in relation to a person who is a pupil, to discriminate against him—

(a) in respect of any terms applicable to him as a pupil;
(b) in the opportunities for training, or gaining experience, which are afforded or denied to him;
(c) in the benefits, facilities or services which are afforded or denied to him; or
(d) by terminating the relationship or by subjecting him to any pressure to terminate the relationship or other detriment.

(3) It is unlawful for any person, in relation to the giving, withholding or acceptance of instructions to an advocate, to discriminate against any person.

(4) In this section—

'advocate' means a member of the Faculty of Advocates practising as such; and

'pupil' has the meaning commonly associated with its use in the context of a person training to be an advocate.

(5) This section does not apply to England and Wales.".'.—*[The Attorney-General.]*

Brought up, and read the First time.

The Attorney-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 107.

The Attorney-General: In Committee, the Government introduced, and the Committee accepted, amendments to the Sex Discrimination Act 1975 and the Race Relations Act 1976 to make it unlawful for a barrister or a barrister's clerk to discriminate against a pupil on grounds of sex or race and for any person giving, withholding or accepting instructions to a barrister to discriminate on grounds of sex or race. That is effected by clause 53 of the Bill.

In Committee the Government gave an assurance that an amendment to cover Scotland would be tabled on Report. The new clause and the amendment fulfil that undertaking, which has the support of the Faculty of Advocates. I am much fortified by the presence of my hon. Friend the Under-Secretary of State for Scotland, who marks the importance that we attach to the presence of a Scottish Minister when Scottish legislation passes through the House.

A separate clause is required to cover Scotland, because there are differences between the ways in which barristers in England and Wales practise and the way in which advocates in Scotland practise. The most relevant

[The Attorney-General]

difference for these purposes is that advocates do not practise from chambers in the way that barristers do. Therefore, references to tenancies, which occur in clause 53, would not have any meaning. I have said enough about this thoroughly worthwhile provision.

Mr. Fraser: As I am of Scottish ancestry, it is better that I speak to the new clause. Of course we welcome it, as we welcomed the extension of the Sex Discrimination Act 1975 and the Race Relations Act 1976 to barristers and solicitors. It is a pity—I say this with the authority of my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar), the shadow Secretary of State for Scotland—that the new clause does not appear in the Law Reform (Miscellaneous Provisions) (Scotland) Bill, which finished its Committee stage at 3 o'clock this morning and is due to come back to the House. We say that for the practical reason that it would be much better if a Scottish clause were found in a Scottish Bill. It is almost the only Scottish provision in an English and Welsh Bill. It would sit better in Scottish legislation. Perhaps that could be considered at a later stage.

The Attorney-General: It is a great pity that several things do not appear in the Bill to which the hon. Gentleman referred. We mark the peculiarity—I shall not go so far as to say anomaly—to which the hon. Gentleman referred by the presence of my hon. Friend the Under-Secretary of State for Scotland. I should be delighted if he said something about it, although I doubt that there is much more to be said. My hon. Friend is here and he will say at once if he wishes to contribute. I think that he would. I shall postpone the remainder of my answer for a moment, if that is in order, Mr. Deputy Speaker.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I had not anticipated that I would have to speak on the new clause. The Faculty of Advocates—I am an advocate—would regard discrimination of any kind as unthinkable. It is altogether appropriate that the new clause should be inserted in this Bill, but I shall consider the point that the hon. Member for Norwood (Mr. Fraser) mentioned in case there is any possibility of putting the provision in the Scottish Bill. However, I believe that it is satisfactory in this Bill. If the hon. Gentleman is willing to leave it at that, I shall be most grateful.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 17

ADMINISTRATION OF OATHS ETC. BY JUSTICES IN CERTAIN PROBATE BUSINESS

'.—(1) Every justice shall have power to administer any oath or take any affidavit which is required for the purposes of an application for a grant of probate or letters of administration made in any non-contentious or common form probate business.

(2) A justice before whom any oath or affidavit is taken or made under this section shall state in the jurat or attestation at what place and on what date the oath or affidavit is taken or made.

(3) No justice shall exercise the powers conferred by this section in any proceedings in which he is interested.

(4) A document purporting to be signed by a justice administering an oath or taking an affidavit shall be admitted in evidence without proof of the signature and without proof that he is a justice.

(5) In this section—

"affidavit" has the same meaning as in the Commissioners for Oaths Act 1889;

"justice" means a justice of the peace;

"letters of administration" includes all letters of administration of the effects of deceased persons, whether with or without a will annexed, and whether granted for general, special or limited purposes; and

"non-contentious or common form probate business" has the same meaning as in section 128 of the Supreme Court Act 1981.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

New clause 17 enables justices of the peace to administer oaths or take affidavits in non-contentious probate proceedings. It provides that the justices must state in the jurat when and where the oath or affidavit was taken or made.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 18

POWER OF PARTIES IN CERTAIN CASES TO FILL VACANCY

.—(1) In section 10 of the Arbitration Act 1950 (power of court in certain cases to appoint an arbitrator or umpire), the following shall be substituted for subsection (3)—

"(3) In any case where—

(a) an arbitration agreement provides that the reference shall be to three arbitrators, one to be appointed by each party and the third to be appointed by the two appointed by the parties or in some other manner specified in the agreement; and

(b) one of the parties ("the party in default") refuses to appoint an arbitrator or does not do so within the time specified in the agreement or, if no time is specified, within a reasonable time,

the other party to the agreement, having appointed his arbitrator, may serve the party in default with a written notice to appoint an arbitrator.

(3A) A notice under subsection (3) must indicate whether it is served for the purposes of subsection (3B) or for the purposes of subsection (3C).

(3B) Where a notice is served for the purposes of this subsection, then unless a contrary intention is expressed in the agreement, if the required appointment is not made within seven clear days after the service of the notice—

(a) the party who gave the notice may appoint his arbitrator to act as sole arbitrator in the reference; and

(b) his award shall be binding on both parties as if he had been appointed by consent.

(3C) Where a notice is served for the purposes of this subsection, then, if the required appointment is not made within seven clear days after the service of the notice the High Court or a judge thereof may, on the application of the party who gave the notice, appoint an arbitrator on behalf of the party in default who shall have the like powers to act in the reference and make an award (and, if the case so requires, the like duty in relation to the appointment of a third arbitrator) as if he had been appointed in accordance with the terms of the agreement.

(3D) The High Court or a judge thereof may set aside any appointment made by virtue of subsection (3B)."

(2) Section 10 of the Act of 1950 shall continue to apply in relation to any arbitration agreement entered into before the commencement of this section as if this section had not been enacted.

(3) Subsection (2) does not apply if a contrary intention is expressed in the arbitration agreement, whether or not as the result of a variation made after the commencement of this section.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

New clause 18 amends section 1c(3) of the Arbitration Act 1950 to provide for the appointment of an arbitrator in a reference, which is to be to three arbitrators without the need for an application to the court to make such an appointment in circumstances where one party fails to make the appointment expected of him.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 19

COSTS AGAINST LEGAL REPRESENTATIVES ETC. IN CRIMINAL PROCEEDINGS

'. The following section shall be inserted after section 19 of the Prosecution of Offences Act 1985—

"*Costs against legal representatives etc.*

19A.—(1) In any criminal proceedings—

(a) the Court of Appeal;

(b) the Crown Court; or

(c) a magistrates' court,

may disallow, or (as the case may be) order the legal or other representative concerned to meet, the whole of any wasted costs or such part of them as may be determined in accordance with regulations.

(2) Regulations shall provide that a legal or other representative against whom action is taken by a magistrates' court under subsection (1) may appeal to the Crown Court.

(3) In this section—

"legal or other representative", in relation to any proceedings, means a person who is exercising a right of audience, or a right to conduct litigation, on behalf of any party to the proceedings;

"regulations" means regulations made by the Lord Chancellor; and

"wasted costs" means any costs incurred by a party—

(a) as a result of any improper, unreasonable or negligent act or omission on the part of any representative or any employee of a representative; or

(b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay." '.—*[The Attorney-General.]*

Brought up, and read the First time.

The Attorney-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take the following: As amendments to the proposed new clause, amendment *(e)*, in line 13, at end insert

'and that a legal or other representative against whom action is taken by the Crown Court under Subsection (1) may appeal to the Court of Appeal.'.

Amendment *(g)*, in line 13, at end insert—

'(2A) Where an appeal under subsection (2) is successful in whole or in part the Court hearing the appeal may make an order for payment of the legal or other representative's costs of the original hearing and the appeal to be made either out of central funds or, where the order under subsection (1) was made at the instance of any party to the proceedings, by that party'.

Amendment *(b)*, in line 22, after 'representative', insert 'in breach of that representative's duty to the court or to his client'.

Amendment *(c)*, in line 22, after 'representative', insert 'or employee of the Crown Prosecution Service'.

Amendment *(d)*, in line 25, at end insert—

'(4) Regulations made by virtue of this section—

(a) shall require a court which proposes to make a costs order against a legal or other representative to allow him a reasonable opportunity to appear before it and show cause why it should not do so; and

(b) shall provide that no such order shall be made after the end of the period of six months beginning with the date on which the proceedings are disposed of by the court.'.

Government amendment No. 13.

Government amendment No. 14, in clause 4, page 7, line 22, at end insert—

'(5A) In any proceedings mentioned in subsection (1), the court may disallow, or (as the case may be) order the legal or other representative concerned to meet, the whole of any wasted costs or such part of them as may be determined in accordance with rules of court.

(5B) In subsection (5A), "wasted costs" means any costs incurred by a party—

(a) as a result of any improper, unreasonable or negligent act or omission on the part of any legal or other representative or any employee of such a representative; or

(b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay.'.

As amendments to the proposed amendment, amendment (a), in line 8, after 'representative', insert 'in breach of that representative's duty to the court or to his client'.

[Mr. Deputy Speaker]

Amendment (b), in line 10, at end insert—

'(5C) Rules of court—

(a) shall provide that where the court proposes to make a costs order against a legal or other representative it shall allow him a reasonable opportunity to appear before it and show cause why it should not do so; and

(b) shall provide that no such order shall be made after the end of the period of six months beginning with the date on which the proceedings are disposed of by the court.

(5D) Where an appeal against an order under subsection (5A) is successful in whole or in part the court may make an order for payment of the legal or other representative's costs of the original hearing and the appeal to be made either out of central funds or where the order under subsection (5A) was made at the instance of any party to the proceedings, by that party.'.

Government amendments Nos. 15 and 16.

Government amendments No. 37, in clause 93, page 73, line 35, leave out subsection (1) and insert—

'(1) In any civil proceedings, a magistrates' court may disallow or (as the case may be) order the legal or other representative concerned to meet the whole of any wasted costs or such part of them as may be determined in accordance with rules.

(1A) In subsection (1), "wasted costs" means any costs incurred by a party—

(a) as a result of any improper, unreasonable or negligent act or omission on the part of any legal or other representative or any employee of such a representative; or

(b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay.'.

Amendment (a) to the proposed amendment, in line 8, after 'representative', insert

'in breach of that representative's duty to the court or to his client'.

Government amendments Nos. 38 to 41.

Government amendment No. 42, in clause 93, page 74, line 31, at end insert 'and

(d) shall provide that a legal or other representative against whom action is taken under the rules may appeal to the Crown Court".'.

Amendment (a) to the proposed amendment, at end insert,

'and where such an appeal is successful in whole or in part the Crown Court may make an order for payment of the legal or other representative's costs of the original hearing and the appeal to be made either out of central funds or where the order under subsection (1) was made at the instance of any party to the proceedings, by that party'.

Government amendment No. 183.

7.15 pm

The Attorney-General: The package of amendments of which new clause 19 forms part was foreshadowed in another place and in Committee. It establishes in primary legislation an identical power and identical test for its exercise in each court whereby legal and other representatives may be ordered to compensate others for costs that result from the representatives' own fault. In doing so, the amendments clear up a confusion in the law about the applicable test in such cases in the Supreme Court. After debates in another place, and with the agreement of the Lord Chief Justice and the Master of the Rolls, the Government are in no doubt that the applicable test should be the one of simple negligence and that the test needs to be clearly established in primary legislation. In plain terms, justice surely demands that all the courts have power to shift the loss from an innocent party on to the representative whose negligence has caused it.

I hope that amendment No. 14 will be taken with the new clause or, if not, immediately afterwards. I trust that it is relevant for me to speak to it now.

Amendment No. 14 establishes the simple negligence test for the High Court in the Court of Appeal civil division as a gloss on the general costs power in section 51 of the Supreme Court Act 1981. Amendment No. 16 achieves the same result for civil cases in the Crown court through section 52 of the same Act.

Amendment No. 37 brings clause 93 into line for the magistrates civil jurisdiction. New clause 19 does the same for criminal proceedings in the Crown court and magistrates courts by means of a new section in the Prosecution of Offences Act 1985. Amendments Nos. 13, 15, 38 and 40 apply the power to representatives who are not lawyers. Amendment No. 42 and new clause 19(2) provide the important new safeguard of an appeal from the magistrates to the Crown court. Amendments Nos. 39, 41 and 183 are purely consequential.

I should make clear the relationship between the amendments and the inherent jurisdiction of the Supreme Court. Whenever costs are incurred through the fault of a representative, the power which is the subject of the amendments will be available. It will not be affected in any way by the inherent disciplinary power of the Supreme Court. Conversely, the latter remains intact.

Mr. Bermingham: Does the Attorney-General agree that, when one reads the new clause against the background of other clauses in other Bills on these matters, and when one reads them against one's experience of practice—the last time that we debated the matter I forgot to declare a slight interest as a practising barrister, and a pecuniary interest—one of the greatest problems not addressed by either the new clause or existing legislation is that faced by the representative? The representative, whether for the prosecution or the defence, must act in accordance with the instructions of the plaintiff or defendant. There comes a point when those instructions can create the problems that give rise to the impression of either negligence or incompetence. However, the representative is not in a position to tell the court the true reasons for his or her actions, simply because to do so would be a breach of privilege.

The Attorney-General: One trusts that a course of action followed by an advocate is always at least consistent

with, if not the result of, instructions properly given. But negligence is a breach of the duty to take reasonable care. Therefore, all the circumstances must be taken into account. If the complaint is the result of the proper application of an advocate's discretion to instructions properly given to him, that will be a complete defence. The inherent jurisdiction of the court remains intact and the negligence test applicable under these proposals in no way affects any stricter test applying under the inherent jurisdiction.

Mr. Fraser: I want to concentrate on the amendments. There is no disagreement about the principle in the new clause. However, practitioners are entitled to some protection against these provisions, particularly since it is not always as easy as the Attorney-General said for a representative to explain openly exactly what his client has said. For instance, if may be alleged against a representative that the time of the court has been negligently wasted because a case was fixed as a plea of guilty and, at the last moment, it was changed to a plea of not guilty. However, that may have been the result of instructions given by the client. It may be difficult to advance arguments about the relationship between a solicitor or barrister and his client in explaining why the costs have been thrown away. They may have to say to the court, "He told me for 12 months that he was guilty and at the last moment he said that he was not guilty." That may be embarrassing for the person involved and it would not be easy for the representative to put forward that argument.

What is more, despite what the Attorney-General said, there is no suggestion that, if the Crown prosecution service is negligent, it should pay the costs of the other parties. What he is suggesting in those circumstances would not lead to equality between prosecution and defence. In those cases, the costs may be paid out of public funds and not personally by the Crown prosecution service.

The amendments seek to ensure that costs will be awarded against a representative only if they have been negligent or seriously neglected their duty to the court. Also, before any order is made, a legal representative must be given the opportunity to make representations against it so that such matters will not be dealt with in their absence. We advocate that, if such an order is made, there should be a right of appeal against it and that if an appeal is successful, the costs of conducting it ought to be given to the advocate who was wrongly stigmatised by the order.

There was a case last year which was written up in some detail this month in the London criminal practitioners magazine. It involved five cases of solicitors against whom costs were ordered under the existing inherent jurisdiction. When the matter went to the Court of Appeal, it was clear that the fault did not lie with those against whom the orders for costs were made. The appeal had to be financed by the Law Society and, as far as I know, the costs were not paid by the Crown prosecution service, out of public funds or, as might be argued under the circumstances, because he seems to be at the heart of the matter, by the judge.

Such matters should not be undertaken lightly. If such orders can be made against them, legal representatives should be adequately protected in the way we have suggested in our amendments.

Mr. Temple-Morris: I agree with the hon. Member for Norwood (Mr. Fraser). You will have noticed, Mr. Deputy Speaker, that my name accompanies the illustrious names of the right hon. and learned Member for Aberavon (Mr. Morris) and the hon. Member for Norwood on the amendments. I ask the Government to consider the amendments sympathetically. Even if they are not prepared today to think again, they might bear in mind the fact that another place has yet to consider amendments from this House.

As hon. Members know, the basic position of inherent jurisdiction now means that cost orders can be made in circumstances in which there is a serious dereliction of duty to the court. The duty to the court is paramount.

I wish to echo the words of various hon. Members who have mentioned the amount, and often the complexity, of the new clauses and amendments that are still arriving at this late stage. The original intention of the Bill many moons ago was to extend the existing powers to the magistrates court. That was acceptable to the profession. Now, at this late stage, we have a considerable and sudden increase in powers.

My right hon. and learned Friend the Attorney-General said that after consideration it was decided that the overall test should be straight negligence. However, orders can now be made against a legal representative for "any improper, unreasonable or negligent act or omission".

The making of such orders virtually needs the adoption of completely new procedures. It is relatively simple to assess from the bench a serious dereliction of duty to the court, but when we are considering what constitutes "any improper, unreasonable or negligent act or omission", the trials within trials in criminal cases will be as nothing compared to trials that may feature legal representatives before minds are made up. There has been little consultation on this because of the late arrival of the new clause, and I ask my right hon. and learned Friend to think again.

The hon. Member for Norwood referred to the specific amendments which bear my name. New clause 19 gives the right of appeal from a magistrates court to a Crown court, and amendment (e) gives the right of appeal from the Crown court upwards. What is sauce for the goose should be sauce for the gander. If there can be an appeal from the magistrates court, there should be an appeal from the Crown court. It is only fair. The justification is that we are dealing with an extremely serious matter for the lawyers involved and the higher the court, the more serious it is.

Amendment (g) deals with the costs of an appeal. At present, under the new clause, an appeal can be made from the magistrates court to the Crown court, but there is no power to award costs to a successful appellant. I pray in aid the words of the Lord Chief Justice in November 1989 when he was considering five cases of Crown court cost orders against solicitors. He expressed concern at the lack of such a power and indicated a preference for a power to award costs from central funds. That is what amendment (g) seeks to do. I hope that my right hon. and learned Friend the Attorney-General will consider it sympathetically. It was raised in another place and the Lord Chancellor was unclear as to what would be the outcome.

Amendment (b) relates the new provision to the court and the client. Therefore, we retain the negligence test of "any improper, unreasonable or negligent act or omission" and we add

[Mr. Temple-Morris]

"in breach of that representative's duty to the court or to his client."

That limits the provision and makes it easier for a court to make up its mind. Also, it may prevent the chaos that could occur as a result of the breadth of the original provision. Also, because of a duty to the court or to the client, it removes the other party to any particular proceeding from urging that such an order be made against his adversary. That is important in criminal cases where some heat may have been engendered. It is vital that the defence advocate remains free to defend his client fearlessly as well as to the best of his ability.

Amendment (c) gives the right of appeal from the Crown court to the Court of Appeal.

Amendment (d) is important. It gives legal representatives the right to appear before any cost order is made against them. As my right hon. and learned Friend the Attorney-General knows, Supreme Court rules, order 62, rule 11(4), give such a right of appearance to the legal representative in civil cases. If we are to be rational, that should apply to any criminal proceedings.

It is all very well to say that natural justice will prevail and any judge or judicial officer is bound to allow legal representatives to come before him before he makes such an order, but the very fact that it is mandatory under the Supreme Court rules, but is not mentioned in the Bill, is not right. The absence of that stipulation could encourage the odd, occasional abuse. No one in his wildest dreams suggests that there will be many cases of something so serious, where a legal representative is not given a chance to say what happened and why, but it could happen. That should not be allowed, so my right hon. and learned Friend should treat the new clause sympathetically.

7.30 pm

Mr. Alex Carlile: As a practitioner, and one who occasionally sits as a recorder, I agree entirely with the Government that there was a need for some definition and for consistent standards to be applied. I therefore welcome the general approach that has been taken. However, the common test of simple negligence, as it has already been described this evening, is broad. It lets in a degree of subjectivity, and possibly even capriciousness, which might affect practitioners unfairly.

The test set out in new clause 19 includes a reference to "improper" and "unreasonable" behaviour. Those of us who make the criminal appeal reports part of our bedtime reading will know that every now and then, perhaps once or twice a year, a judge has been known to be unreasonable. Occasionally, a judge does something that, in terms of the quality of justice that he is dispensing, is slightly beyond the bounds of propriety. It would be wrong if the practitioner found himself the victim of a charge of judicial impropriety or unreasonableness against which he had no appeal.

I invite the Government to take the view that there must be a balance of justice which enables the practitioner, who is affected by what could be an extremely damaging order against him, to try to obtain redress from a higher court. A substantial proportion of a practitioner's income in one year might be affected, possibly because the judge had taken an unfavourable view of the client, rather than the lawyer, and allowed that attitude to rub off on the lawyer. There is a serious need for an appeal procedure to accompany the clear definition of the standards to be applied.

Sir Hugh Rossi: I shall follow the comments of the hon. and learned Member for Montgomery (Mr. Carlile) by asking whether there have been any consultations with the Law Society and the Bar council on the wording of the new clause and whether both those organisations have expressed their satisfaction with the wording used.

Having listened to the remarks of the hon. and learned Member for Montgomery, one can envisage a scenario in which a tetchy judge considers a particular line of cross-examination to be wasting the court's time. Judges tend to be short with advocates who do that. I wonder whether the effect of the new clause might be to enable the judge to hold in terrorem over the advocate the possibility that he might lose a day's refresher fees for having taken up too much time on a particular line of cross-examination. That might even apply to the winding-up speech at the end of the trial, when the judge may decide that what is being put to the jury is entirely irrelevant to the jury's consideration, whereas the advocate may feel that he is doing the best that he can for his client. It would be wrong if in those circumstances the advocate could be told that, if he did not sit down and shut up, he would lose a day's fees.

Mr. Bermingham: Earlier, I asked the Attorney-General a specific question—what happens if the advocate seeks to follow instructions and is then the subject of criticism? In my experience, in a long trial, often the question being asked of the witness at the beginning of the trial only assumes relevance in the judge's or jury's minds much later on. What will happen in those circumstances? Is the advocate to be criticised and made the subject of a cost order simply because he has foreseen an issue that may arise and become mature in three weeks time? The provisions as drawn do not protect against that.

I also asked the Attorney-General why the Crown prosecution service was exempt. What is the difference between it and a defence advocate, at whatever level? What protection is there for the independent advocate, whether solicitor or barrister, employed by the Crown prosecution service who is given, as sometimes happens, instructions which cannot possibly be followed because of lack of evidence? Decisions have to be taken. Trials are sometimes dropped on the day. When instructions cannot be followed for those reasons, it is due to negligence not on the part of representatives, but on the part of those who instruct.

It is wrong that a professional person—solicitor, barrister, prosecution or defence counsel—has to set out to clear his or her name, which may cost incredibly large sums of money, depending on where the matter ends up, when it may well have been the judge who was at fault. In a perfect world, all judges would be perfect, but we live in the real world where, as we all know, Monday morning blues can take over and what appears to be the most obscure point turns into a major row and tempers are lost. That happens to us all at some time. Are we then to be told that, although we may ultimately be proved to be in the right, we shall be penalised?

The one thing that the press love is to see an advocate or a lawyer criticised. It makes raging headlines. The Government are saying that they will give a right of appeal in certain cases and allow the matter to be examined. The

appellant may be proved right, as in the case of the five London solicitors, who have suffered not just the cost of clearing themselves, but adverse publicity. The press never apologise.

That has happened to me in my professional career as a solicitor. About 15 years ago, the Sheffield *Star* ran a story saying that I had been excluded from the cells. It made front page headlines on a Saturday night. A mistake had been made, but because it was said in court, it was covered by privilege and I could not sue. A lawyer had made a mistake—he was never briefed again, but that was another matter.

The same thing happened to me at the Bar. Once again, the Sheffield *Star*—a paper which does not seem to like me very much, although I cannot understand why—stated that a lawyer had been criticised. The Bar council and the senate said that it was perfectly proper and that every step had been taken. They made absolutely no criticism. But a judge had got the wrong end of the stick. What compensation is granted? It may be thought that I have a personal gripe about this matter, and I have. Experience has taught me over the years that Monday morning is the worst day of the week, and not just because it is Monday morning and therefore everyone's worst day of the week.

If the Attorney-General is going to be fair to those who have to perform a public duty standing up in a courtroom, he should be really fair and ensure that when judicial criticism is wrong, there is a right of reparation for the advocate, be he the prosecutor or the defender, in whatever court, at whatever level.

Perhaps the Attorney-General would think along the lines of allowing a little favourable publicity when a lawyer is cleared—at least that would be fair. All of us who practise the law have suffered in this way at some stage. Parliament is supposed to be the protector of the people; perhaps it should also protect those who sometimes have to work in conditions which are unfair and in circumstances in which they are not always popular. Sometimes, what happens on Monday morning can be the result of an argument in another forum on Sunday night in which one did not take part.

The Attorney-General: That was a moving plea from the hon. Member for St. Helens, South (Mr. Bermingham). We are all familiar with Monday morning blues; some of us are familiar with the blues on Tuesday, Wednesday, Thursday and Friday as well. I am afraid that one has to have a broad back as an advocate—to say nothing of what is required of a Law Officer. If one is wrongly criticised, it is my experience that judges are usually fair enough to acknowledge the fact and to make amends.

I wish to deal first with consultation. The amendments establish a simple point of principle—that lawyers are to be liable in costs for the consequences of their negligence. That is quite a popular and simple point. The issue of the appropriate tests for such powers was raised in Committee in another place, when the Law Society sponsored an amendment to what is now clause 93 which would have substituted

"serious dereliction of duty to the court"

for the test of the clause.

Before Third Reading in another place, the Lord Chancellor's officials had discussed with the Law Society the Department's own view of the current law and the probability that it would need to be clarified in the Bill. The Lord Chief Justice and the Master of the Rolls having agreed, the Lord Chancellor wrote to the president of the Law Society on 30 April, consulting him on the proposal to establish a simple negligence test in the Bill. The president replied on 6 June, apologising for his delay and expressing his preference for leaving the law alone, but making some specific points on the proposal.

Since then, there has been further correspondence between the Lord Chancellor and the president. The Government amendments reflect the view taken by the Lord Chancellor and his officials during those consultations, so it can be fairly said that there has been consultation with the president.

I take seriously what has been said about the potential gravity for practitioners of the exercise by the court of this power. The power itself is difficult to criticise, but it is of course possible to criticise a hypothetical example of its exercise. The Bill does not provide for an appeal from the exercise by magistrates in a magistrates court of this power to the Crown court. Amendment (e) seeks to introduce that.

We cannot contemplate costs being paid out of central funds if there were to be a successful appeal. It is a principle strongly adhered to that central funds should not be liable in the event of compensation being paid for the exercise of a judicial function. My right hon. and noble Friend and I have, however, given careful thought to whether there should be a right of appeal against the exercise of this power in the Crown court and, having heeded this Opposition amendment, I can tell the House that it will be accepted.

I think that that will be seen as a fair response, but I cannot be so accommodating about central funds, for the reasons that I have given. This is a substantial concession, since amendment (e) lies at the heart of the anxieties that have been expressed.

To answer the hon. Member for St. Helens, South, the position of the Crown prosecution service is as follows. Under section 9 of the Prosecution of Offences Act 1985 there is provision for an order to be made against the service itself when the advocate is an employee of the service, and against the agent personally in the case of an agent. So there is no exemption——

Mr. Bermingham *rose*——

7.45 pm

The Attorney-General: I think that I have dealt with that point, if the hon. Gentleman will forgive me.

Amendment (b) would make it a condition for the exercise of the cost power that there be a breach of the representative's duty to the court or his client. The same provision is made for other proceedings by amendments (a) to amendments Nos. 14 and 37. The Government's view is that, those amendments are not correctly conceived.

While the concept of breach of duty to the court or client may well be the foundation for the inherent jurisdiction of the Supreme Court, that formulation can add nothing to the perfectly clear statutory test laid down in new clause 19 (3)(a) and in the Government's equivalent amendments to clause 4 and clause 93. Indeed, the concept of duty could only either repeat what is already there or reintroduce the danger that it is the Government's purpose to remove—of confusion with some more restricted test.

[The Attorney-General]

The effect of amendment (c) would be to apply the cost power against representatives in criminal proceedings to lawyers employed by the Crown prosecution service. I have already dealt with that subject, so I proceed gratefully to amendment (d), which would require regulations to make procedural provisions, first, for a reasonable opportunity for representatives to be heard and, secondly, for no order to be made more than six months after the procedures are disposed of. Originally, clause 93 (4) covered all proceedings in the magistrates court. That subsection requires the magistrates court rule committee to lay down certain procedural requirements for the exercise of the magistrates' new cost power.

New clause 19 separates out criminal proceedings because they are best dealt with in the comprehensive code for costs in criminal proceedings contained in the Prosecution of Offences Act. One consequence is that there will be no requirement for rules or regulations to deal with such procedural matters in relation to criminal proceedings in the magistrates court. But the Government never intended to create any such requirement in relation to the Crown court or any court apart from the magistrates courts.

In general, it is not desirable to require rule committees to make provision which it should be in their power to make. For example, the whole machinery of costs in the High Court as set out in order 62 depends on a general statutory power which it is the rule committee's duty to use to the best possible effect. Clause 93 makes an exception to that general position which is justified, on balance, by the novelty of the magistrates' power to order representatives to pay costs.

The responsibility of the magistrates courts rules committee to regulate the new power is similarly new, but no such novelty applies to the Lord Chancellor's power under the Prosecution of Offences Act to make provision in relation to the costs of criminal proceedings. It is simply unnecessary, and therefore undesirable, to make equivalent provision for criminal proceedings.

Moreover, certain procedural aspects of criminal proceedings have in the past been dealt with by practice direction and it does not seem sensible to require the Lord Chancellor to duplicate whatever might be best dealt with in that way.

I am grateful for the amendments that have been tabled. One at least of them has enabled me to make a substantial concession which I believe goes to the heart of hon. Members' anxieties and I hope that the House will consider that an appropriate way to respond. I must invite the House to reject the remaining amendments.

Question put and agreed to.

Clause read a Second time.

Amendment made to the clause: (e), in line 13, at end insert

'and that a legal or other representative against whom action is taken by the Crown Court under Subsection (1) may appeal to the Court of Appeal.'.—*[Mr. Temple-Morris.]*

Clause, as amended, added to the Bill.

New clause 20

EXTENSION OF POWERS OF JUSTICES' CLERKS

'. In section 28 of the Justices of the Peace Act 1979 (general powers and duties of justices' clerks) after subsection (1) there shall be inserted the following subsection—

"(1A) Such rules may also make provision enabling things authorised to be done by, to or before a justices' clerk (whether by virtue of subsection (1) above or otherwise) to be done instead by, to or before—

(a) a person appointed by a magistrates' courts committee to assist him;

(b) where he is a part-time justices' clerk, any member of his staff who has been appointed by the magistrates' courts committee to assist him in his duties as such;

(c) any officer appointed by the committee of magistrates to be his deputy or to assist him.".'.—*[The Attorney-General.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 21

PREPARATION OF DOCUMENTS ETC. BY REGISTERED PATENT AGENTS AND TRADE MARK AGENTS

'.—(1) Section 22 of the Solicitors Act 1974 (unqualified person not to prepare certain instruments) shall be amended as follows.

(2) In subsection (2) (persons exempt from subsection (1)), the following paragraphs shall be inserted after paragraph (a) —

"(aa) a registered trade mark agent drawing or preparing any instrument relating to any design, trade mark or service mark;

(ab) a registered patent agent drawing or preparing any instrument relating to any invention, design, technical information, trade mark or service mark."

(3) The following subsection shall be inserted after subsection (3)—

"(3A) In subsection (2)—

"registered trade mark agent" has the same meaning as in section 282(1) of the Copyright, Designs and Patents Act 1988; and

"registered patent agent" has the same meaning as in section 275(1) of that Act".'.—*[The Attorney-General.]*

Brought up, and read the First time.

The Attorney-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to consider Government amendment No. 116.

The Attorney-General: The new clause and the amendment amend section 22 of the Solicitors Act 1974, which makes it an offence for an unqualified person to prepare certain instruments so as to permit registered trade mark agents to draw or prepare any instrument relating to any design, trade mark or service mark, and to permit registered patent agents to draw or prepare any instrument relating to any invention, design, technical information, trade mark or service mark. The new clause also defines the meaning of those terms. Amendment No. 116 ensures that the provisions of new clause 21 will not be undermined by the provisions of section 102 and 102(a) of the Patents Act 1977.

The present monopoly is not thought to serve any real purpose in consumer protection and unnecessarily adds to

the cost of the service that trade mark and patent agents provide to the public. As the monopoly relates neither to advocacy nor to the conduct of litigation and as these transfers are not conveyances in the sense in which that term is used in part II of the Bill, there is no way in which the monopoly can be altered under the machinery created by the Bill.

The amendments have the support of the Chartered Institute of Patent Agents and the Institute of Trade Mark Agents. Looked at in the round, they are in the general public interest.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 22

AGREEMENTS WITH SOLICITORS FOR PAYMENT BY HOURLY RATES

'.—(1) Section 57 of the Solicitors Act 1974 (non-contentious business agreements) shall be amended in accordance with subsections (2) to (4).

(2) In subsection (2) (method of payment which may be agreed), after the words "gross sum" there shall be inserted "or by reference to an hourly rate".

(3) In subsection (4), for the words "Subject to subsection (5)" there shall be substituted "Subject to subsections (5) and (7)".

(4) After subsection (5) there shall be inserted the following subsections—

"(6) Subsection (7) applies where the agreement provides for the remuneration of the solicitor to be by reference to an hourly rate.

(7) If, on the taxation of any costs, the agreement is relied on by the solicitor and the client objects to the amount of the costs (but is not alleging that the agreement is unfair or unreasonable), the taxing officer may enquire into—

(a) the number of hours worked by the solicitor; and

(b) whether the number of hours worked by him was excessive."

(5) In section 59(1) of the Act of 1974 (method of payment which may be agreed in contentious business agreement) after the words "gross sum" there shall be inserted "or by reference to an hourly rate".

(6) In section 60(1) of the Act of 1974 (which among other things provides for section 69 of that Act not to apply to contentious business agreements), after the word "or" there shall be inserted "(except in the case of an agreement which provides for the solicitor to be remunerated by reference to an hourly rate)".

(7) In section 61 of the Act of 1974 (enforcement of contentious business agreements), the following subsections shall be inserted after subsection (4)—

"(4A) Subsection (4B) applies where a contentious business agreement provides for the remuneration of the solicitor to be by reference to an hourly rate.

(4B) If on the taxation of any costs the agreement is relied on by the solicitor and the client objects to the amount of the costs (but is not alleging that the agreement is unfair or unreasonable), the taxing officer may enquire into—

(a) the number of hours worked by the solicitor; and

(b) whether the number of hours worked by him was excessive." '.—*[The Attorney-General.]*

Brought up, and read the First time.

The Attorney-General: I beg to move, That the clause be read a Second time.

This is a modest amendment that was made at the request of the Law Society. It provides that an agreement between the solicitor and his client about the solicitor's hourly charging rate may constitute a contentious or non-contentious business agreement. Those to whom the clause matters will understand that language.

Mr. Vaz: I support the new clause. My constituents sometimes complain that they do not know how much they are being charged by solicitors. They wait until the end of their cases and when they receive the bill, they inevitably feel that they are being charged too much. That applies not only to those who receive legal aid but to those who do not. It is appropriate that, when the client goes initially to see a solicitor, he and the solicitor should agree an hourly rate. That is in the consumers' interest, and the rate should be supplied by the solicitor in writing so that it is clear from the start exactly how much the client is to be charged.

Mr. Temple-Morris: We are proceeding so fast that one does not have time to say thanks. The Law Society has asked me to say that it is extremely grateful for the co-operation on new clause 22. In order to save time later, I should also like to say that there is general gratitude for the co-operation that has prevailed on many new clauses, not least the next groups with which we shall deal, beginning with Government new clauses 22, 23 and 27.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 23

FOREIGN LAWYERS: RECOGNISED BODIES AND PARTNERSHIPS WITH SOLICITORS

'.—(1) The Law Society shall maintain a register of foreign lawyers for the purposes of this section.

(2) A foreign lawyer who wishes to be registered under this section must apply to the Society in accordance with the requirements of Part I of Schedule (*Foreign lawyers: partnerships and recognised bodies*).

(3) The power to make rules under—

(a) the following provisions of the Solicitors Act 1974—

(i) section 31 (professional practice, conduct and discipline);

(ii) section 32 (accounts and trust accounts);

(iii) section 34 (accountants' reports);

(iv) section 36 (Compensation Fund); and

(v) section 37 (professional indemnity); and

(b) section 9 of the Administration of Justice Act 1985 (incorporated practices),

shall also be exercisable in relation to registered foreign lawyers.

(4) Subject to the provisions of Schedule (*Foreign lawyers: partnerships and recognised bodies*), any such power may be exercised so as—

(a) to make different provision with respect to solicitors who enter into multi-national partnerships to the provision made with respect to other solicitors;

(b) to make different provision with respect to the management and control of recognised bodies by solicitors and registered foreign lawyers to the provision made with respect to the management and control of recognised bodies by solicitors;

(c) to make different provision with respect to registered foreign lawyers who are members of multi-national partnerships to the provision made with respect to solicitors; or

(d) to make different provision with respect to officers of recognised bodies who are registered foreign lawyers to the provision made with respect to officers of recognised bodies who are solicitors.

(5) Subject to the provisions of Schedule (*Foreign lawyers: partnerships and recognised bodies*), the Lord Chancellor may by order provide that any enactment or instrument—

(a) passed or made before the commencement of this section;

(b) having effect in relation to solicitors; and

(c) specified in the order,

shall have effect with respect to registered foreign lawyers as it has effect with respect to solicitors.

(6) An order under subsection (5) may provide for an enactment or instrument to have effect with respect to registered foreign lawyers subject to such additions, omissions or other modifications as the Lord Chancellor sees fit to specify in the order.

(7) Subject to the provisions of Schedule (*Foreign lawyers: partnerships and recognised bodies*), the Lord Chancellor may by order provide that any enactment or instrument—

(a) passed or made before the commencement of this section;

(b) having effect in relation to recognised bodies; and

(c) specified in the order,

shall, in its application in relation to recognised bodies whose officers include one or more registered foreign lawyers, have effect with such additions, omissions or other modifications as the Lord Chancellor sees fit to specify in the order.

(8) Schedule (*Foreign lawyers: partnerships and recognised bodies*) shall have effect for the purposes of supplementing this section.

(9) In this section and in Schedule (*Foreign lawyers: partnerships and recognised bodies*)—

"foreign lawyer" means a person who is not a solicitor or barrister but who is a member, and entitled to practise as such, of a legal profession regulated within a jurisdiction outside England and Wales;

"multi-national partnership" means a partnership whose members consist of one or more registered foreign lawyers and one or more solicitors;

"recognised body" has the same meaning as in section 9 of the Administration of Justice Act 1985 (management and control by solicitors of incorporated practices); and

"registered foreign lawyer" means a foreign lawyer who is registered under this section.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to consider the following Government amendments: Nos. 158, 102, 103, 105, 129, 96, 123 and 128.

The Solicitor-General: I am grateful to my hon. Friend the Member for Leominster (Mr. Temple-Morris) for welcoming this new clause and the amendments. They fulfil undertakings given by my noble Friend the Lord Chancellor and my right hon. and learned Friend the Attorney-General on Second Reading.

The purpose of the amendments is to provide a framework in which multinational partnerships consisting of English and Welsh solicitors and foreign lawyers can be subjected to the minimum regulation necessary to provide protection to the clients of such partnerships or incorporated bodies.

The amendments have five main components. They require the Law Society to maintain a register of foreign lawyers who are entitled to enter into multinational partnerships or recognised bodies with solicitors. They amend the Administration of Justice Act 1985 to permit the creation of such recognised bodies, managed and controlled by solicitors and foreign lawyers. They give power to the Law Society to extend the rules that it makes for solicitors in respect of professional practice, conduct and discipline, the keeping of clients' money and the compensation and indemnity funds to registered foreign lawyers who are members of such multinational partnerships.

The overall effect is to provide a proper framework for this new type of multinational partnership for which the way was cleared by clause 54, which removes the statutory inhibition on the formation of multinational partnerships. I commend the new clause and the amendments to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 27

Representation under the Legal Aid Act 1988

'.—(1) Nothing in this Part shall affect the right of a person who is represented in proceedings in the Supreme Court or the House of Lords under the Legal Aid Act 1988 to select his legal representative.

(2) The power to make regulations with respect to representation under section 2(7) or 32(8) of that Act shall not be exercised so as to provide that representation in any such proceedings may only be by a single barrister, solicitor or other legal representative (but that is not to be taken as restricting the power to make regulations under section 34(2)(e) of that Act).'.—*[The Attorney-General.]*

Brought up, and read the First time.

The Attorney-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 25—*Representation under the Legal Aid Act 1988 in Supreme Court and in care proceedings or proceedings for contempt in any court*—

'(1) Nothing in this Part shall affect the right of a person who is represented in the Supreme Court under Part IV of the Legal Aid Act (civil legal aid) or who is represented in any court under Part VI of that Act (legal aid in special cases) to select his legal representative.

(2) The power to make regulations with respect to representation under section 2(7) of that Act shall not be exercised so as to provide that representation in civil proceedings in the Supreme Court or in care proceedings or proceedings for contempt in any court may only be by a single barrister, solicitor or other legal representative (but that is not to be taken as restricting the power to make regulations under section 34(2)(e) of that Act).'.

New clause 28—*Advice and assistance by way of representation for defendants in domestic possession proceeding*—

"The following section shall be inserted in the Legal Aid Act 1988, after section 9—

"*Advice and assistance by way of representation for defendants in domestic possession proceedings*

9A. (1) Regulations shall provide for advice and assistance by way of representation to be available at court to defendants in possession proceedings relating to domestic premises, without reference to their financial resources.

(2) In this section, 'domestic premises' means any premises which are wholly or mainly used as a private dwelling."'.'.

Government amendments Nos. 154, 155 and 156.

The Attorney-General: During consideration in another place there was some worry that, in opening the way for the extension of rights of audience in the Crown court, the Bill might also have made it possible for the Government

to limit the right of a defendant to select his legal representatives or effectively to limit the categories of legal representatives from whom he could choose by limiting the numbers of lawyers on a case. That is, of course, no part of the Government's plan, nor is it any part of our plans to impose or require fee sharing.

A litigant's ability to choose his legal representatives—I use the plural advisedly—is an important part of the safeguards of access to justice in a general case. My noble and learned Friend the Lord Chancellor therefore accepted an amendment that was designed to make it clear that the defendant's choice was to be preserved. In doing so he also made it clear that, in defence of the legal aid fund and all those who pay for it, he must be able to secure value for money and there was a need to ensure that the amendment was drafted to allow for that.

On reflection it became clear that some reworking was necessary. The amendments that resulted in the existing clause 49 were introduced after careful consideration and extensive discussion with both branches of the legal profession. Broadly, their effect is to make it impossible for the Government to prescribe for any proceedings in the Crown court the number of representatives or their category, but to leave unchanged both the Lord Chancellor's powers to decide how much their work is separately worth to the legal aid fund, and also the court's powers to decide that the circumstances of a particular case mean that one representative will do where two would be usual.

The amendments, as far as they went, were broadly welcomed by the Standing Committee. Other amendments tabled by the right hon. and learned Member for Aberavon (Mr. Morris) would have extended the provisions to legally aided proceedings in the High Court or the Court of Appeal. In Committee, I undertook to consider whether the principle of the Government's amendments might be extended to some or all of the higher courts.

The amendments are the result of that consideration. They go further in that they extend the principles to the House of Lords as well. They are comparatively simple. The existing clause 49, which is restricted to representation in the Crown court under part V of the Legal Aid Act 1988, will be replaced by a new clause that extends to all the higher courts, including the House of Lords, and is identical in structure to the existing clause. The result is that the present rights of the legally aided client to select his representatives will be preserved in full. The present power, under the 1988 Act, to make regulations limiting the number of legal representatives to one will no longer apply to the Supreme Court and the House of Lords, but the Lord Chancellor's powers to make remuneration regulations reflecting the value to the legal aid fund of the work done will be preserved.

I believe that that will be seen as a helpful response to the representations made in Committee and elsewhere.

8 pm

Mr. Fraser: The new clauses and amendments are helpful because, had they not been introduced, relations between the professions would have been soured with the extension of the rights of audience. The Opposition tabled new clause 25, which has been taken with this group. It enables two legal representatives to be appointed even in contempt and care proceedings. Is that new clause necessary, or are its provisions similar to those of the Government new clause, in which case we need not press it any further?

Mr. Alex Carlile: As one of those who pressed the Attorney-General on this in Committee, I am grateful for the new clause and in particular its extension to the whole of the Supreme Court, which includes the Crown court. The whole basis of legal practices in many parts of the country—in rural areas such as my constituency as well as in many of our large cities—is that the client comes to the solicitor, although the solicitor may not necessarily have the expertise to take the case to its conclusion, even if he has the right of audience to do so. Therefore, the client is best served by a specialist preparer and a specialist advocate. The new clause will continue those arrangements.

The county court is not included in the new clause. We discussed the situation in the county court when we explored the various possibilities in Committee. The county court is, quite rightly, to have a much expanded jurisdiction, and it will deal with many of the serious civil cases, particularly those involving personal injury. It is to be hoped that the litigant in the county court will not be adversely affected by any requirements to be set by the Legal Aid Board. It is to be hoped that the civil litigant will still be able, in the wide range of cases in which he is entitled nowdays to have a specialist preparer and specialist advocate, to have those services into the future.

Mr. Vaz: I too welcome the new clause. I should have been one of those who would have created a row, souring relations not just between the professions, but between the two Front Benches. The Attorney-General has accepted an important principle. I only wish that a statement about it could have been made earlier, as that would have meant that people would not have had to lobby so long and hard.

The Attorney-General's acceptance of the principle was spoilt when he talked about value for money in legal aid. That goes back to a point made by the Solicitor-General in the Committee considering the Legal Aid Bill in 1988, when he said that the interest of justice had to be made cost-effective. We believe that legal aid is a right. It is the only means by which people can protect their rights in court. At a time when £1 million is being thrown away on the Authorised Conveyancing Practitioners Board and £460,000 is being given away to the Council of Licensed Conveyancers, the Attorney-General could be a little more supportive of the legal aid scheme, rather than applying the pure Thatcherite principles that I am afraid have affected this important part of policy.

The Attorney-General: The application of Thatcherite principles has been responsible for a vast increase in expenditure—by almost 10 times—over the past 10 years.

The Government's new clause and provision is wider in scope than new clause 25, tabled by the hon. Member for Norwood (Mr. Fraser). I hope that that deals with his anxiety.

I agree with the hon. and learned Member for Montgomery (Mr. Carlile) that substantial work will be dealt with in the county court under the provisions of part 1. The Government will take careful note, as I am sure will the Legal Aid Board, which is independent of the Government, of the points that he made. I am grateful for what has been said in this short debate.

Question put and agreed to.

[The Attorney-General]

Clause read a Second time, and added to the Bill.

New Clause 30

TYING-IN ARRANGEMENTS IN CONNECTION WITH RESIDENTIAL PROPERTY LOANS

'.—(1) In this section "residential property loan" means any loan which—

(a) is secured on land in the United Kingdom; and

(b) is made to an individual in respect of the acquisition of land which is for his residential use or the residential use of a dependant of his.

(2) No person ("the lender") shall enter into an agreement with another ("the borrower") for the provision to the borrower by the lender of a residential property loan together with one or more controlled services, unless the conditions mentioned in subsection (3) are complied with before the agreement is entered into.

(3) The conditions are that the lender—

(a) informs the borrower by notice that the residential property loan, and each controlled service to which the proposed agreement relates, are separate services;

(b) informs the borrower by notice whether the terms and conditions of the proposed residential property loan will, if the loan is made in accordance with the proposed agreement, be capable of subsequently being varied by the lender;

(c) provides the borrower with a statement of—

(i) the price which will be payable by the borrower for each of the controlled services if they are all provided in accordance with the terms of the proposed agreement; and

(ii) the extent to which (if at all) the terms and conditions of the proposed residential property loan would differ if it were to be provided by the lender without the controlled services to which the proposed agreement relates being provided by the lender; and

(d) informs the borrower by notice that, if the borrower declines to take from the lender any of the controlled services to which the proposed agreement relates, the lender will not on that account refuse to provide the proposed loan.

(4) Where a person advertises, or in any other manner promotes—

(a) the provision of any controlled services which, in the course of his business, he offers to provide in conjunction with the making by him of residential property loans; or

(b) the making by him, in the course of his business, of any arrangements for the provision of any controlled services in conjunction with the making by him or any other person of residential property loans,

he shall comply with such requirements as to the information to be given, or which may not be given, in any such advertisement or promotion as the Secretary of State may by regulations impose.'.—*[The Solicitor-General.]*

Brought up, and read the First time.

The Solicitor-General: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take Government new clause 31—*Tying-in arrangements: supplemental provisions.*

Government new clause 32—*Tying-in: offences.*

Government new clause 33—*Tying-in: enforcement.*

Government amendment No. 177.

Amendment No. 186, in clause 88, page 70, line 16, leave out subsections (2) to (10) and insert—

'(2) The Lord Chancellor may by regulation, and in the absence of any code or codes of practice acceptable to him dealing adequately with the matters specified in sub-paragraphs (a) and (b) below, make such provision as he considers expedient with a view to securing that—

(a) no borrower (which for the purposes of this section shall include a prospecitve borrower) shall be unfairly or unreasonably obliged to take, or agree to take, a residential property loan subject to a condition that any other services required by the borrower are to be provided by the lender or any other person, or any such other services subject to a condition that a residential property loan is to be made by a particular lender, and

(b) if any such other services as aforesaid are proposed to be provided, the lender shall offer to provide to the borrower details in writing of any consideration payable.'.

Amendment No. 187, in clause 100, page 79, line 2, after '50', insert '88(2)'.

Government amendment No. 180.

The Solicitor-General: These new clauses and amendments deal with the important topic, which we discussed in detail in Committee, of tying in and the perceived abuse, as it can be, of the mortgage lender using his potentially coercive power to the disadvantage of the borrower. I explained in our debates in Committee that, when dealing with this problem, our touchstone must be openness, so that a borrower can see clearly how much a loan will cost him or her, whether that loan is provided alone or in conjunction with other services.

Clause 81 became clause 88 and new clauses 30 to 33, together with the amendments, create a slightly longer but a clear and coherent structure to deal with this potential abuse. I shall not outline them in great depth, but there are one or two points of principle to which I should draw attention.

New clause 30 prohibits people who make residential property loans from doing so as part of a package with other services unless certain conditions are first complied with. The lender must inform the borrower, by notice, in a form prescribed by the Secretary of State, that the loan and other services are separate services. He must inform the borrower whether the terms and conditions of the loan are variable and, if the borrower declines to take other services in the package, as many borrowers will, that the lender will not refuse to provide the loan simply for that reason.

The lender must provide the borrower with a statement of the price payable for each of the other services in the package, and the extent to which the terms and conditions of the loan would differ if it were made without the other services in the package. Differential pricing is to be permitted and may be justifiable and desirable, but it must be clear to the lender what he is buying and what he is paying for, whether he takes the package as a whole or just an individual service.

New clause 31 provides for the Secretary of State to prescribe which of the services the inclusion of which in a package with a loan cause the previous clause to apply. They may include insurance and other financial services, valuation and surveying services, conveyancing services and removal services. The clause also provides for connected agreements.

New clause 32 provides that it is an offence to fail to comply with the requirements of new clause 30 or refuse to

grant a loan, having complied with the conditions of subsection (3) where the proposed borrower declines other services in the package.

New clause 33 provides for enforcement powers, which are to be carried out by the local trading standards officers, technically described as local weights and measures authorities and by the Director General of Fair Trading, except in Scotland, where prosecuting will, as always, be in the hands of the procurator fiscal.

There we have a full statutory framework to cover this important matter of tying in, which, as I said, we dealt with in considerable detail in Committee. I commend that new framework and the new clauses to the House.

Mr. Alex Carlile: I apologise for taking up just a few minutes on the important issue of tying in. In Committee, I said that I had had the assistance of the TSB Group plc on some issues arising in this context, and I should add that I have had the same assistance again for the purposes of this Report stage.

I am grateful to the Solicitor-General for the rethink that has taken place. We are often criticised in the House for having rather political and unconstructive Committee stages, but, within the bounds of political practicability, the Committee stage of this Bill has been a credit to the House and many useful changes have been made.

The principle which concerned those of us who spoke on the matter in Committee has been accepted and there is much thanks for that. The tying-in provision under clause 88 has been radically redrafted and now seems clearly to permit differential pricing of financial service packages.

In a sense, the financial services sector is, like the legal profession, facing regulatory powers and uncertainty about what will happen when the regulations are made. I am sure that the Solicitor-General will give an assurance that the regulations will be subject to a proper consultation procedure with all interested parties.

It is clear that the redrafted clauses have moved the previous clause 88 provision from being one under which tying in should be prohibited to one under which a mortgage lender may provide controlled services only after it has been through the bureaucratic hoop set out in new clause 30.

The financial services sector is concerned that those hoops, as I have called them, might impose unnecessary bureaucratic burdens on firms which would be wholly unjustified by the nature and incidence of the perceived malpractice that the Government are seeking to outlaw. That could have a considerable impact on costs, and any significant impact on costs is not absorbed but passed on to the consumer. We are concerned here to achieve value for money for the consumer and a fair deal for the consumer and the financial services institution providing the service.

I want to make some, I hope, constructive suggestions to reduce the administrative burdens associated with the proposals. It seems odd that, by reason of new clause 31(6)(a), another member of the same group of companies can be liable to be prosecuted for an offence committed by the lender under new clause 30, subsections (2) and (4), because the two companies are to be treated as one.

For example, under the provisions as drafted, if a customer applied to a bank for a loan and said that he would make his own arrangements for other services, such as insurance, the bank would not apparently have to satisfy the conditions under new clause 30(3). However, if the customer later told the bank that he had decided to take a controlled service from a sister company, the requirements would bite. That they should bite in those circumstances seems questionable, when the lender had had no part in arranging the supply of the controlled service to the customer, nor stood to receive a direct benefit from the service being purchased.

It would therefore be helpful if the Government could look again at new clause 30 to see whether it could be amended so that the conditions in subsection (3) applied only in circumstances where the provision of controlled services had been arranged by the lender. After all, it would be self-evident to a borrower that the services he was buying were separate services.

If it were possible to amend the law in that way, it would be feasible to dispense with the provision under new clause 31(6) while maintaining the object of the tying-in provision. That would remove the unfair liability for prosecution which might be faced by suppliers of controlled services because they happened to be related to a lending company.

8.15 pm

In addition, new clause 31(9) defines the words "notice" and "statement". It would be a great help to financial institutions if the Government could assure them that it would be possible to combine all the information requirements under new clause 30 in just one document —which could, if it suited the lender, be the agreement itself.

It is not entirely clear why the requirement that the lender should inform the borrower whether the terms and conditions of the loan are capable of subsequently being varied is regarded as relevant in the context of tying in. Typically, some terms of the residential property loan, most obviously the interest rate applicable, will be variable, and that will apply whether or not the loan is part of the package. It is therefore an important issue upon which the institutions would welcome assistance.

New clause 31 does not appear to recognise circumstances where the lender prices a package in terms of an aggregation of individual prices for the individual controlled services, but as one or more package prices. Presumably the Government are prepared to allow package pricing, as it may well achieve in most cases the aims of value for money and a fair deal for the consumer. It is therefore an important point.

Finally, with regard to the regulations governing advertising and promotion, which it is envisaged that the Secretary of State may make, one hopes that it can be assumed that those regulations will be entirely consistent with other similar regulations. In particular, I have in mind those relating to the advertising of mortgage loans under the Consumer Credit (Advertisements) Regulations 1989, which cover all personal loans to be secured on land, regardless of whether they are to be under regulated agreements, and with advertising rules for endowment insurance under the Financial Services Act 1986.

All that sounds, and is, a little complicated, but they are issues of importance which, if not sorted out properly, could well adversely affect consumers when they walk into the bank or building society full of nervousness and trepidation to try to obtain what may well be the most important financial transaction of their lives. Therefore, clarification and clarity are of the utmost importance.

Mr. Gwilym Jones (Cardiff, North): I have had the benefit of advice from the Association of British Insurers, and I shall voice some of the points that it has made to me. As disclosed in the Register of Members' Interests, I am a director of Bowring Wales Ltd. and an insurance broker. Therefore, I am interested in the subject.

The Association of British Insurers feels that the new clauses are a great improvement, in terms of clarity, on those that we considered in Committee. It is particularly pleased that many of the points that it made have been taken into account and are to be found in the new clauses. In particular, a question that I raised about section 16 of the Insurance Companies Act 1982 seems to have been resolved by the new clauses.

However, insurers remain concerned that they will be obliged to offer a loan without the other services where they had been seeking to offer that loan as part of a package. After all, insurance remains the main business of insurance companies, not the offering of loans. As the market develops, insurance companies may feel that they cannot continue to offer loans, and they may withdraw from the market. That would be a disadvantage because it would reduce the market available to consumers.

The Secretary of State has wide powers to go beyond the new clauses by amplification in orders and regulations. I note that he is required to consult the Director General of Fair Trading and others. It is therefore appropriate to seek an assurance that, in such an event, the Secretary of State would consult fully with the insurance industry and think carefully before proceeding with any orders or regulations.

The provisions of new clause 33 will be enforced by local weights and measures authorities and by the Director General of Fair Trading. That must mean, of necessity, that a range of local weights and measures authorities will be involved. Consequently, there must be the possibility of a variation in response. There could be a lack of uniform approach towards enforcement. I look for an assurance from my right hon. and learned Friend the Solicitor-General that he expects uniformity in the enforcement of the new provisions. It would be helpful if he could enlighten me on how he envisages that being achieved.

Sir Hugh Rossi: The new clauses are a useful package of protection for the consumer, and should be welcomed. One matter that concerns me is how to bring the package to the attention of the consumer. He must understand that they are there for his protection and that they prevent people offering to lend money doing certain things. Will there be a publicity campaign—a house buyer's charter—to draw attention to the measures? They are there to protect the consumer when he is buying a house, taking on an enormous mortgage burden and dealing with people presenting a package.

Another concern is that, although the conditions under new clause 30 apply to a lender, there is no reference to, for example, a mortgage broker, who can put together a package on the basis of commission. Is he also obliged to disclose his commission and to account to the buyer for that commission? A solicitor or a legal practitioner must do that when putting together a package for the client. Only when there is full disclosure can there be full protection. As I understand it, there is nothing in the new clauses to cover that.

Mr. Fraser: The hon. Member for Hornsey and Wood Green (Sir H. Rossi) said almost everything that I wished to say, so I shall not repeat it. Perhaps the way to deal with brokers would be for the Solicitor-General to say that the Director General of Fair Trading, in exercising his jurisdiction as the supervisor of consumer credit, would perhaps show the yellow card to any broker who had a consumer credit licence and was encouraging people to enter into package arrangements that would be illegal if offered by a lender but not expressly illegal if put together by a broker.

I agree wholeheartedly with what the hon. Member for Hornsey and Wood Green said about giving publicity to the right to choose, which a borrower should have so that he is not being given something that he wants tied in with something that he does not want and does not need.

The Solicitor-General: Our debates on this matter have been highly constructive, and I am grateful to the hon. and learned Member for Montgomery (Mr. Carlile) for his kind remarks. We are trying to deal with what I believe has been, and can be, a real abuse of power. I am sure that the way to deal with it is by complete openness by the lender, with the borrower knowing what every ingredient of the package costs—above all, what the loan will cost, and then what the other services in connection with the loan will cost.

I shall deal first with the question of consultation. New clause 31(12) makes an express statutory requirement for consultation by the Lord Chancellor, first with the Director General of Fair Trading and then with all others with whom he sees fit to consult. That is a broad power, but I am confident that it is my right hon. and learned Friend's intention to consult widely. The way to achieve good legislation in this area is to put it to the industry and let it understand what we have in mind. It can then point out any inconsistencies and pitfalls, as it has done constuctively in the development of this new clause.

I am grateful to the Trustee Savings bank and the hon. and learned Gentleman for giving me an early sight of their constructive comments. I do not believe that they and other commentators need be worried about the provision becoming unnecessarily bureaucratic. I think that that also answers the point raised by my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi), who wanted to know how the borrower would get to know about it.

The structure of the new clauses means that the lender must notify the borrower by notice, in a form prescribed by the Secretary of State, of his rights and of the requirements in relation to the separate services and, of course, the separate pricing and the power to take some or all of the services on offer. That means that a borrower gets the forms in a way that immediately shows his rights and opportunities. There is no reason why that should not be backed up with publicity if that appears to be sensible. It is not something the statute provides, or needs to provide.

On advertising, what is required must be consistent with the requirements of the new clauses as a whole. I am grateful to my hon. Friend the Member for Cardiff, North (Mr. Jones) for his kind remarks on behalf of the Association of British Insurers. I participated in some of the consultations with that body, among others, and the probing and constructive way in which it sought to ensure that the system should work in practice and should meet its needs has helped us to frame the new clauses in a way that I believe need cause it no anxiety.

I can think of no reason why insurance companies should be put off providing loans under the new framework. After all, it must be recognised that the provision of property loans is a sensible long-term investment for insurance companies. All that we are seeking is to ensure that the borrower, whose financial strength is of great importance to the insurance company, knows exactly what he is buying and is not being forced to buy something that he does not want at a price that he would not choose to pay if he were free to choose.

There are two answers to the question of enforcement. First, on the issue of uniformity, the whole matter will be supervised by the Director General of Fair Trading and he will keep an overview. Secondly, I know from personal professional experience a good deal about the work of the weights and measures and trading standards authorities. There was a time when I could claim some expertise in the Trade Descriptions Act 1968. Trading standards officers are served by journals, and it is amazing how quickly the result of any case or any problem particular to that area of enforcement is raised, discussed and commented upon in those journals. Consequently, one finds among those authorities a high degree of uniformity and a desire among enforcement officers to perform their duties in a sensible and uniform way.

This helpful debate has teased out a number of useful points, and we shall try to learn constructively from them in putting into operation the framework that we now have in sensible statutory form. I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 31

TYING-IN ARRANGEMENTS: SUPPLEMENTAL PROVISIONS

'.—(1) In section (*Tying-in arrangements in connection with residential property loans*) "controlled services" means any services of a description prescribed by order made by the Secretary of State.

(2) The order may, in particular, prescribe any description of—

(a) banking, insurance, investment, trusteeship, executorship or other financial services;

(b) services relating to the acquisition, valuation, surveying or disposal of property;

(c) conveyancing services; or

(d) removal services.

(3) Where a lender enters into—

(a) an agreement for the provision to a borrower of a residential property loan; and

(b) a separate agreement with the borrower for the provision to him of a controlled service,

those agreements shall be treated, for the purposes of section (*Tying-in arrangements in connection with residential property loans*), as a single agreement.

(4) Subsection (3) does not apply with respect to any agreement of a kind mentioned in paragraph (b) of that subsection if the lender proves—

(a) that it was not connected with the transaction in respect of which, or purpose for which, the borrower required the residential property loan; or

(b) where it was so connected, that he did not know, and had no reasonable cause to know, that it was.

(5) For the purposes of section (*Tying-in arrangements in connection with residential property loans*)(1), the Secretary of State may by order specify—

(a) the circumstances in which land is to be treated as being for a person's residential use; and

(b) who are to be treated as a person's dependants.

(6) For the purposes of section (*Tying-in arrangements in connection with residential property loans*), this section and section (*Tying-in: offences*)—

(a) where the lender is a member of a group of companies, the lender and all the other members of the group shall be treated as one; and

(b) where the lender derives any financial benefit from the provision of a controlled service by any other person the lender shall be treated as providing that service.

(7) In subsection (6), "a group of companies" means a holding company and its subsidiaries within the meaning of section 736 of the Companies Act 1985.

(8) The Secretary of State may by order provide that, for such purposes as may be prescribed by the order, paragraph (a) or (b) of subsection (6) shall not have effect.

(9) For the purposes of section (*Tying-in arrangements in connection with residential property loans*)—

"notice" means a notice in writing given in the form prescribed by regulations made by the Secretary of State;

"price" shall have the meaning given by order made by the Secretary of State; and

"statement" means a statement in writing given in the form prescribed by regulations made by the Secretary of State.

(10) In relation to land in Scotland—

(a) "conveyancing services" has the same meaning as in the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990; and

(b) the reference in section (*Tying-in arrangements in connection with residential property loans*)(1) to a loan being secured on land shall be read as a reference to its being secured over land by a standard security.

(11) Before making any order or regulations under section (*Tying-in arrangements in connection with residential property loans*) or this section the Secretary of State shall consult the Director and such other persons as he considers appropriate.'.

—[The Solicitor-General.]

Brought up, read the First and Second time, and added to the Bill.

New clause 32

TYING-IN: OFFENCES

'.—(1) If any person contravenes section (*Tying-in arrangements in connection with residential property loans*)(2) or (4) he shall be guilty of an offence.

(2) Subsection (3) applies where—

(a) a person ("the lender") has, in relation to a proposed agreement for the provision to any person ("the borrower") of a residential property loan together with one or more controlled services, complied with the condition mentioned in section (*Tying-in arrangements in connection with residential property loans*)(3); and

(b) the borrower has declined to take from the lender one or more of the controlled services to which the proposed agreement relates.

(3) The lender shall be guilty of an offence if he refuses to provide the borrower with the proposed residential loan or refuses to provide it to him—

(a) on the terms of the proposed agreement; or

(b) where they differ, on terms which are compatible with the statement required by section (*Tying-in arrangements in connection with residential property loans*)(3)(c)(ii),

unless he proves that his reason for so refusing was unconnected with the borrower's having declined as mentioned in subsection (2)(b).

(4) Where a lender proposes to enter into—

(a) an agreement for the provision to a borrower of a residential property loan; and

(b) a separate agreement with the borrower for the provision to him of a controlled service,

those proposed agreements shall be treated, for the purposes of subsection (2), as a single proposed agreement.

(5) Any person guilty of an offence under this section shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; and

(b) on conviction on indictment, to a fine.

(6) Subsection (7) applies where an offence under this section is committed by a body corporate.

(7) If the offence is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of—

(a) any director, secretary or other similar officer of the body corporate; or

(b) any person who was purporting to act in any such capacity,

he (as well as the body corporate) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(8) The fact that a person has committed an offence under this section in connection with any agreement shall not make the agreement void, or unenforceable (whether as a whole or in part) or otherwise affect its validity or give rise to any cause of action for breach of statutory duty.'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 33

TYING-IN: ENFORCEMENT

'.—(1) Every local weights and measures authority ("an authority") and the Director shall have the duty of enforcing sections (*Tying-in arrangements in connection with residential property loans*) to (*Tying-in: offences*) and any regulations made under them.

(2) Nothing in subsection (1) is to be taken as authorising a local weights and measures authority in Scotland to institute proceedings for an offence.

(3) Where an authority propose to institute proceedings for an offence under section (*Tying-in: offences*) they shall give the Director notice of the intended proceedings together with a summary of the facts on which the charges are to be founded.

(4) Where an authority are under a duty to give such a notice and summary they shall not institute the proceedings until—

(a) the end of the period of 28 days beginning with the date on which they gave the required notice and summary; or

(b) if earlier, the date on which the Director notifies them of receipt of the notice and summary.

(5) Every authority shall, whenever the Director requires, report to him in such form and with such particulars as he requires on the exercise of their functions under this section.

(6) A duly authorised officer of the Director or of an authority ("an authorised officer") who has reasonable cause to suspect that an offence may have been committed under section (*Tying-in: offences*) may, at any reasonable time—

(a) enter any premises which are not used solely as a dwelling;

(b) require any officer, agent or other competent person on the premises who is, or may be, in possession of information relevant to an investigation in connection with the provision made by section (*Tying-in arrangements in connection with residential property loans*) or (*Tying-in arrangements: supplemental*), to provide such information;

(c) require the production of any document which may be relevant to such an investigation;

(d) take copies, or extracts, of any such documents;

(e) seize and retain any document which he has reason to believe may be required as evidence in proceedings for an offence under section (*Tying-in: offences*).

(7) Any authorised officer exercising any power given by subsection (6) shall, if asked to do so, produce evidence that he is such an officer.

(8) A justice of the peace may issue a warrant under this section if satisfied, on information on oath given by an authorised officer, that there is reasonable cause to believe that an offence may have been committed under section (*Tying-in: offences*) and that—

(a) entry to the premises concerned, or production of any documents which may be relevant to an investigation in connection with the provision made by section (*Tying-in arrangements in connection with residential property loans*) or (*Tying-in arrangements: supplemental*), has been or is likely to be refused to the authorised officer; or

(b) there is reasonable cause to believe that, if production of any such document were to be required by the authorised officer without a warrant having been issued under this section, the document would not be produced but would be removed from the premises or hidden, tampered with or destroyed.

(9) In the application of this section to Scotland, "justice of the peace" includes a sheriff and "information on oath" shall be read as "evidence on oath".

(10) A warrant issued under this section shall authorise the authorised officer (accompanied, where he considers it appropriate, by a constable or any other person)—

(a) to enter the premises specified in the information, using such force as is reasonably necessary; and

(b) to exercise any of the powers given to the authorised officer by subsection (6).

(11) If a person—

(a) intentionally obstructs an authorised officer in the exercise of any power under this section;

(b) intentionally fails to comply with any requirement properly imposed on him by an authorised officer in the exercise of any such power;

(c) fails, without reasonable excuse, to give to an authorised officer any assistance or information which he may reasonably require of him for the purpose of exercising any such power; or

(d) in giving to an authorised officer any information which he has been required to give to an authorised officer exercising any such power, makes any statement which he knows to be false or misleading in a material particular,

he shall be guilty of an offence.

(12) A person guilty of an offence under subsection (11)(a), (b) or (c) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(13) A person guilty of an offence under subsection (11)(d) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(14) Nothing in this section shall be taken to require any person to answer any question put to him by an authorised officer, or to give any information to an authorised officer, if to do so might incriminate him.

(15) In this section "document" includes information recorded in any form.

(16) In relation to information recorded otherwise than in legible form, references in this section to its production include references to producing a copy of the information in legible form.'.—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 5

INDEPENDENT REVIEW BODY

'.—(1) The Lord Chancellor shall establish an Independent Review Body to advise him on the annulment, cancellation or revocation of a conviction applicable to cases currently considered by the Secretary of State and by the Court of Appeal.

(2) The Independent Review Body shall consist of a legally qualified Chairman and up to 12 additional persons appointed by the Lord Chancellor.

(3) Membership will include a proportion of criminal lawyers but legal experience will not be regarded as the sole qualification.

(4) Casework would be distributed to a panel of up to three persons but in all cases the conclusions would be endorsed by the Review Body as a whole.

(5) The Review Body would be extra-judicial but would have the widest discretion as to the procedures to be adopted in any individual case.

(6) The Independent Review Body would be supplied with the relevant facts and papers relating to a case by the Home Office and make a recommendation to the Secretary of State after either—

(a) an informal inquiry or

(b) a full hearing with legal representation on both sides with the ability to recommend the award of legal aid in respect of representation by Counsel.'.—*[Mr. Mullin.]*

Brought up, and read the First time.

Mr. Deputy Speaker: With this, it will be convenient to consider amendment No. 10, in title, line 6, after 'Board', insert

'and an Independent Review Body'.

8.30 pm

Mr. Chris Mullin (Sunderland, South): I beg to move, That the clause be read a Second time.

New clause 5 seeks to implement the recommendation of the Select Committee on Home Affairs in its 1982 report on miscarriages of justice. Had it been implemented then, there is little doubt that a number of the problems that have arisen since in our judicial system might not have done so. The new clause seeks to establish an independent review tribunal composed to a large extent but not exclusively of non-lawyers. A useful precedent has been set by the inquiry currently being conducted by Lord Justice May into the Guildford, Woolwich and Maguire convictions, in which he is accompanied by lay assessors. New clause 5 would allow a tribunal wide discretion in regard to procedure, and I hope that it would also have powers to subpoena witnesses and documents. One of the problems confronting Sir John May was persuading some witnesses to give evidence and to produce relevant documents, and we should learn from that lesson.

Sir John Wheeler (Westminster, North): It is very good of the hon. Member for Sunderland, South (Mr. Mullin) to have given me notice of his intention to raise that subject and to refer to the 1982 Select Committee on Home Affairs. I am sure that the lessons to be drawn from the 1982 report are just as appropriate today, and perhaps the House and the Select Committee itself would do well to return to that topic once Lord Justice May has reported, to see what additional lessons are to be learned. Perhaps the hon. Member for Sunderland, South agrees also that it will be important to consider Sir John's conclusions with great care against the 1982 report and tonight's debate.

Mr. Mullin: I am grateful for that intervention, and I agree with the hon. Member for Westminster, North (Sir J. Wheeler), who occupies a distinguished position as chairman of the Home Affairs Select Committee now, and who was a member of it when it made the recommendations to which I refer in 1982. I look forward to the Committee returning to the subject under his guidance, because he appreciates, as do many right hon. and hon. Members of all political persuasions, that it is an issue that will not go away.

New clause 5 would allow the tribunal to consider evidence deemed inadmissable by the courts. I hope that one other matter considered by the Committee in 1982 will also be resolved in the terms of reference of any independent review tribunal, I refer to the requirement that the burden of proof must remain with the Crown to secure a conviction and not, as is increasingly the case, with defendants, to prove their innocence.

That relates to a fundamental principle of our judicial system, but regrettably, in a number of recent referrals to the Court of Appeal, it has appeared—I speak as someone who attended the Birmingham pub bombings appeal on several days in 1987 and early 1988—that defendants are required instead to prove their innocence. Our current law does not require them to do so. That point is one to which the Select Committee's 1982 report specifically drew attention, and I hope that that issue will be resolved once and for all.

The recommendations of the 1982 report received unanimous approval. That Committee was chaired by Sir John Eden, and its other members included the hon. Members for Birmingham, Edgbaston (Dame J. Knight), who is not regarded as being on the wet side of the Conservative party, and for Reigate (Mr. Gardiner), who is also not regarded as a member of the soggy, bleeding-heart wing of the Conservative party. I take heart from the fact that they all subscribed in 1982 to the report's conclusions, and I regret that one or two of them cannot be present this evening, to say whether they have since changed their minds or still stand by the recommendations to which they put their signatures some time ago.

The terms of new clause 5 were first embodied in an amendment in the name of the hon. Member for Harborough (Sir J. Farr) and myself to the Criminal Justice Bill in June 1988. During my short time as a Member of Parliament, it has been a pleasure to be associated with the hon. Member for Harborough in respect of such issues. It will be apparent to you, Mr. Deputy Speaker, that the political views of the hon. Member for Harborough and myself cover a wide spectrum. If that hon. Gentleman and I can agree on an issue, it should not be all that difficult for other right hon. and hon. Members to follow us. I pay tribute also to the consistency with which the hon. Member for Harborough was prepared to pursue the case of the six innocent men wrongly convicted of the Birmingham pub bombings long before it was a popular issue.

New clause 5 represents an idea whose time has come. As long ago as 1982, the Select Committee on Home Affairs, in the wake of a number of appalling miscarriages of justice, decided to investigate that topic, and reported that, with the exception of the Home Office witnesses, it

[Mr. Mullin]

interviewed no one who was against the idea of an independent tribunal. As long ago as 1976, the distinguished Lord Devlin first mooted the idea, and I am pleased to note that in their evidence to Sir John May's committee, the Bar Council, the Law Society and a host of other witnesses have called for some form of independent review tribunal.

I have received many letters on that and related issues, including one from a Law Lord giving the concept his support. I shall not embarrass him by naming him, as he would probably be blackballed from his club. When Sir John May reports, I hope that he will make such a recommendation, but we must be prepared for the possibility that he might not do so.

Everything that has happened in the eight years since the Select Committee's report confirms that wisdom of its recommendations, which were rejected by the Government. Had an independent review tribunal been in place there is no doubt that the Guildford and Woolwich convictions would have been overturned many years ago and without the anguish caused to the individuals directly concerned and to many others. The Maguire family would have had their convictions quashed many years ago and the people wrongly convicted of the Birmingham pub bombings would also have had their cases resolved some years ago.

The Birmingham case is particularly relevant because the case is deadlocked. The big problem is the Court of Appeal. The Birmingham case has already been to the Court of Appeal, where a mass of new evidence was presented. Instead of ordering a retrial, the Court of Appeal decided to adjudicate upon the new evidence itself in the absence of a jury. It threw out the appeal with contempt.

The problem is that the case is destined to go back to the Court of Appeal. However, no one who is conversant with the case believes that the Lord Chief Justice who presided at the previous appeal will accept any degree of the new evidence which may be put before him. No-one conversant with the issue has much faith in the Court of Appeal. That is why we are looking for an alternative way, in particular cases, of breaking the deadlock.

The purpose of the court of last resort, as it is sometimes called, or the independent review tribunal, is to correct mistakes. I do not complain about the fact that mistakes are made by our courts. Any legal system, however perfect, will make mistakes. I complain about the fact that we do not appear to have an adequate mechanism for owning up to mistakes and to a large extent that is due to the belief among senior members of the legal profession, that the system cannot make mistakes. One or two of those people have been frank enough to say that out loud and that does nothing to improve their credibility among those of us who mix in the real world.

For example, Sir David Maxwell Fyfe, who subsequently became Home Secretary, said in the House on 14 April 1948:

> "As a realist I do not believe that the chances of error in a murder case, with these various instruments of the State present, constitute a factor which we must consider . . . There is no practical possibility. The hon. and learned Member asks me to say that there is no possibility. Of course, a jury might go wrong, the Court of Criminal Appeal might go wrong, as might the House of Lords and the Home Secretary: they might all be stricken mad and go wrong. But that is not a possibility which anyone can consider lightly. The hon. and learned Member"—

that is, whoever put that startling proposition to Sir David Maxwell Fyfe—

> "is moving into a realm of fantasy when he makes that suggestion."—[*Official Report*, 14 April 1948; Vol. 449, c. 1077.]

That is how difficult it is to persuade senior lawyers of the possibility that the legal system is capable of making mistakes. In passing, I mention that Sir David Maxwell Fyfe went on to hang Derek Bentley, who is widely regarded as having been innocent.

The next difficulty facing those of us who have attempted to raise serious miscarriages of justice is the belief among certain senior sections of the legal profession—I do not suggest that it is shared by all—that mistakes should not be admitted if they bring into question the credibility of the legal system. For that, we must be grateful to Lord Denning who, as so often, said out loud what others say only in the privacy of their clubs. In the spring of 1988, in a BBC2 programme entitled "Did you See?", he said in so many words that there were circumstances in which persons who were innocent should remain in gaol if the credibility of the legal system was threatened. I am grateful to him for saying that, because that describes fairly graphically, and brings home to many people, the problem that we face.

The Attorney-General: Would it not be fair to record that Lord Denning, with customary grace, has said publicly that he regards the opinion that he expressed then as a serious mistake?

8.45 pm

Mr. Mullin: I was not aware of that, but I will take the Attorney-General's word for it. The opinion on which I know Lord Denning has backtracked is the judgment that he gave in 1980 when the Birmingham pub bombing appeal was referred to him and he made that remarkable and much quoted statement about the appalling vista that would arise if he were to allow the appeal. He has said that he was mistaken about that. We always welcome, however late in the day, a conversion; it is not for me to pour scorn on that.

All those who have campaigned over many years about the more celebrated cases of miscarriages of justice have had to face the problem of the extraordinary stubbornness of senior individuals in the legal system, due in part to their sheltered upbringings. Many of them tell us—having listened to some of their pronouncements, I am inclined to agree—that they have fine minds and are very intelligent. However, I am often struck by the fact that people who are so intelligent can also be very stupid at the same time, and that trait—I put it no higher than that—is to be found in some of the judicial responses to some of the more celebrated miscarriages of justice. That is why we need an independent review tribunal which is slightly more flexible than the Court of Appeal.

I will cite a few examples to make my point. Timothy Evans was hanged by mistake in 1950. In 1953, the person who carried out the murder for which Evans was executed —John Reginald Halliday Christie—was arrested and it was obvious to everyone concerned that he was responsible for the murder—everyone concerned, that is, except some of those at the highest levels of the legal

profession. An inquiry was set up under Mr. Scott Henderson which found that there was nothing to worry about.

A further inquiry under Mr. Justice or Lord Justice Brabin found, I believe—the Attorney-General will correct me if I am wrong—that while Evans might not have murdered his wife, he must have murdered the baby. That was complete nonsense, but it was not until 1966—after a campaign at least as great as that in relation to the Birmingham and Guildford cases—that the Home Secretary was finally prevailed upon to offer Timothy Evans a posthumous pardon. Even now, one or two hon. Members—lawyers, of course—have approached me saying that Evans was guilty all along.

In the Confait case, an inquiry set up under Sir Henry Fisher concluded that the youths who had just been released were probably guilty. Sir Henry had to be repudiated when the person responsible came forward.

In the Meehan case, Patrick Meehan was released from a life sentence and an inquiry was set up under Lord Hunter, a senior Scottish judge. That inquiry concluded that Meehan was probably guilty. Lord Hunter had to be repudiated when Meehan was compensated.

Perhaps the most celebrated illustration in recent years of difficulties with the Court of Appeal is the case of Cooper and McMahon, who were convicted in 1970 of a post office murder in Luton. It swiftly became apparent to most sensible people that there was something seriously wrong with the case. Four successive Home Secretaries referred the Cooper and McMahon case back to the Court of Appeal on four successive occasions. On each occasion the judges sat stony faced and said that they had heard nothing new. In the end, the Home Secretary of the day, now Lord Whitelaw, became so exasperated because he could think of no way of persuading the Court of Appeal to face up to what had gone wrong, that he simply ordered the gates of the prison to be opened, gave the men railway tickets and sent them home. That is how difficult it is to persuade the Court of Appeal to face up to serious mistakes.

Anyone who has read the judgment of Lord Roskill at the Guildford appeal in 1976 or 1977 will realise that that was an opportunity to end the Guildford case 13 years ago. It was obvious to everyone concerned that a mistake had been made. I commend to students of the subject the judgment of Lord Roskill explaining why those convictions were still satisfactory.

A department exists within the Home Office—I believe that it is called C3—to advise the Home Secretary on cases where there is cause for concern. I have had some dealings with that department. I have always found the individuals who work there courteous and well meaning but, generally speaking, useless at resolving problems. That is not their fault, but the fault of the system of which they form a part. They do not appear to have the power to conduct the slightest independent research, even to the extent of lifting a telephone, and their job seems to consist merely of poking holes in evidence submitted by others. I recall that Sir David Napley, who was interviewed by the Select Committee in 1982, said that he could not think of one case in which the C3 department took the initiative in getting a conviction quashed.

Anyone who doubts the difficulty with the C3 department should read the 22-page memorandum placed in the Library by the Home Secretary two years ago—no doubt it was drafted by the C3 department—explaining why the Maguire convictions were safe and sound. There is even a page on why innocent contamination could not possibly be the cause of the difficulty, although the Home Secretary—no doubt prompted by the C3 department—now takes the view that innocent contamination is the latest fallback position. Anyone who wishes to celebrate the effectiveness of the present system should study that memorandum.

In 1983, the Government replied to the Select Committee rejecting its principal recommendation on the independent review tribunal saying that convictions were primarily a matter for the courts to decide. However, the Government sought the advice of the Lord Chief Justice, Lord Lane, who promised some greater flexibility in terms of ordering retrials and accepting references back from the Home Secretary.

If such a promise was made, it was reneged upon. In the Birmingham case, the judges immediately rejected with contempt an application for a retrial, although there was an enormous amount of new fact upon which a judgment would have to be made. At the end of the Birmingham judgment, which is fairly scandalous, the Lord Chief Justice went so far as to say, "As with so many cases referred to us by the Home Office, the longer it went on, the more convinced we became that the original convictions were safe." That was a message to the Home Secretary, because the Guildford and Woolwich cases were then in the pipeline. It meant, "Don't waste our time sending any more of these cases, because this is how they will end." That is how it was read by many at the time and we now know what happened.

I should like to think that the Government, and indeed all of us, have learnt some lessons from the experience of events in the past two years, particularly from the Guildford, Woolwich and Maguire cases, but I suspect that that may not be the case. I am delighted that the Labour party and my right hon. and learned Friend the Member for Aberavon (Mr. Morris) broadly support an independent review tribunal. I welcome the support that that proposal has received from hon. Members from all parties. If the judges are unhappy about the suggestion, they have only themselves to blame. There have been many opportunities over the past decade or so for something to be done about those great scandals and I regret that they have not faced up to them.

An independent review tribunal is only one of the number of measures that will be necessary to restore the public credibility of the judicial system. We shall also have to stop convicting people on the basis of confessions obtained in police custody, which form the main part of the most celebrated wrongful convictions. We shall have to review the training and selection of judges and, in the light of what Sir John May recommends, we shall have to examine carefully the forensic service.

Our judicial system is being brought into discredit around the world by its inability to face up to mistakes. That is why I commend new clause 5 to the House.

Mr. John Morris: My hon. Friend the Member for Sunderland, South (Mr. Mullin) and the hon. Member for Harborough (Sir J. Farr) have done the House a service by tabling new clause 5, which is perhaps one of the most important proposals that we are discussing tonight. I fear that there is increasing concern about appellate procedures in cases in which there is some tension and emotion and particularly in terrorist cases. The track record in recent

[Mr. John Morris]

and not so recent trials of that nature and the limited view taken by the Court of Appeal are causes for concern. The existing machinery obviously needs to be improved.

Against that background, the Labour party has published proposals for the need for an independent review body to investigate suspected miscarriages of justice. What eventually emerges may not necessarily be in the precise form as presently proposed. The proposals emphasise the need for a wide consultative procedure that must include the composition of the review body and the establishment of an effective, impartial and independent body to investigate miscarriages of justice. That certainly does not exist now to the satisfaction of the general public. As far back as 1982, the Home Affairs Select Committee report and Justice—an eminent and experienced body of which I am a humble member—reported in that vein. The problem simply will not go away and there is increasing disquiet about our existing procedures.

I am not wedded to the exact form of words proposed by my hon. Friend, but he is right in principle. There is a need for a new body able to take a wider view and, where necessary, to take the case apart. If we had permanent machinery of that sort, there would be no need for ad hoc inquiries. Indeed, the establishment of ad hoc inquiries makes the case for some sort of body and the case for making it permanent is made out by the increasing concern about a whole spate of cases.

As a practitioner who from time to time finds himself before the Court of Appeal, I want to make it clear that the Court of Appeal does an effective and satisfactory job for the run-of-the-mill case. I say that in no patronising way. One is not always pleased with the results. That is another matter and may involve a subjective rather than an objective view. It is not the independence of the Court of Appeal that is the cardinal point; it is the type of remit that custom, practice and legislation give it. After all, it is a creature of statute. That is the heart of the problem.

9 pm

The cases considered by the Secretary of State and the investigative machinery at his disposal frequently cause concern. My hon. Friend has gone to some lengths to describe that machinery. I accept that serious mistakes can and do happen. I fear that even in future, with the most ideal, new radical machinery, mistakes will happen. Our job is to limit the chances of mistakes happening and to have machinery to correct them as speedily as possible. The convention is that, short of a political earthquake coupled with some evidence, nothing is done. It is an indictment of the present system that it needs a sustained campaign by the great and the good for action to be taken.

My hon. Friend is proposing an independent body which will be open in its inquisitions and will be the trigger for action by the Home Secretary. It is the sifting machinery, preliminary to a Sir John May inquiry, which is necessary. It is adumbrated here that there could well be a full hearing, presumably by the body itself. I am not sure whether that is necessarily the right way to proceed, but we are trying to find the best solution.

One could go on at great length, but I shall not do so tonight. The problem will not go away. There is a need for new investigative machinery. Justice delayed is justice denied. It is wrong that under present procedures decades must go by—a third or a half of a working life—before justice is done. That cannot be right.

In this age of new technology, with new tests and machinery every day, there is a lack of balance between what is available to the Crown prosecuting a case and what is available to the defence. An individual, certainly one on legal aid, cannot have all the resources necessary for scientific tests that sometimes border on the frontiers of knowledge. Government agencies exist to serve the people as a whole, not merely the organs of Government. Therefore, where appropriate, they should be available to assist and advise individuals who appear before the Queen's courts.

I certainly accept the principle, if not the words, of my hon. Friend's amendment. I am sure that we shall return to the matter again. As the Chairman of the Home Affairs Select Committee suggested, once Sir John May has reported, it may be wise and prudent for the Select Committee to return to the subject again.

Sir John Farr (Harborough): I support the remarks of the hon. Member for Sunderland, South (Mr. Mullin) and the cogent remarks of the right hon. and learned Member for Aberavon (Mr. Morris). I do not think that I am a rarity on this side of the House, but I am certainly one among perhaps not all that many in the Conservative ranks who consider that a succession of miscarriages of justice have come to the forefront, even since the Criminal Justice Bill of 1988, in respect of which I tabled a new clause, was considered in Committee. We did not even imagine the horrendous outcome that the hon. Member for Sunderland, South suggested in relation to the Maguire and Guildford cases. I do not think that even the hon. Gentleman dreamed that his worst fears would be realised.

My interest, apart from that of any ordinary person, whether Conservative, Labour, Social Democrat or whatever, is to correct a miscarriage of justice. I firmly believe that my hon. Friend the Member for Westminster, North (Sir J. Wheeler), who was on the Select Committee, was right when he said that something had to be done. Unfortunately, his cogent remark was only an intervention. Had he been making a speech, I would probably have intervened and asked him why it had taken so long—and eight years is a lifetime for people who have been wrongly imprisoned.

The hon. Member for Sunderland, South referred to my interest in the Birmingham Six, which may or may not be well known. I happened to be concerned about them, which may or may not be well known, because one or two of them are in Gartree prison in my constituency. When they first went in, they asked me to do a bit of photocopying for them because the prison rules in respect of the photocopier are strict. While I was photocopying their petitions to Justice and other organisations, I became interested in their story. I did some investigation. Of course, about five or six years ago, there was a story in the Sunday papers about forensic tests that were said to be bogus. The Gries test was shown by some Sunday papers to be bogus. The Gries test was the forensic test that sent down the Birmingham Six, and they are still inside.

As an ordinary citizen, I am interested in miscarriages of justice. Anything must be better than the present arrangement. That is what I tried to say when I moved my new clause when the Criminal Justice Bill was considered in Committee a couple of years ago. That is why I am

pleased also to be associated with the hon. Member for Sunderland, South in the new clause. Let us hope that it will not be another few years before something is done.

I cannot see any reason—I never shall—why the findings of a Select Committee that was set up to deal with miscarriages of justice should be totally ignored by the House. At that time, my new clause was considered at 1 o'clock in the morning—hardly a key time of the day. This debate is an improvement on that. There was a unanimous recommendation by a Select Committee, many members of which are still in the House. It is just not good enough to forget it. I charge my right hon. and learned Friend, for whom I have great admiration, as I have for all of my Government lawyer friends, at least to have another look at the Select Committee's recommendations. If their recommendations are put into effect and the kind of miscarriage of justice that occurred in the case of the Birmingham Six is not allowed to happen again, we shall have done some good.

Many professional lawyers think that the layman is trying to bind their hands. We are trying to do nothing of the sort; we are leaving the legal system intact. In 1982, the Law Society was strongly in favour, as was the Criminal Bar Association, of an independent review body. Both said that it would be sensible to provide a little more expert advice to the Home Secretary, who has an impossible job. However brilliant one may be, it is impossible to be right all the time. An independent review body, based on the recommendations in the Select Committee's report, ought to be established soon. I have great pleasure in supporting the new clause.

Mr. Bermingham: I support the concept of a court of final appeal, although for none of the reasons given so far. I do not believe that it is constructive to look at past examples; one has to consider generalities. In too many instances the arguments advanced in support of a court of final referees have related to a particular case. That is unwise. Anyone who believes that a particular system is right on every occasion is wrong. Everyone makes mistakes. Anyone who practises either as a solicitor or as a barrister—I have practised as both—knows that he has made mistakes in the past. A mistake may be made by failing to call a witness. The significance of a tiny piece of scientific evidence may not be apparent at the time; one fails to realise its significance. Only later does scientific knowledge highlight the fact that there was more significance to that tiny piece of evidence than was thought at that time.

Judges, counsel, solicitors and witnesses are human and make mistakes. I do not intend to refer to the findings of the May inquiry, but it is so easy to look back 14, 15 or 20 years and be hypercritical of actions taken by human beings at that time. It is more productive to accept that people try to do their job, within the confines of the system, as well as they can but that they are constrained by the knowledge that exists at the time.

The problem with forensic evidence over the years has been the imbalance between the facilities available to the defence and the prosecution. Scientific services are Government services and people's services. They should therefore be available to everyone. However, there comes a time within our system when a feeling of partisanship is suspected. All lawyers are well advised to be aware of that danger. If one feels partisan about a particular incident, one may or may not inadvertently fail to disclose evidence, particularly scientific evidence. One may also fail to disclose other extraneous factors that in turn become crucial to the testing of the evidence.

If we are to have a court of final referral, which I hope one day we will, I hope that it will not be only for the great and the good. I have always worried about a simple case —a shop burglary 20 years ago. I was convinced at that time and I am to this day that the man convicted of it, on circumstantial, not confessional, evidence, was probably innocent. The problem is that he was given a six-month sentence which has long since been served. He had to serve that sentence and, more importantly, his career was ruined. He wanted to be a professional—it does not matter which profession—but it was no longer open to him.

9.15 pm

A court of final referral is as important to people like that as it is to those accused of major criminal offences or terrorist offences. We have to be equally wary of those cases.

The present system has stood the test of time. We may not always agree with the results we obtain in court—we would not be human if we did—but that does not mean that the system is wrong. I disagree with the attacks made upon the Court of Appeal because experience has shown that in 99·99 per cent. of cases the system is fair and right. As my right hon. and learned Friend the Member for Aberavon (Mr. Morris) said, the system is right.

I agree with our trial system. Mistakes will be made, but, by and large, it is right. We are not saying that the systems are wrong. Those of us who support a court of final referral merely accept the principle that mistakes can be made. Such a concept needs to be thought about carefully, even if it is not in the form suggested in the new clause. It needs to be established because the frontiers of knowledge are for ever extending and, in a just and good system, we have to be able to accept that we can make a mistake.

Mr. Austin Mitchell: I congratulate my hon. Friend the Member for Sunderland, South (Mr. Mullin) on his new clause and on having it selected. I tried to do that in Committee but was unsuccessful because I do not have his legal skills. It is important to discuss this general problem, as my hon. Friend did on Second Reading. I am speaking as a layman—a person passionately concerned about something that appears to be wrong, even rotten, in the state of justice. There is a general feeling that this is a major problem that we cannot deal with. Something has clearly gone wrong, but there seems to be no way out. We must find a way of dealing with it.

It is clear from the Guildford, the Maguire and the Birmingham cases that something has gone drastically wrong with justice. In the atmosphere of that time, it was clear that it would be difficult to get justice and to obtain independent, conscientious police work that was not aimed simply at getting a conviction.

The machinery of justice is not there to bend to such pressure; it is there to ensure that cases are treated fairly. That is the reason that there should be an adequate appeals procedure—so that, if a court has failed in the initial instance, for whatever reasons, the verdict can be looked at again objectively and proper redress provided. In the cases that I mentioned, it is clear that that opportunity did not exist.

[Mr. Austin Mitchell]

We have to do something along the lines suggested by my hon. Friend the Member for Sunderland, South. I am alarmed at the way in which the Court of Appeal seems to feel it incumbent upon itself to back previous decisions, as if a challenge to such a decision and the methods by which it was taken is a challenge to justice itself and the rule of law. It believes that it is somehow defending the system against unjustified, unreasonable and unfair criticism. It does not examine the facts of the case, which is surely its responsibility. It is even more alarming to hear rumours that judges in the Court of Appeal continue to believe, despite all that has been said, that people are guilty. Such rumours are disconcerting.

Mr. Mullin: It is clear, and the Attorney-General may have heard it said, that several senior judges have gone round, as they have done in other cases, saying that the people convicted of the Guildford and Woolwich pub bombings and the Maguire family, whose convictions have been quashed, were guilty but got off on a technicality. That is outrageous. It is completely false.

Mr. Deputy Speaker: Order. We have a long-standing convention that we do not reflect adversely on the courts or the judiciary. The hon. Gentleman is breaking that convention.

Mr. Mullin: With respect, Mr. Deputy Speaker, I have made that point on several occasions without falling foul of the Chair.

Mr. Deputy Speaker: Just because the Chair has been prepared to be tolerant, the hon. Gentleman should not take the opportunity to push that tolerance further.

Mr. Mullin: I accept that observation, Mr. Deputy Speaker.

Mr. Mitchell: If such attitudes have been voiced, they are absolutely wrong and show that justice was not available through that channel. If that is the case, it should arouse the strongest possible concern, as should any implication that if cases are sent back to the Court of Appeal, they are thrown out as a testimony to the virility of the Court of Appeal.

The second problem is the way in which the Court of Appeal seems to regard it as necessary to think itself into the mind of the jury at the original trial and say that, even if certain evidence had been presented at the trial, the jury would have come to its original conclusion. That is an impossible and wrong intellectual feat for the court to perform.

The real threat to justice is the feeling that it has not been done, the feeling that there is no way out or the impression that something that is wrong cannot be dealt with. That is more of a threat to justice than anything that I can imagine.

In its sixth report in 1981-82, the Home Affairs Select Committee, after a thorough inquiry, came to the firm conclusion that there should be a further means of redress along the lines suggested by my hon. Friend the Member for Sunderland, South. I quote with concern the evidence given to it by Sir David Napley, who told the Committee that he was unable to recall from his own experience

"a single case where the Home Office has, as a result of its own investigations, felt able to recommend a pardon or any other recognition that a conviction was necessarily wrongful."

But he said that, on the other hand,

"on a number of occasions (officials) have quite freely expressed to me their sense of disquiet about particular cases but have pointed out that since appellate courts either on appeal or on reference under Section 17 have refused to interfere with the verdict they felt unable themselves to intervene."

It is a self-reinforced system. That is why we need to cut in with a provision such as that in the new clause. It is apparent that under existing powers, where the Secretary of State refers cases to the Court of Appeal because of doubt about a conviction, the machinery does not work well. It appears that on occasions the Court of Appeal positively resents the exercise of that power. Rather than dealing with the reference in an open-minded fashion, it expresses its resentment in its finding. Therefore, we need an independent review.

I do not think that the Attorney-General will leap to the Box with a glad hosanna and say, "Yes, you are right, it has all been a terrible mistake, and we accept the new clause." I do not think that he will do as I want him to. He is concerned about the reputation and probity of British justice, and the respect for it, not only in this country but in Ireland, and the need to redress the obvious deficiencies that have occurred. If he recommends us to reject the new clause, he must say that the Government are concerned about the issue and that he is looking for a way of dealing with a problem that is detrimental to the interests of justice in this country.

The Attorney-General: I make no complaint that we have spent considerable time on a topic that it would be idle to deny is, at present, a source of much anxiety.

If I deal with the new clause in a way that applies more closely to our proceedings on Report than if we were discussing its content in a different context, I hope that I shall not be accused of wishing to dodge an important debate or playing into the long grass the considerations that have been properly and cogently expressed. I do not agree with all that has been said, as I shall summarily try to make clear. At this stage of the evening, when several right hon. and hon. Members on both sides of the House have given voice to their anxieties and their support for the thinking behind the new clause, it is appropriate for me, in reply, to deal with the matter quickly, and I propose to do so in the way that I have explained.

The Bill does not set out to alter the criminal court structure. To introduce a new clause such as this into the Bill, particularly at this stage, when it has not even been debated in Standing Committee, would be inappropriate. I do not believe that, with hand on heart, hon. Members are seriously suggesting that it can be.

The Home Secretary and I, following the investigation by the police into the Guildford Four's convictions and the subsequent decision of the Court of Appeal in October 1989 to quash their convictions, appointed Sir John May to inquire into the circumstances leading to, and deriving from, those convictions. That inquiry had wide terms. It was also asked to examine the case of the Maguire family and their co-defendants.

The first public hearing began on 21 May, and on 11 July the Home Secretary announced to the House that the Maguire case would be referred to the Court of Appeal. That inquiry's terms of reference were deliberately made wide and the Government confidently expect that Sir John May's report will range widely. He has said that, among the matters that he intends to consider, is whether any changes are needed to the existing arrangements for considering allegations that

there have been miscarriages of justice. His interim report was published on 12 July and his final report will receive the most careful consideration.

The right hon. and learned Member for Aberavon (Mr. Morris) rightly distinguished between the function of the Court of Appeal in dealing with a reference to it under the provisions of the Criminal Appeal Act 1968, and the Home Secretary's function in making such a reference, and considering whether or not to make it. That is an important distinction to bear in mind, and it was not very evident in the speech made by the hon. Member for Sunderland, South (Mr. Mullin).

I do not want to be thought to be pre-empting the Government's consideration of whatever Sir John May will recommend. I repeat that I expect his report to range widely, but it would be quite wrong of me to say anything that showed any personal predilection for any recommendation that he may make—or against one.

9.30 pm

The hon. Member for Sunderland, South referred to the judgment given by the Court of Appeal when dealing with the Birmingham Four's reference. He thought it right to call the judgment scandalous. That is unfortunate language. Any court can deal with the matter brought before it only on the basis of the evidence put before it. As the House knows, when the Home Secretary makes a reference, it must be treated under the legislation as a fresh appeal. There has been a tendency to criticise the Court of Appeal in this and other cases for not having dealt with the matter as it might have done had it been in possession of all the material that subsequently became available.

If, when dealing with one of these references, the Court of Appeal took into account material that had not been put before it in evidence, that would indeed be grounds for complaint, and loud complaints would be heard in this House——

Mr. Mullin: Will the right hon. and learned Gentleman give way?

The Attorney-General: I just want to complete this thought. When hon. Members speak, as many have tonight, about courts not owning up to mistakes, they must be clear in their mind what they are talking about. If they are speaking about what is subsequently revealed to have been an irregularity amounting to a miscarriage of justice, but one which has become apparent only by reason of the later disclosure of material that was not available to the court at the time, the court is not shown to have made a mistake.

The court has no investigative powers. Much has been done, no doubt unwittingly, to undermine confidence in the judiciary by people saying that it has not been willing to own up to mistakes, who offer in support of that proposition illustrations of the type that I have described. That should not be done.

Mr. Mullin: I hear what the right hon. and learned Gentleman says. My view—I think that it is shared widely—is that, from the moment the Balcombe street IRA unit was captured in 1976, everyone concerned in the prosecution knew that the wrong people had been convicted. That can easily be shown, and Sir John May may well come to that conclusion.

In the Birmingham case, what went wrong came to light only later, but that was five or six years ago, and by now it should be dawning on people in high places; it has certainly dawned on those of us who travel on buses.

The Attorney-General: The House will know that I certainly cannot comment on the facts of those cases, but I ask the House to bear in mind the functions that the House has conferred on the Home Secretary and on the Court of Appeal. Under section 17 of the 1968 Act, the Home Secretary has power to refer to the Court of Appeal the case of any person who has been convicted on indictment. Alternatively, he may in certain circumstances decide to recommend to Her Majesty the exercise of the royal prerogative of mercy, or he may grant a free pardon. Of course, that is not nearly as satisfactory to those who believe that there has been a miscarriage of justice, because if there has been such a miscarriage, they rightly look to the judicial system to correct it. My right hon. and learned Friend the Home Secretary would not normally consider it right to intervene unless there was new evidence or some other consideration of substance, which had not been before the courts and which appeared to cast doubt on the safety of the conviction.

The right hon. and learned Member for Aberavon said that we needed a tribunal that would take a wider view. He did not identify that wider view, and I find it difficult to see how a view wider than that which the Court of Appeal is required to take can exist. On a reference, the Court of Appeal is required to ask itself whether there is a lurking doubt and whether the conviction is unsafe or unsatisfactory. If there is a doubt, the court must act accordingly. It is difficult to see how we could take a wider view, unless we ask a tribunal to act upon material that is not put before it in the form of evidence. On an appeal there are no holds barred on evidence and fresh evidence can be put before the court.

Mr. John Morris: I sought to put forward as briefly as possible some of the sentiments expressed by Sir John May. On page 36 of his report he comments on the views of the Court of Appeal in that case and on the way in which, in Sir John's judgment, the Court of Appeal erred in upholding the judge's directions, to which I referred. The comments are contained in paragraph 10.1.19. Perhaps I unduly saved the House's time in not referring to them earlier.

The Attorney-General: The House has heard the right hon. and learned Gentleman's comment, and we must leave the matter there.

The anxiety, the existence of which I have acknowledged, derives from cases that were heard about 15 years ago. Since that time, the Police and Criminal Evidence Act 1984 has been put in place and tape recording is almost universal. We also now have an independent prosecution service. Each of those innovations constitutes a significant safeguard against malpractice of the sort that can lead a court to be presented with inadequate or false evidence. We should bear those matters in mind when we think about the reliability of our criminal justice system.

The debate has given rise to some extremely interesting and properly brought forward views. It is not appropriate to use the Bill as a vehicle for such a major constitutional reform and it would not be appropriate to accept the new clause. I hope that the House will agree that the new clause should be rejected.

Mr. Mullin: I am grateful to hon. Members who have supported the new clause, and especially to my right hon. and learned Friend the Member for Aberavon (Mr. Morris). The tone adopted by the Attorney-General in the debate was wholly different from that adopted by the Minister of State, Home Office when he replied to an identical clause two years ago. I propose to press the new clause to a Division.

Question put, That the clause be read a Second time.

The House divided: *Ayes 37, Noes 96.*

Division No. 315] **[9.39 pm**

AYES

Barron, Kevin
Bermingham, Gerald
Brown, Gordon *(D'mline E)*
Buckley, George J.
Callaghan, Jim
Carlile, Alex *(Mont'g)*
Cook, Frank *(Stockton N)*
Dewar, Donald
Dixon, Don
Eastham, Ken
Farr, Sir John
Fearn, Ronald
Fraser, John
Golding, Mrs Llin
Gordon, Mildred
Haynes, Frank
Howarth, George *(Knowsley N)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Leighton, Ron
Livsey, Richard
McKelvey, William
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon J. *(Aberavon)*
Pike, Peter L.
Powell, Ray *(Ogmore)*
Skinner, Dennis
Steel, Rt Hon Sir David
Temple-Morris, Peter
Vaz, Keith
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Chris Mullin and
Mr. Bob Cryer.

NOES

Alexander, Richard
Arnold, Jacques *(Gravesham)*
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Butler, Chris
Carlisle, Kenneth *(Lincoln)*
Cash, William
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Durant, Tony
Dykes, Hugh
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Forman, Nigel
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Gill, Christopher
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Harris, David
Howell, Ralph *(North Norfolk)*
Hunt, David *(Wirral W)*
Irvine, Michael
Jack, Michael
Jopling, Rt Hon Michael
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Lester, Jim *(Broxtowe)*
Lightbown, David
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Mans, Keith
Mayhew, Rt Hon Sir Patrick
Mills, Iain
Mitchell, Sir David
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Neubert, Michael
Nicholson, David *(Taunton)*
Norris, Steve
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Redwood, John
Rhodes James, Robert
Riddick, Graham
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Stern, Michael
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Trippier, David
Viggers, Peter
Waller, Gary
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

New clause 24

DEPARTMENT OF LEGAL ADMINISTRATION

'(1) There shall be a department of state to be known as the Department of Legal Administration answerable through a Minister or Ministers to the House of Commons.

(2) The department shall be responsible for

(a) the administration and organisation of courts and tribunals in England and Wales;

(b) the recruitment training and appointment of the magistracy and judiciary through a Judicial Appointments Commission;

(c) the provision of legal aid, legal services advice and representation;

(d) the supervision of the legal professions;

(e) the Law Commission and law reform; and

(f) such other matters as the House of Commons shall by resolution decide including such powers or duties hitherto conferred upon the Lord Chancellor other than duties of a judicial character.'.—*[Mr. Fraser.]*

Brought up, and read the First time.

Mr. Fraser: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this we shall discuss new clause 26—*Judicial Appointments Commission*——

'(1) There shall be a body corporate to be known as the Judicial Appointments Commission (The Commission).

(2) The Commission shall consist of a chair and not more than 20 other persons independent of politics and appointed by the Minister for Legal Administration.

(3) The Commission shall have the duty of advising the Minister for Legal Administration on the recruitment, training and appointment in England and Wales of magistrates, the judiciary and members of statutory tribunals.

(4) The Commission shall comply with the overriding principle that its work shall be directed to the fair, just and efficient administration of justice without partiality or prejudice.

(5) Subject to the overriding principle the Commission shall have regard to the needs to ensure—

(a) that appointees are equipped to interpret and apply the law fairly and efficiently;

(b) equal access to the law, and

(c) the appointees are representative of the community, socially aware and trained and equipped to perform the duties assigned to them.

(6) The Commission shall consult the designated judges and may consult other persons and bodies about the discharge of its duties.'.

Mr. Fraser: The two new clauses are different in substance, and I shall briefly describe their effect. New clause 24 would create a department of legal administration—what is called in many countries a Ministry of Justice. It would be answerable to the House of Commons, it would be amenable to the supervision and the investigation of a Select Committee, and it would answer to this House for what is the considerable current expenditure of the Lord Chancellor's Department.

New clause 26 would create a judicial appointments commission, the exact terms of which it sets out. Essentially, it would be concerned with the selection, training and appointment of judges, chairs of tribunals and other judicial figures, including magistrates. The commission would have as its overriding principle that its work would have to be directed

"to the fair, just and efficient administration of justice without partiality or prejudice."

The creation of a department of legal administration would bring the administration of the law—the spending on the administration of the courts—into the political arena to a much greater degree than at present. It would have a spending budget of £1 billion a year, including legal aid. By contrast, the setting up of a judicial appointments commission would take the appointment of the judiciary out of the political arena and, for the first time, make it entirely consistent with the constitutional principle that the appointment of the judiciary should be entirely free of political control.

I wish to go into a little more detail about the proposed department of legal administration. First, its main function would be the spending of about £1 billion. The Lord Chancellor would cease to be the last of the big spenders in the House of Lords. It was perhaps justifiable to have a Minister in the other place at a time when the Lord Chancellor's Department spent little money and when there was no legal aid scheme. Now, with expenditure of £1 billion a year, the Minister should be accountable to the House of Commons.

Secondly, a department of legal administration would allow criticism of the administration of the courts, but not the exercise of judicial judgment and discretion. The matter would be in the centre of the political arena rather than tucked away in a corner of the unelected Chamber. Such a department would also be responsible to this House for the operation of the legal aid scheme and its coverage. Eligibility for that scheme has slipped from 90 per cent. of cases to 70 per cent. and is still falling. That matter ought to be the subject of much greater scrutiny by this House, including by the Select Committee on Home Affairs.

The Attorney-General may say that the Government are spending more and more money on legal aid. Although that is true, the reason is the crime epidemic that has become evident since the present Government came to power. From the figures it is clear that a high proportion of that expense is accounted for by criminal defence costs. Claiming credit for an expansion of the legal aid service by quoting expenditure figures is like saying, in the event of a plague, that the national health service is doing better only because it is spending more on combating it.

The legal aid scheme should be exposed to much more debate, criticism and accountability in this House. There should also be much public discussion and constructive criticism of the work of the Crown prosecution service. I have always made it clear that we are strong supporters of the concept of the CPS, but we want it to operate efficiently. Although we are concerned about the defence of liberty, civil rights, and the ability of the individual to receive a fair trial, the victims of crime have rights. If prosecutions are handled incompetently and are not given sufficient resources, and if those guilty of crimes escape because of the prosecution's inefficiency, that too is wrong. The quality and rewards of the CPS should also be debated more thoroughly in this House.

A department of legal administration could concern itself with law reform. I would prefer to see many more people asking questions of this House about why we retain stupid, unfair or outdated laws and do not go about

[Mr. Fraser]

reforming them more thoroughly and quickly. I can think of whole areas of law in urgent need of reform, which would occur if more pressure were exerted on this House.

The Attorney-General: Such as in respect of the Shops Act 1950.

Mr. Fraser: I shall refer in a moment to controversial issues and the part that a department of justice or a department of legal administration could play in them.

I can think of a number of areas where law reform should proceed more quickly. One example is the liability of an original lessee. It is ridiculous that someone who signed a lease 50 years ago as the original lessee should still be liable. It is wrong also that those having leasehold flats have not been given a system of enfranchisement and of commonhold ownership consistent with present day ownership. When I was Minister of State for Prices and Consumer Protection, it struck me as ridiculous that one had to use a private Member's Bill on a Friday to push through a reform such as the Unfair Contract Terms Act 1977, which I, with my former hon. Friend the Member for Peterborough, was able to put on the statute book. It seems silly that we should not have a more vigorous system of law reform run by a department of legal administration answerable to this House.

The Attorney-General referred to the Shops Act 1950. There are a number of outdated items of legislation on the statute book, and many others proposed that are highly controversial. A department of legal administration should not shrink from making it possible for the House to reach decisions about them.

The Attorney-General: But it does.

Mr. Fraser: It was right for the Leader of the House recently to make it possible for the House to reach decisions about the Human Fertilisation and Embryology Bill on an issue about which the law clearly needed reform. The Leader of the House allowed the House to reach a conclusion. That should happen more often. I hope that it will be possible to expedite the passage of law reform legislation through the House by the combined use of a Select Committee and a Standing Committee as happens at the moment with consolidation legislation.

I would like to see Ministers answerable in the House for the efficient administration of the courts as well as for the efficient and wide availability of legal aid. I want to see a department which will develop a comprehensive——

It being Ten o'clock, further consideration of the Bill stood adjourned.

Ordered,

That, at this day's sitting, the Courts and Legal Services Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Lightbown.]*

Bill, as amended (in the Standing Committee), again considered.

Mr. Fraser: I want to see a department which will develop a comprehensive coverage of advice and representation across the nation, not just including the legal professions, but encompassing advice agencies such as the citizens advice bureaux, which would assist a network of law centres supported by central and local government. It should be sufficient to meet the needs of the population and be assured of independence. I would like to see a coverage of representation and assistance for tribunals no matter what their nature. We want to develop a system of advice and representation, both lay and professional, which ensures that no man or woman's rights are diminished or abrogated because of a lack of advice, help or representation.

Those matters should be given more attention by the House. A department of legal administration could be examined critically and constructively. There is no reason why those matters should not be the subject of more political debate and controversy in the House. The administration of justice should not be remote or mysterious. We want to bring the large amount of spending and other important matters concerning the administration of justice into the House under a prime department for the first time.

I want now in contrast to consider the establishment of a judicial appointments commission. That would remove political control and the exclusive nominal control of appointments from the Lord Chancellor and the Prime Minister, who are both Cabinet members. I do not want to criticise the way in which the present Lord Chancellor has conducted his duties as he is responsible for the appointment of the judiciary. I have great admiration for the work of the Lord Chancellor's Department in the way in which it assembles information and gathers intelligence to make judicial appointments.

However, I am sure that it is wrong that such a duty should be undertaken by a political Minister. The number of appointments is now so much greater than when the system was traditionally under the control of the Lord Chancellor. For example, there are 920 judicial appointments, excluding appeal and High Court judges, and there are thousands of magistrates. The overriding principle would be the independent and efficient administration of justice. However, there are other targets and criteria which we could give to a judicial appointments commission which it could conduct in a way that was free from political control.

We could ensure that judges were more representative of the communities that they served. Judges are not masters of the community; they are its servants. I know that the Lord Chancellor has taken seriously the importance of the appointment of women, who I am reminded from time to time are not a minority, but the majority in our society. I know that he also takes seriously the appointment of black people and other representatives of ethnic minorities in this country. However, if we had a judicial appointments commission it would be possible to be more expansive and imaginative and to invite more ideas about the way in which we could make the judiciary and the bench more representative of the population they serve.

Despite the good faith and good intentions of the Lord Chancellor's Department, the judiciary simply does not reflect the composition of the country. There are 408 circuit judges presiding over Crown courts and county courts, but only 17 of them are women. There are 216 county court registrars, of whom only four are women. There are 49 stipendiary magistrates, of whom eight are women, a rather better figure. Industrial tribunals deal with employment cases and sexual and racial discrimination. Of 64 full-time chairs of industrial tribunals, only six are women. There is only one woman out of 16 social

security commissioners, and there is only one woman out of 14 chairs of social security appeal tribunals. Much though we may try, it is simply not good enough.

We need a commission which is set targets and criteria so that appointments to the judiciary and chairs of tribunals reflect the community they serve, including women and other groups.

We should encourage a career structure in the judiciary where it is not always possible for someone with 10 years' experience in the courts to go straight to being a judge. Some people may find it much more difficult to achieve a judicial post because of their career patterns and experience. There is no reason why someone should not be appointed chair of a tribunal and, if they prove themselves to be good after serving for a short time in that capacity, to move to a higher or different judicial appointment so that a career pattern would be created within the judiciary in addition to the traditional pattern of serving as an advocate and then being appointed, sometimes temporarily and sometimes permanently, as a judge.

Such a commission would encourage our judges to be more accountable and discuss more constructively the nature of their work and the way in which they approach it. Having removed judicial appointments from political control, it might be easier to rebuke and, if necessary, dismiss judges. I know that we are not here to criticise individual judges, but there is much concern about judges who say that women are liable to be raped if they walk home alone on a dark night. There have been examples of judges who appear to be out of tune with the needs and views of the community that they serve. A commission removed from political control would be freer to deal with such matters.

We want a judicial appointments commission which is transparent in its operations. I am not suggesting that confidential information that affects whether someone should be appointed should be entirely open and that people should have to disclose the sources of that information, but the way in which the system works has to be transparent. Those who seek an appointment need to know what has been said about them and to be given an opportunity to counter any unfavourable statements that might damage their possible career in the judiciary. We want a system that is transparent and imaginative.

One of the proposals involves a more vigorous political debate about the administration of the law, the efficient conduct of our courts, the expenditure of money and the extent of legal aid. We want one vigorous political department dealing with the administration and reform of the law. In contrast, we want another body that is independent of politics, that is transparent and that perhaps will approach more imaginatively the task of recruiting, training and appointing judges. Both propositions are needed, and I hope that they will be supported.

Mr. Temple-Morris: It is one of the ironies of a Report stage such as this when we come under pressure of time that a whole galaxy of worthy and interesting subjects comes up for discussion. It is tempting to let loose, particularly about a ministry of justice or a department of legal administration. My right hon. and learned Friend the Attorney-General will be relieved to know that I shall resist that temptation and speak briefly, perhaps wearing my Law Society hat, to register a genuine anxiety about the new clause 26 which deals with a judicial appointments commission.

Our judicial appointments system is historic, thorough and experienced, but it is perhaps one of the most closed and charmed systems in the land. We touched on that in Committee. I do not criticise the system as such, but its nature does not exactly charm most solicitors. Indeed, they feel somewhat outside the system of selection at the very time when they are penetrating the higher courts, taking on judicial appointments and hoping to take over more of them. That is a serious concern.

I have definite sympathy with new clause 26, as does the Law Society, and I hope for some suitably reassuring words from my right hon. and learned Friend.

Mr. Bermingham: I wish to raise one matter on new clause 24. My hon. Friend the Member for Norwood (Mr. Fraser) referred to the rights of the victim. I have some questions for the Attorney-General.

Why will the Legal Aid Board not grant the cost of experts in many defence cases of serious crime? That is a serious matter. For example, in a car ringing case, the Crown had experts in engineering and motor sciences. The defence asked for an engineering expert because the Crown's evidence was to be challenged, but the request was refused. Is that justice?

Why has a senior judge found it necessary to write to the Director General of Public Prosecutions with anxieties about the competence of counsel in certain prosecutions in the south-eastern circuit? Why has a certain criminal court judge written to a senior member of the Bar—I am prepared to supply his name to the Attorney-General—about exactly the same question? Why is there a general belief that grade 3 barristers are not being briefed and grade 3 work is being sent to grade 2 barristers? Could it be that the Crown prosecution service is being starved of funds and therefore cannot brief competently?

Is that why briefs on rape cases, which must be tried in the central criminal courts, are being touted around the Temple in an attempt to find a prosecuting barrister? Will that bring justice to the rape victim who has a right for her case, which is the Crown's case, to be put properly in our courts? Could it just be that the Treasury purse strings are operating in such a way as to constrain and restrict the right of the Crown prosecution service to brief the most competent and best counsel? Is it right that a considerable number of the best and most competent senior juniors seem to be ceasing to do prosecution work? Is that in the interests of society?

The Attorney-General will say that I should ask the Minister responsible, but who, bar the Attorney-General, is responsible and answerable to us? If we had a ministry of justice and a Select Committee to oversee those matters, the Select Committee could call witnesses and ask questions. I have been a member of the Home Affairs Select Committee for some years. We can touch upon certain little matters because our brief carries us that far, but we cannot touch on the Lord Chancellor's Department, and we cannot touch on other matters to do with legal aid.

We can touch, however, as we did recently—although I declared an interest and did not take part in the inquiry—on the Crown prosecution service. Would it not be wiser if all the spending Departments were under one Ministry, with a Minister answerable at the Dispatch Box, fortnight in and fortnight out, not just for 15 minutes at Attorney-General's Question Time but for perhaps an hour, as many other Ministers are?

[Mr. Bermingham]

These matters are of considerable importance to men and women in the street. Whether we defend them properly or prosecute them properly is a matter of concern to society. The victim and the defendant have interests, and the Treasury's cold hand seems to be causing damage to both.

10.15 pm

Mr. Vaz: The hon. Member for Leominster (Mr. Temple-Morris) said that he was concerned that so many new and radical ideas that have been put forward not just by the Government but by the Opposition are being considered so late at night and in such a brief time. He was quite right. That is why, at the start of the proceedings, I raised a point of order about the allocated time preventing hon. Members from carefully considering the many amendments to the extent that we would like.

This new clause places on record the cornerstone of the Labour party's policy on legal affairs. I am not particularly friendly towards the name "Department of Legal Administration". It sounds a bit Jim Hackerish. I have raised this matter with my right hon. and learned Friend the Member for Aberavon (Mr. Morris). What's in a name? I am sure that we could make progress in terms of what we call our ministry of justice because of the important role that it will play in the administration of policy when my right hon. and learned Friend the Member for Aberavon takes over as the Secretary of State for justice or legal administration and my hon. Friend the Member for Norwood (Mr. Fraser) takes over as his deputy. It will mean a radical departure in legal administration.

Hon. Members have heard much praise for the Lord Chancellor in respect of this and other Bills which have been initiated by him. I must admit that I have never seen the Lord Chancellor in the other place. Marvellous tablets of stone come down from the other place to be discussed in this place. They then go back amended—if one can amend tablets of stone—and we never get the chance to question the Lord Chancellor or ask him to tell the House his thinking behind certain aspects of policy.

One of the most important aspects of the creation of a department of legal administration is the presence in the House of a Minister accountable to Parliament and responsible for a whole Government Department which is of major concern to ordinary citizens. There is no point in giving rights to people, either nationally or locally, if those rights cannot be enforced properly. With this new clause, we seek to ensure that a Minister will be responsible for those aspects of policy and can be questioned.

I agree with the comments by my hon. Friend the Member for St. Helens, South (Mr. Bermingham), who said that 15 minutes of questioning every three weeks is not enough. We should like to see the Attorney-General and the Solicitor-General much more often in the House. I am disappointed when I have to read about developments such as the initiation of the family hearing centres in newspapers and in press releases from the Lord Chancellor. I should much prefer the Attorney-General to come before the House and make such statements as a Minister with responsibility for a whole Department.

My hon. Friend the Member for St. Helens, South is the most senior member of the Select Committee on Home Affairs, on which I serve. He is right when he says that that Committee does not have time to ensure that the work of the Lord Chancellor's Department is scrutinised. I know what the Attorney-General will say. He will say that a major inquiry has been held into the Crown prosecution service. I believe that that was the first major inquiry into the workings of the Lord Chancellor's Department.

There are many other policy aspects that the Select Committee has not dealt with. I should like an inquiry to be held into the administration of the legal aid fund. We have been unable to hold such an inquiry. I should like an inquiry into the administration of justice in civil cases, but the Select Committee has not had time to do that. I should like an inquiry to be held into judicial appointments. It cannot be done, because the Select Committee does not have sufficient time in which to hold such an inquiry. Because of the number of inquiries that the Select Committee is to undertake in the next year, there will be insufficient time to inquire into even one part of the operation of the Lord Chancellor's Department. That is why a Department with a Minister responsible to the House of Commons is needed. A Select Committee which could carefully scrutinise the work of that Department is also needed.

We should also like the Attorney-General to tell us more about the Crown prosecution service. When a Minister is made responsible to the House of Commons, we hope that detailed debates will be held into the operation of the Crown prosecution service. Despite the fact that a major inquiry has been held into the Crown prosecution service, it has been debated in this place only once. When I was fortunate enough to win first place in the ballot for Adjournment debates, I decided that we should debate the Crown prosecution service. That was the first occasion on which the Attorney-General came to the House and admitted that the operation of the Crown prosecution service was causing problems.

I went to Nottingham a couple of weeks ago to address the annual general meeting of the Law Centres Federation. I hope that one of the first tasks of the new secretary of state for justice, or minister with responsibility for the department of legal administration will be to ensure that there is a network of law centres throughout the country. It has long been the Labour party's policy to establish a law centres network. Certain parts of the country—Croydon is one—have no ready access to law centres.

I worked for three years in a law centre in Leicester. There is no better way for citizens to obtain quick, efficient and cheap advice than from law centres. We should consider the possibility of creating a network of law centres that makes use of the services of those who work in citizens advice bureaux. I hope that, when my right hon. and hon. Friend the Member for Aberavon (Mr. Morris) starts his first day as Minister with responsibility for these matters, he will announce to the House the creation of a network that we have talked about for 11 years but that we have had no chance to initiate.

I strongly support the new clause and I hope very much that the Attorney-General will support it too. If he does, he will have the privilege of being the first Minister in the history of Parliament to be totally responsible for a Government Department of legal administration. We shall be happy to give him that privilege, because the principle is so important.

Mr. Austin Mitchell: I thank you, Mr. Speaker, for calling me to speak to the new clause which stands in my name. I also thank my right hon. and learned Friend the Member for Aberavon (Mr. Morris) for taking the two principles that I tried to embody in amendments that I tabled in Committee and turning them into something much more effective than I was capable of doing. The two new clauses embody two important principles to which I am strongly attached.

The first is a ministry of justice. I make no apology for discussing such principles this late at night. It is not our fault that we are forced to debate major issues such as this at the tail end—one might say the fag end—of the Session and late at night. It is the fault of the Government's casual DIY approach to the Bill. They have rushed in long, complicated clauses on Report after the Bill has passed through the House of Lords and Committee. They did so to pre-empt the time necessary to discuss the fundamental principles behind the new clause.

Like my hon. Friend the Member for Leicester, East (Mr. Vaz) I prefer to call the ministry of justice the department of justice, because the present title is somewhat cumbersome. A ministry of justice is a vital principle. I have always been an advocate of relieving the Lord Chancellor of certain functions. I yield to none in my admiration for the present Lord Chancellor. He is a breath of fresh air, vigour and reform, partly because he comes from the different and somewhat better legal tradition in Scotland. He has come to the job with clear, fresh eyes and a vigour of which the conservative profession in England was not capable.

It has always seemed to me that the tripartite role could best be dealt with by removing the Lord Chancellor's function as a judge and employing a benign and avuncular actor to preside over the deliberations in another place. Robert Morley springs instantly to mind, or perhaps Lord Hailsham could make a comeback in his successful career of presiding over another place. I would transfer the functions specified in new clause 24 to a proper ministry of justice of the kind that every civilised country has and which we, too, should have.

My hon. Friend the Member for Leicester, East has made the case for the new clause eloquently and articulately. I shall not repeat it. It is important that the principles embodied in the new clause are discussed in the House. There is no doubt that, if we had had a ministry of justice, we could have achieved reforms in the judicial system, reforms in the appointment of judges and law reforms such as that which my hon. Friend mentioned, and which I too would like to see, to provide for a system of law shops. In such centres justice could be provided quickly and effectively to people who came in off the street. The awe, mystique and expense of justice would be removed. If we had had a ministry of justice, we as politicians accountable to the people would have seen the inadequacies of the system and pressed for change. Only that insulation from pressure has made the system of justice so inaccountable.

The judicial system is at the end of the day a service industry that must serve the purposes of the people. For that, the voice of the people must be influential. It must be heard. The system must be accountable to the representatives of the people in those important functions and provisions. That is the basic principle. If the system was accountable to the House we would have a better and more adequate system.

New clause 26 would create a judicial appointment commission. It deals with the basic question of the nature of judges. I emphasise two points. First, we need proper and adequate training to create a genuinely trained professional body of judges such as exists in the rather different system in France. The judge is the last bastion of the English amateur tradition which has been inadequate in so many respects. If we had a proper system of training provided by the judicial appointments commission proposed in the new clause, and a staff college for judges, we would have a more effective system of justice. A more representative body of judges would be achieved by that method.

It is interesting that the incoming president of the Law Society has made one of his aims for the year to secure a more representative body of judges—a wider range of appointments. He wants to see solicitors appointed. We have heard comments from many sources about the unrepresentative nature of the bench. Sir David Napley, a former president of the Law Society, said:

"The appointment of judges has long been in need of radical overhaul. It's too tied up with the old boy network."

He said that it is clear that the appointment of judges

"should be subject to independent scrutiny."

I echo those comments. We have an unrepresentative body of judges which needs to be made more representative. It needs to be made professional by a judicial appointments committee.

10.30 pm

The people who have the greatest control over the appointment of judges seem to be incumbent judges. Every new High Court appointment is preceded by a meeting between the Lord Chancellor and the heads of divisions. They exercise a negative veto. All sorts of reports and complaints can be brought to bear against people put forward. The system is controlled not by politicians but by the incumbents. That means that it is not responsive to social developments in our society. It is a self-reinforcing system. The judges, seeing themselves as the fount of wisdom, like to see new judges as chaps like themselves. That is one of the main road blocks on the way to reform.

There can be no argument about the unrepresentative nature of judges. A report of research by Lord Gifford published in 1986 says:

"judges are from a narrow social background, almost all white, male, upper middle-class, from an independent school and Oxbridge."

The Labour research department did a study of 465 judges, which was published in January 1987. It said tha more than one in three of them is past the state retirement age of 65. Age does not necessarily bring wisdom, although in my own case it does. It has been said of others that they immature with age, but I do not think that that can be said of me. Age is no automatic guarantee of wisdom. It is open to question whether we are keeping judges on for too long in the present structure.

Only 17 of the 465 judges were women and there was only one black judge, although there were four judges of white South African extraction. The report looked at all the categories of judges and proved that the exclusive nature exists at all levels of the system.

I tabled some questions to the Attorney-General a couple of weeks ago. They yielded the information that there are 83 High Court judges, of whom 27·7 per cent. are aged between 60 and 69 and 10 to 12 per cent. between 70

and 75. They are obviously youthful and vigorous and full of new ideas, ready to respond to the challenges of change and adjust to the new society in which we live.

The second question to the Attorney-General yielded the information that 77 per cent. of the 83 High Court judges went to schools listed in the *Independent Schools Yearbook*. That means that they went to private schools. Some 80 of them, 96 per cent., went to university, and 84 per cent. of them went to either Oxford or Cambridge. They were all chaps drawn from that narrow, class background and, in almost every case, from the Bar, which is unrepresentative and, given the pattern of entry to it, will remain so. It is almost essential to have either a working wife or private wealth to persevere through the system.

Mr. Bermingham *indicated dissent.*

Mr. Mitchell: I am not quite sure what help my hon. Friend had, but he certainly did not have a bursary while working part-time in another job. It is necessary to come from a fairly substantial background. That means that judges represent a class, a restrictive range——

Mr. Bermingham: Will my hon. Friend give way?

Mr. Mitchell: I was merely making a joke.

That narrow range means that they are prejudiced because the judges are not representative of the wide range of views in a pluralistic society as they should be because they are dealing with that society's problems. It is partly that narrow, restrictive range and backgroud that gives judges their attitude and makes them see themselves not as protecters of the liberty of the subject or guarantors of the rights of people who want to be empowered in our society, but as the defenders of the Executive. They see themselves as lions under the throne, rather than defenders of rights.

That is a tragedy to those of us who would like to see some definition of rights. I was one of three Labour Members who voted for the incorporation of the European convention on human rights into British law. Now, 230 Labour Members believe in it because it has become party policy, but we three were a little advanced because we did so before that. But it is difficult to justify that incorporation given that we cannot trust the judges because they come from such a narrow range and have such a restricted set of attitudes.

I was fascinated to read in a recent book by Professor Keith Ewing, "Freedom Under Thatcher", arguments that point to the conclusion that it is difficult to have a Bill of Rights in this country when we have such a narrow, unrepresentative range of judges with such prejudiced attitudes. It makes the point that, had Robert Bork been proposed for high judicial office in this country, as he was in the United States, he would have been appointed. There would have been no criticism, no review, no possible contest in the House of Commons. We have no accountability to reveal the weaknesses or attitudes of such people.

The book goes on to argue that we have a narrow, unrepresentative range of people, adjudicating on issues such as a woman's right to abortion. Such wide social issues are determined by a group of men, appointed from the same background. Judges are given the power to disrupt decisions and adjustments made by the processes of politics, which are those of persuasion, compromise and agreement. From their restricted background the judges blunder into difficult ethical, social and political matters which are then subject to the prejudices of that narrow range of people.

It is interesting that so many of the legislative developments, the restrictions of freedom, which have gone on under this Government, were anticipated by judicial development before Parliament passed the legislation to consolidate them—for example, the police power to regulate public assemblies in the Public Order Act 1986. Many of the restrictions on political freedom that have taken place in the 1980s have not been the result of legislation, but judge-made initiatives, authorising the extension of Executive power. The judges anticipated and sanctified the restrictions on freedom of movement, freedom of the press and freedom of assembly because they come from such a narrow range of backgrounds.

I should like to quote the remarks on social issues of one or two of this ancient, white, unrepresentative group of judges. Judge Raymond Dean told a rape trial jury:

"When a woman says no, she doesn't always mean it."

Judge Bertrand Richards, of Lancing college and Oxford, told a woman who had been raped that she was guilty——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The hon. Gentleman is straying quite a long way from the new clauses, and his comments are not relevant to what we are debating. I should be glad if he would return to the points in the new clauses.

Mr. Mitchell: I should have thought it perfectly legitimate to quote the judges to illustrate the unrepresentative composition of the bench of judges, Madam Deputy Speaker. However, I shall move on.

We propose a way of ensuring that the judges are more representative, that they are trained to do the job, and that they view themselves not as lions under the throne defending the Executive but as defenders of the rights of the people. The judicial appointments commission proposed in the new clause is rather like the sort of civil service commission which has given us such a high quality of civil servants. Why should not the judges be subjected to that sort of commission's search for excellence?

I commend those points to the House as major advances.

The Attorney-General: It is characteristic of the hon. Member for Great Grimsby (Mr. Mitchell) that, having indulged himself in a recitation of a well-known operatic style of denunciation of the judges, he should now go off to talk to his hon. Friend the Member for St. Helens, South (Mr. Bermingham). Nevertheless, I invite him to deal with the facts.

The hon. Gentleman regaled us with a long catalogue of supposed illustrations of the bias of the judiciary towards the Executive. I cannot quote him verbatim because he spoke at such length and with such rapidity, but in essence he said that the judges are on the side of the Executive and have never done anything to protect the liberty of the subject.

I should like the hon. Gentleman to think about the emergence of judicial review, of which I do not doubt he has heard. Judicial review was not the creation of this House—*[Interruption.]* I hope that the hon. Member for Great Grimsby will not leave the Chamber now, because I want him, if he will be good enough to do so, to pay attention. Judicial review was not the creation, as I say, of Parliament; it has been the creation of the judges over the

past 25 years. It has been a proper curb on the exercise of power by the Executive. Is not it strange that this socially privileged, biased and protected judiciary should have set about finding a means with which to protect the individual against the Executive and excessive use of power? That is something of an anomaly, given the pattern with which the hon. Gentleman regaled us.

The hon. Member for Great Grimsby must think about this: judicial review is the one way, in the absence of a written constitution, in which the courts can acquire jurisdiction over the use of Executive power. That blows the whole of the hon. Gentleman's thesis out of the water——

Mr. Austin Mitchell: Will the right hon. and learned Gentleman give way?

The Attorney-General: I shall not. It is 10.45 pm, and we have already listened to the hon. Gentleman——

Mr. Vaz: On a point of order, Madam Deputy Speaker. The Attorney-General has patronised my hon. Friend the Member for Great Grimsby (Mr. Mitchell). He is making highly personal comments, yet refuses to give way.

Madam Deputy Speaker: What is the point of order for me? I do not think that there is one.

The Attorney-General: For about half an hour the hon. Member for Great Grimsby spoke on a fairly familiar theme. The two new clauses contain much of obvious importance. For example, the importance of the selection of the judiciary is self-evident. We should approach the matter upon the basis of a sensible appreciation of what judges do and their record. Those of us who know the people who became judges in the time that we have been in the profession, know that is absurd to say that there is some sort of bias towards a social background of one kind or another. The same applies to those who are called to the Bar or who become solicitors.

10.45 pm

There is a disproportionate number of women judges, but one must remember that judges are appointed from the legal profession and the Bill seeks to broaden the pool from which the judiciary can in future be recruited. The Government are entitled to credit for that. Because of the demands imposed by practice at the Bar, it is harder for women than for men to make a go of the Bar. We hope that the position is improving. I think that I am right in saying that at present more than 50 per cent. of students admitted to the Inns of Court are women.

It is extremely important for the judiciary to be representative, and the Lord Chancellor has taken substantial steps to see that numerically and in other ways the judiciary becomes more representative of the community.

New clause 26 deals with the appointment of a judicial appointments commission. The Lord Chancellor's practice, which has been followed by all his recent predecessors, is to take full and careful advice. That means wide and continuing consultation with the judiciary and the leaders of the profession. Much work has been carried out by his Department to identify the best candidates. It is wrong to say that the Lord Chancellor is not responsible and not answerable. He is answerable to the House of Lords and, by reason of our arrangements, I am answerable to the House of Commons for the Lord Chancellor's business.

If there were a series of bad appointments, the Lord Chancellor would be called to answer for that, and so would I. It is a mistake to suggest that, per se, a commission is likely to be better at achieving the results that we all want than the Lord Chancellor, who uses the machinery at his disposal, and consultation. In the past 10 years, the system has been greatly improved. There is no secrecy about it, and the Lord Chancellor's predecessor published a book entitled "Judicial Appointments", which brought matters into the open. Consultation is now wider than it has ever been and thought is continually being given to the best methods of gaining information on possible black, women and solicitor candidates. A two-year experimental initiative has been set up in limited parts of the country to identify solicitor candidates for part-time judicial appointments. Much more is being done.

It is satisfactory that an increasing number of black and women barristers are progressing successfully at the Bar. The hon. Member for Great Grimsby spoke about judicial training, which is important. I do not go along with his comparison with the French judiciary. That would require much more research than the hon. Gentleman has been able to give it. The Judicial Studies Board is worthy of his attention, as is the work that is put in nowadays to training the judiciary at every level, rather than just after judges are appointed. Great progress has been made in that regard.

New clause 24 would create a department of legal administration, answerable through a Minister or Ministers to the House of Commons. Although it is proper for hon. Members to put forward the arguments that they have made tonight, it is not a practical proposition to incorporate into the Bill, without even discussion in Committee, such a major constitutional change. The clause would make a Minister in the House of Commons responsible for administration of the courts, appointment of the judiciary, legal services and most of the other functions that at the moment fall to the Lord Chancellor and his Department. That is undesirable.

I feel that there is great merit in having the Lord Chancellor sitting in the House of Lords, as he is thereby removed from the full force of party politics. That helps to protect and maintain more effectively the independence of the judiciary. The Lord Chancellor remains accountable to Parliament as a whole for the way in which he carries out his ministerial duties, in the same way as those Secretaries of State who have been Members of the other place have been. The Law Officers answer for the Lord Chancellor in the Commons. I do not know whether the House considers that satisfactory, but it gives the Treasury value for money.

The new clause would also establish a statutory judicial appointments commission. That proposal was considered by the Government, and rejected as not offering the same advantages as the present system. It also suggests that the Lord Chancellor should be responsible for supervision of the legal profession. He has a general responsibility for the health of the legal and judicial systems, but it is no part of the Bill to give him the task of supervising the legal profession directly. That would provide the means for unacceptable interference by the Government in the affairs of the independent and self-governing professions. Those are major disadvantages.

The hon. Member for St. Helens, South asked four factual questions, of which the first was: why will not the Legal Aid Board grant the costs of experts in criminal cases? That is a good question to put to the board, which is independent. I am prepared to answer for anything in the jurisdiction of the Lord Chancellor, provided that the hon. Gentleman takes the trouble to write to me about it, and give me particulars.

The hon. Gentleman's second question was: why has a senior judge had to write about the competence of prosecuting counsel? If the hon. Gentleman cares to write to me about that and to give me the particulars, he knows that I shall deal with it. The next two questions were: why is grade 2 work being given to grade 3 people, and is it because of shortage of funds in the CPS? Why are rape prosecutions being hawked around the Temple, and is it because the fees are not enough? Under our present arrangements, all those questions can be put to me, provided that the hon. Gentleman raises them, and I will answer them, as he knows. It does not need the paraphernalia of a department of legal administration to be set up to get somebody to answer such practical questions here in the House.

I have enjoyed listening to the arguments. The horse has been trotted out, although not to a crowded grandstand. I understand that it represents the Labour party's policy in those matters, but I must invite the House to reject the new clause.

Question put and negatived.

Clause 2

TRANSFER OF PROCEEDINGS BETWEEN COURTS

The Attorney-General: I beg to move amendment No. 12, in page 5, line 36, after 'any' insert 'judge, district judge or'.

The amendment clarifies an unintended obscurity in the powers of judicial officers.

Amendment agreed to.

Clause 4

COSTS

Amendments made: No. 13, in page 7, line 16, after 'legal' insert 'or other'.

No. 14, in page 7, line 22, at end insert—

'(5A) In any proceedings mentioned in subsection (1), the court may disallow, or (as the case may be) order the legal or other representative concerned to meet, the whole of any wasted costs or such part of them as may be determined in accordance with rules of court.

(5B) In subsection (5A), "wasted costs" means any costs incurred by a party—

(a) as a result of any improper, unreasonable or negligent act or omission on the part of any legal or other representative or any employee of such a representative; or

(b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay.'.

No. 15, in page 8, line 4, after 'legal' insert 'or other'.

No. 16, in page 8, line 7, at end insert—

'(2) In section 52 of that Act (costs in Crown Court) the following subsection shall be inserted after subsection (2)—

"(2A) Subsection (5A) of section 51 applies in relation to any civil proceedings in the Crown Court as it applies in relation to any proceedings mentioned in subsection (1) of that section".'.—*[The Solicitor-General.]*

Clause 5

WITNESS STATEMENTS

Amendments made: No. 17, in page 8, line 12, eave out 'lead' and insert 'adduce'.

No. 18, in page 8, line 17, leave out 'leading' and insert 'adducing'.—*[The Attorney-General.]*

Clause 9

REPRESENTATION IN CERTAIN COUNTY COURT CASES

The Attorney-General: I beg to move amendment No. 176, in page 9, line 43, leave out from beginning to end of line 3 on page 10.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 104, 106, 109, 113 to 115, 117 to 122 and 124 to 127.

The Attorney-General: These are drafting amendments consequential upon the introduction of the categories of authorised advocates and authorised litigators.

Mr. Alex Carlile: My concern and my regret is the passing of the term "barrister" from a term of definition to merely one of art. For many centuries now there have been barristers in this country and the degree of barrister has been a qualification, when some years' experience have been added to it, for certain types of office, including judicial office. Many of us here, including myself and including the Law Officers, are proud to be barristers and to hold that degree.

In amendments Nos. 114 and 118 we see two of the many examples—there will be many more to come in other legislation—of the disappearance of the term "barrister" from our statutory law.

Amendment No. 114 goes further than merely the removal of a term or definition. It deals with the Crown prosecution service and substitutes for the words

"who is a barrister or solicitor"

the words

"who has a general qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990)."

That involves the potential dilution of standards; the sacrifice of useful experience and qualification for no apparently good purpose.

Under the amendment, instead of the Crown prosecutor in question being a barrister or solicitor, that person could be anyone with full rights of audience in the magistrates court. So we are going down a standard, from someone with rights of audience in the Crown court to anyone with full rights of audience in the magistrates court. I wonder, first, why we have to do away with the definition of barrister and, secondly, why we have to put up with the potential dilution of standards in that way.

Amendment No. 118 deals with the important Supreme Court rule committee. As the Attorney-General knows, by virtue of clause 7 the rights of appeal to the Court of Appeal can be curtailed by the Supreme Court rule committee. Up to now it has been necessary to have on that committee two barristers and two solicitors, ensuring that the committee always has upon it a reasonable

representation of people experienced in the use of the courts, the High Court in particular, both at the preparation stage and at the advocacy stage.

Amendment No. 118 will substitute a provision which could mean that there would be no barristers on the Supreme Court rule committee. That raises the potential of a committee dealing with important matters which could lack those very people who have the greatest and most direct experience of the matters which will be considered by the committee. I cannot see how that will help the administration of justice and I invite the Government to address those issues once again.

The Attorney-General: As always, the hon. and learned Member for Montgomery (Mr. Carlile) makes a carefully prepared speech, and I shall naturally ensure that the Lord Chancellor and the Government take careful note of his points. I am sympathetic to what he said about the diminished use of the description of a barrister. The same could be said about the description of a solicitor. We are reluctant for that historic nomenclature to be less widely used and we have therefore considered the drafting of the amendments carefully and on a number of occasions. That consideration has made it clear that attempting to graft references to those who acquire new rights of audience or the right to conduct litigation on to the existing nomenclature would be less clear and considerably more cumbersome.

11 pm

The hon. and learned Gentleman noted and acknowledged that the nomenclature is employed, and that what matters is very much more the substance than the form. For example, clause 29 states:

"On the coming into force of section 25—

(a) barristers shall be deemed to have been granted by the General Council of the Bar the rights of audience exercisable by barristers (in their capacity as such)".

Of course, the nomenclature is by no means abandoned.

I have responded with sympathy to what the hon. and learned Gentleman said and I shall ensure that what he has said is properly taken into account.

Amendment agreed to.

Clause 11

ADMINISTRATION ORDERS

The Solicitor-General: I beg to move amendment No. 19, in page 12, leave out line 28 and insert

'relates to the non-payment of charges incurred by the debtor after the making of the order or is unconnected with non-payment by him of any charges.'.

Madam Deputy Speaker: With this we shall discuss Government amendment No. 20.

The Solicitor-General: These amendments arise from a matter that we debated in some detail in Committee. Amendment No. 19 simply provides that, in administration orders in bankruptcy, in so far as debts are incurred in relation to public utilities after the administration order has been made it will be possible for that public utility to withdraw supply. It is a matter wholly separate from the safeguards for consumers and relates to the sensible management of administration.

Amendment No. 20 deals only with the renaming of British Gas plc.

Mr. Alex Carlile: I raised the matter in Committee. I have discussed it with Mr. David Linton, who is the chief legal adviser to MANWEB. I am grateful to the Government, as are MANWEB and similar undertakings, for the care that has been taken in bringing forward the amendment.

Amendment agreed to.

Amendment made: No. 20, in page 12, line 30, leave out 'the British Gas Corporation or'.

—[The Solicitor-General.]

Clause 15

THE STATUTORY OBJECTIVE AND THE GENERAL PRINCIPLE

The Attorney-General: I beg to move amendment No. 97, in page 15, line 38, leave out 'those' and insert 'the'.

Madam Deputy Speaker: With this we shall discuss Government amendments Nos. 98 to 101.

The Attorney-General: Amendments Nos. 97, 98 and 100 are minor drafting amendments designed to remove an element of ambiguity that may have crept into clause 15 as a result of previous amendments.

On amendments Nos. 99 and 101, after the explanation that I gave in Committee of the purpose and effect of what we called the cab-rank rule in clause 15, concerns were expressed about the exact interpretation of subsection (3)(c). They arose in particular to the answer that I gave to my hon. Friend the Member for Stroud (Mr. Knapman) about rules permitting an individual advocate to refuse a case on grounds relating to the amount of remuneration offered.

Having responded to the substance of the question, which I think correctly represented the Government's view, I later felt that I had compressed the necessary context of how the new provisions would affect the process by which decisions are taken under the Bill. The Government have reconsidered whether it is possible to express more clearly not only the obligations that subsection (3)(c)(iii) will require an authorised body to place on individual advocates, but the precise remit of the advisory committee, the Lord Chancellor and the designated judges in approving or reviewing such rules. The amendments are designed to achieve that clarification.

I will begin by putting beyond doubt the Government's position. We could not and would not wish to impose a statutory obligation on a professional body as a whole or on individual advocates to undertake legal aid cases no matter what the level of remuneration payable. To do so would interfere with the careful balance struck in the provisions of the Legal Aid Act 1988 dealing with remuneration.

The essence of those provisions is to empower the Lord Chancellor to set remuneration rates that are enough, but not more than enough, to attract lawyers to do the work. Clearly, compulsion is incompatible with that. Even more importantly, compulsion would imperil the freedom of the individual practitioner and also the legal profession itself.

The Government are also concerned not to restrict the freedom of individual advocates in a number of other circumstances. It must not be possible, for example, for particular litigators to choose to send particular advocates so great a volume of legal aid work that those advocates are unable to structure their practices in the way that they

[The Attorney-General]

want or to undertake other work. It is important that the legislation is couched in such a way as to allow professional bodies and the new framework the maximum flexibility possible to deal with such situations, consistent with the efficient and proper administration of justice.

There is no reason to accept the argument that different requirements imposed on advocates of different backgrounds automatically constitute an unlevel playing field. The differences may be justified, necessary and fair.

That being the case, I am introducing the amendments to remove an ambiguity that some people believe exists in the current drafting of clause 15. Confusion has arisen mainly because of the phrase in subsection (3)(c)(iii):

"the nature of the source of any financial support".

The intention behind that phrase was to differentiate between the source of any financial support narrowly considered and certain of its other characteristics. The new machinery set up under the Bill would not be obliged to strike down every professional rule that allowed an exception to the principle of non-discrimination.

The Government believe that if such a rule were framed in terms of accepting or refusing work simply on the basis of whether or not it was legally aided, it would not be acceptable. The legislation ought to require those comprising the machinery to strike it down. By contrast, the Government do not believe that the machinery ought to be able to strike down a rule that permitted an advocate to refuse a legally aided case where there are reasonable grounds for him considering that the fee is not a suitable one for him in all the circumstances, when his standing, seniority and standing will be relevant.

The test of reasonableness is an objective one, and the advocate in a given instance would have to defend his application of it.

Mr. Carlile: I am grateful to the right hon. and learned Gentleman for confirming that the reasonable grounds for objection will be objective and not subjective, but can he confirm that, for the purposes of subsection (5), "reasonable grounds" will be a matter for the new machinery to consider?

The Attorney-General: Yes, I think that that is the case. What is claimed to be a reasonable ground can be the subject of an objective test, and it will fall to those who comprise the machinery to determine whether or not it is satisfied in a given case.

Subsection (5) will provide a statutory clarification of the extent of the general principle of the non-discrimination rule. It will now be provided that the rule shall not be taken as incompatible with the general principle if it allows the advocate or litigator to withhold his services if there are reasonable grounds for him to consider—having regard to the circumstances of the case, the nature of his practice, or his experience and standing—that he is not being offered a proper fee.

As I have stated, the test of reasonableness is objective and the individual will have to defend it. Although the advisory committee will be free to consider the merits of rules which go beyond the statutory requirements of clause 15(3)(c)(iii), the committee and those comprising the rest of the machinery will be precluded from finding that the interests of the proper and efficient administration of justice require a legal practitioner to act if he is not to be properly remunerated for his services.

I have perhaps spent rather too long moving the amendment, but the matter has been of the greatest concern to the legal profession, and quite properly so. I believe that, as a consequence of the substantial consultations that have taken place, the amendment meets reasonably the concerns that have properly been expressed and I hope that it will receive the approval of the House.

Mr. Alex Carlile: The Attorney-General was right to state that there has been extensive consultation about the matter. I am sure that all sides of the profession, and certainly the Bar, are grateful for the extent of the consultation.

As the Government are aware, the Bar has taken a strong line with its members in relation to legal aid. It has gone so far as to say that it should be a principle that, if a barrister is offered a brief in a field in which he is sufficiently expert, at a level appropriate for his practice, even if it is a legal aid case, he should take it. Indeed, the rule at the moment is that he must take it. I understand the difficulties that can arise from such a stringent rule, but I suggest that it is a very important principle for the litigant that there should be expert advocates to do all cases requiring such expertise, whether they are privately paid or the subject of legal aid.

I am grateful to the Attorney-General for confirming that the phrase in amendment No. 101

"if there are reasonable grounds for him"

is an objective test and not subjective, and that reasonable grounds for the purposes of new subsection (5) are matters for the new machinery.

How does amendment No. 101 impinge on legal aid work? Will an advocate be able to decline a legal aid case within his field of practice simply because legal aid rates are lower than his private rates? The way in which that is answered will be extremely important for litigants in future. It may have some little influence on the way in which the machinery approaches those issues.

The Attorney-General: I am grateful for the hon. and learned Gentleman's comments. The consultation has been worth while. It does not follow that, because legal aid rates may be lower than some private rates, legal aid fees are not to be regarded as proper fees. All the circumstances must be considered. I have identified some that will be of general application, but all the circumstances of a case would have to be looked at and the objective test of reasonableness would then have to be determined. That would be for the new machinery.

Amendment agreed to.

Amendments made: No. 98, in page 15, line 42, leave out 'its' and insert 'the'.

No. 99, in page 16, line 4 leave out 'the nature of'.

No. 100, in page 16, line 9 leave out 'that body's' and insert 'the'.

No. 101, in page 16, line 12 at end insert—

'(5) Rules of conduct which allow a member of the body in question to withhold his services if there are reasonable grounds for him to consider that, having regard to—

(a) the circumstances of the case;

(b) the nature of his practice; or

(c) his experience and standing,

he is not being offered a proper fee, are not on that account to be taken as being incompatible with the general principle.'.

—[The Attorney-General.]

Clause 20

OMBUDSMAN'S FUNCTIONS

Amendments made: No. 157, in page 18, line 21, after '(a)', insert 'a person who is or was'.

No. 158, in page 18, line 22, after 'conveyancer', insert 'registered foreign lawyer'.

No. 159, in page 18, line 23, leave out 'who is and' insert 'and'.—*[The Attorney-General.]*

Clause 21

RECOMMENDATIONS

Amendments made: No. 160, in page 20, line 12, leave out 'any' and insert 'the'.

No. 161, in page 20, line 12, after 'made', insert—

'(bb) any other person with respect to whom the Ombudsman makes a recommendation under subsection (2);'.

No. 162, in page 20, line 19, leave out from beginning to end of line 20 and insert—

'(i) the person with respect to whom the complaint was made; or

(ii) any person who, at the material time, was connected with him;

(c) that—

(i) the person with respect to whom the complaint was made; or

(ii) any person who, at the material time, was connected with him,'.

No. 21, in page 20, line 40, after 'section' insert 'and any publicity given under subsection (9)'.

No. 22, in page 21, line 8, at end insert—

'(9) Where a person is required by subsection (8) to publicise any failure, the Ombudsman may take such steps as he considers reasonable to publicise that failure if—

(a) the period mentioned in subsection (7) has expired and that person has not complied with subsection (8); or

(b) the Ombudsman has reasonable cause for believing that that person will not comply with subsection (8) before the end of that period.

(10) Any reasonable expenses incurred by the Ombudsman under subsection (9) may be recovered by him (as a civil debt) from the person whose failure he has publicised.'.

No. 163, in page 21, line 8, at end insert—

'( ) For the purposes of this section, the person with respect to whom a complaint is made ("the first person") and another person ("the second person") are connected if—

(a) the second person—

(i) employs the first person; and

(ii) is an authorised advocate, authorised litigator, duly certificated notary public, licensed conveyancer or partnership;

(b) they are both partners in the same partnership; or

(c) the second person is a recognised body which employs the first person or of which the first person is an officer.'.—*[The Attorney-General.]*

Clause 25

RIGHTS OF AUDIENCE

11.15 pm

The Attorney-General: I beg to move amendment No. 145, in page 22, line 35, leave out paragraph (e) and insert—

'(e) where—

(i) he is employed (whether wholly or in part), or is otherwise engaged, to assist in the conduct of litigation and is doing so under instructions given (either generally or in relation to the proceedings) by a qualified litigator; and

(ii) the proceedings are being heard in chambers in the High Court or a county court and are not reserved family proceedings.'.

11.15 pm

Madam Deputy Speaker: With this it will be convenient to consider the following amendments: No. 3, in page 22, line 37, at end insert

'or before a master of the Supreme Court in hearings for the assessment of damages.'.

No. 4, in page 22, line 37, at end insert

'or in chambers in any county court.'.

No. 131, in page 22, line 37, at end insert

'or in hearings for the assessment of damages'.

and Government amendments Nos. 146 to 148.

The Attorney-General: Amendments Nos. 145, 146 and 147 have been tabled following an undertaking that I gave in Committee to give sympathetic consideration to an amendment tabled by my hon. Friend the Member for Stroud (Mr. Knapman). The customary right of solicitors' clerks to be heard in chambers in county courts is to be recognised in statute. My amendments are a little more complicated than those tabled by the Opposition, so I shall take a short time to explain their effect.

The Government amendments avoid using the term "solicitors' clerks", which is archaic and imprecise. We prefer the concept of an individual acting on the instructions of a qualified litigator—a description which covers three groups. First, it includes a practising solicitor as defined in clause 17(8)(b); secondly, it includes a corporate body recognised under section 9 of the Administration of Justice Act 1985; thirdly, it takes in any solicitor referred to in section 88(1) of the Solicitors Act 1974. In addition, although the class of persons being given these rights of audience will usually be employees of such qualified litigators, there will not always exist the legal relationship of master and servant between them.

The amendments additionally provide a power for the Lord Chancellor to prescribe, with the concurrence of the president of the family division and after consultation with the president of the Law Society, certain categories of family proceedings in which these rights of audience will not subsist as rights, but will be exercisable only at the discretion of the court in individual cases. The reason is that nearly all family business is heard in chambers. That includes family business where representation by non-legal staff may sometimes be inappropriate. It may not be necessary for the power to be used but, especially in the light of the Government's overall strategy for developing family jurisdiction, it is sensible to provide for the possibility of its exercise in future. We have consulted the senior judiciary before tabling these amendments.

Mr. William Cash (Stafford): Since 1972, I have been involved in advising the Institute of Legal Executives, and I therefore declare an interest. The amendment in my name and that of the right hon. and learned Member for Warley, West (Mr. Archer) deals with a question to which my right hon. and learned Friend the Attorney-General referred.

The question is whether it should be entirely within the discretion of the judiciary to determine whether people who are members of the institute or other solicitors' clerks should be heard in the proceedings covered by the amendment. Perhaps not from time immemorial, but

[Mr. William Cash]

certainly over many generations, it has been accepted that solicitors' clerks and, in this case, fellows of the institute should have competence and, by way of some form of prescription, the right to be heard. The amendment would reserve their position and ensure that they could be heard before a master of the Supreme Court in hearings for the assessment of damages or in chambers in any country court.

We discussed this subject in Committee. We were given to understand that the fellows of the institute and other solicitors' clerks who qualified would have the right to be heard. It appears from the Government amendment that the right is not given to them in the precise terms for which they hoped. It is of importance to the institute and to solicitors' clerks that they should be heard in chambers in the High Court or a county court. Why does a qualification appear to be imposed on their right to be heard, which has been understood for many generations?

The Attorney-General: My hon. Friend has represented those important members of the legal profession for many years. The amendments that the Government, having taken advice, have found it possible to bring forward, give to those whom my hon. Friend assiduously represents what they reasonably need. We have listened to the representations that have been made. I believe that they now have what they reasonably need, and they certainly have that which the senior judiciary are prepared to support.

It is, of course, important for that branch of the legal profession, as it is for every other branch, to remember that they are the providers of services—services to clients and to the courts and, through each of those services, to the administration of justice.

It has been necessary to consult the senior judiciary—it would have been remiss of us if we had not done so—and what is now brought forward in the amendments represents what has the support of the judiciary. I believe that it provides what is reasonably needed and what has been reasonably pressed for.

Mr. Cash: In the light of what my right hon. and learned Friend has said, I shall not press my amendment.

Amendment agreed to.

Amendments made: No. 146, in page 23, line 31, at end insert—

'"family proceedings" has the same meaning as in the Matrimonial and Family Proceedings Act 1984 and also includes any other proceedings which are family proceedings for the purposes of the Children Act 1989;'.

No. 147, in page 23, line 35, at end insert—

'"qualified litigator" means—

(i) any practising solicitor ("practising" having the same meaning as in section 17(8)(b));

(ii) any recognised body; and

(iii) any person who is exempt from the requirement to hold a practising certificate by virtue of section 88 of the Solicitors Act 1974 (saving for solicitors to public departments and the City of London);'.

No. 148, in page 23, line 37, at end insert—

'"reserved family proceedings" means such category of family proceedings as the Lord Chancellor may, after consulting the President of the Law Society and with the concurrence of the President of the Family Division, by order prescribe;'.—*[The Attorney-General.]*

The Attorney-General: I beg to move amendment No. 23, in page 23, line 44, after 'solicitor)' insert

'section 22 of that Act (unqualified person not to prepare certain documents etc)'.

Madam Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 24 to 26, 32, 33 and 71.

The Attorney-General: These amendments together provide that the holder of the office of official solicitor will automatically, by virtue of his office, be given all necessary powers to perform his functions as official solicitor. They also make technical disapplications of the Solicitors Act 1974 so as to permit persons to exercise advocacy, litigation and probate rights.

Amendment agreed to.

Amendment made: No. 24, in page 23, line 46, leave out from 'audience' to end of line 47.

Clause 26

Rights to conduct litigation

Amendments made: No. 25 in page 25, line 2, after 'solicitor)' insert

'section 22 of that Act (unqualified person not to prepare certain documents etc)'.

No. 26, in page 25, line 4, leave out from 'litigation' to end of line 5.—*[The Attorney-General.]*

Clause 45

Probate services

Amendments made: No. 32, in page 39, line 29, at end insert—

'(cc) the Official Solicitor;'.

No. 33, in page 40, line 24, at end insert—

'(4) For the avoidance of doubt, where a person does any act which would constitute an offence under subsection (1) but for an exemption given to him by this section or by or under any other enactment, he shall not be guilty of an offence under section 22 by virtue of having done that act".'.—*[The Attorney-General.]*

Schedule 16

Consequential Amendments

Amendment made: No. 71, in page 144, line 9, at end insert—

'. In section 90 of that Act (Official Solicitor) the following subsections shall be inserted after subsection (3)—

"(3A) The holder for the time being of the office of Official Solicitor shall have the right to conduct litigation in relation to any proceedings.

(3B) When acting as Official Solicitor a person who would otherwise have the right to conduct litigation by virtue of section 26(2)(a) of the Courts and Legal Services Act 1990 shall be treated as having acquired that right solely by virtue of subsection (3A)".'.—*[The Attorney-General.]*

Clause 30

The Law Society: rights of audience

Mr. Vaz: I beg to move amendment No. 140, in page 28, line 1, leave out 'and rules of conduct'.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 141, in page 28, line 6, leave out 'or rules'.

No. 142, in page 28, line 23, leave out 'or rules of conduct'.

No. 143, in page 28, line 39, leave out 'and rules'.

No. 144, in page 28, line 43, leave out 'or rules'.

Mr. Vaz: The effect of the amendments is to ensure that the Law Society's existing rules of conduct are deemed to have been approved for the purposes of rights of audience in all courts.

Mr. Alex Carlile: Why should they?

Mr. Vaz: If the hon. and learned Gentleman wishes to speak, he is more than welcome to do so.

Mr. Carlile: Will the hon. Gentleman give way?

Mr. Vaz: No. The hon. Gentleman may make his own speech.

The effect is to ensure that the society's existing rules of conduct are deemed to have been approved not only for the rights of audience which solicitors already possess, but for the rights of audience in higher courts. The Law Society's training regulations, however, would continue to receive deemed approval only in respect of the rights of audience that solicitors already hold. Approval through the schedule 4 mechanism would be needed before solicitors could obtain extended rights of audience.

Mr. Carlile: Will the hon. Gentleman give way?

Mr. Vaz: The amendment would remove the spectre of solicitors' rights of audience in the High Court being blocked by judges unreasonably requiring the society to adopt rules that ape the practices of the Bar—"ape" being an appropriate word—such as separating preparation from advocacy, and would thus help to ensure that the will of Parliament was carried out expeditiously.

Mr. Temple-Morris: The amendment has been ably and succinctly moved by the hon. Member for Leicester, East (Mr. Vaz). At the risk of further incurring the wrath of the hon. and learned Member for Montgomery (Mr. Carlile), I endorse what the hon. Gentleman said. The Law Society's rules of conduct are deemed approved for courts to which solicitors already have access under the Bill, and that means magistrates courts and county courts.

There can be many substantial actions at county court level. There are many good solicitor—advocates at county court level. The amendment provides a more logical and rational structure by extending this to the higher courts as well. There can be little difference in terms of rules of conduct between what is deemed to be approved for county courts and what at the moment happens in the higher courts under schedule 4.

This is a logical amendment. The training regulations are new. Solicitors are propping up the rungs of advocacy. As something new, it would need to be dealt with under the schedule 4 procedure, as would any amendments to the existing solicitors' rules of conduct. That seems to me to be sufficient. As for the rules of conduct, deemed approval should apply to all courts.

There are doubts about the schedule 4 procedure. They were voiced in Committee and have led to the tabling of other amendments that relate to the powers of designated judges. If the Government were disposed to accept the amendment, it would resolve some of those doubts.

Mr. Alex Carlile: I assume from the use by the hon. Member for Leicester, East (Mr. Vaz) of the word "ape" that this is some kind of guerrilla warfare by himself and the hon. Member for Leominster (Mr. Temple-Morris) on behalf of the Law Society. I do not understand how the Law Society, through the hon. Member for Leicester, East, could say in Committee, "When we think about legal executives it is a matter for the new machinery," when it is prepared to say on Report, on a matter that affects the Law Society, that it wants to bypass the new machinery. We have not heard a word that would justify making the Law Society an exception to the rule that the new machinery should decide what are the appropriate rules.

I regret having to say it, but according to the speeches we have just heard, the Law Society has fallen far below the standard that it generally sets for itself. I hope that we shall hear that the Government resist the amendments stoutly and that these matters will be dealt with by the new machinery.

The Solicitor-General: The hon. Member for Leicester, East (Mr. Vaz) either does not understand the framework of the Bill or, regrettably, has misstated it. I must therefore urge the House to resist the amendments. Their effect would be to remove the restrictions as to the extent to which the rules of conduct of the Law Society are deemed to have been properly approved for the purposes of clause 25. The society's rules of conduct would thus be deemed to have been approved in their entirety for the purposes of granting rights of audience and would not require approval or be subject to review on any grounds, including whether or not they would have been approved had they been submitted for approval under the procedure laid down in part I of schedule 4.

The amendments would therefore significantly undermine the provisions for bringing the Law Society into the new framework for granting the rights of audience created by this part of the Bill. I was therefore somewhat astonished to hear the hon. Member for Leicester, East, who normally follows our proceedings with great care, say that his amendments would reflect the will of Parliament when the will of Parliament is to create a carefully constructed framework which his amendments would entirely undercut.

All other bodies seeking to grant rights of audience to their members are to be subject to the requirement that they possess rules of conduct which are, in the view of the Lord Chancellor and of four senior judges, appropriate in the interests of the proper and efficient administration of justice in relation to the court or proceedings in question. By excluding the rules of conduct of the Law Society from the review mechanism established by clause 30, the amendment would set the Law Society outside that framework, in that it would become the only body whose rules of conduct were not open to scrutiny by the advisory committee, the Director General of Fair Trading, the Lord Chancellor and the designated judges in respect of its members exercising rights of audience.

It is hard to find any reason why the Law Society should want these amendments to be put forward on its behalf, or to be accorded this unique privilege. Therefore, I must advise the House to resist them.

[The Solicitor-General]

Amendment negatived.

Clause 33

FUNCTIONS OF THE BOARD AND FINANCIAL PROVISIONS

Amendment made: No. 149, in page 30, line 39, leave out

'subject to the provisions of this Part'.—*[The Solicitor-General.]*

11.30 pm

The Solicitor-General: I beg to move amendment No. 27, in page 31, line 33, at end insert

'(including conditions as to repayment)'.

Madam Deputy Speaker: With this it will be convenient to take Government amendment No. 28.

The Solicitor-General: These are minor and technical amendments.

Mr. Vaz: I am somewhat surprised at what the Solicitor-General said. I understood that the amendments dealt with the Authorised Conveyancing Practitioners Board. I was given to understand by the Government Whip, who asked me not to speak on the Ways and Means resolution, that the Solicitor-General would speak to the amendments. They are important. They relate directly to the Solicitor-General's letter to me and, I assume, other members of the Committee about the changes that were envisaged on the Authorised Conveyancing Practitioners Board.

The House may not be aware that this morning members of the Committee received a letter from the Solicitor-General dated 24 July 1990 about the amount of grant that is to be given to the Authorised Conveyancing Practitioners Board. It is to be a grant of some £900,000. He went into great detail about exactly what the grant is to be used for. The main emphasis of the letter is the cost per square metre of the premises of the board. He told us that the central charge per square metre is likely to be in the region of £375, with rates—I think that he means poll tax—of some £115 per square metre and maintenance and other charges at approximately £40 per square metre. On the basis of those charges, a quarter of a million pounds in respect of the grant of £900,000 of taxpayers' money is to be paid in rent and rates—or poll tax—for the board.

The Solicitor-General went on to set out the conditions under which the grant is repayable. He said that the aim is that the board should become self-financing as soon as possible. That is precisely the point that I and other hon. Members raised in Committee. How much of the money will be repayable? Will it be pump-priming money—the phrase used by the Solicitor-General in describing the £460,000 given to the Council for Licensed Conveyancers? When will the board be self-financing? Is there a timetable? All that he said in his letter to me and other members of the Committee was that it would be as soon as possible.

The Solicitor-General went on to say that any further money would be recouped through subsequent fees. He did not say how much the fees would be. I raise the matter because it is of concern to me. I served on the Committee that considered the Bill and on the Committee on the Legal Aid Bill. I heard the Solicitor-General go on about the need for value for money. The Government are giving away almost £1 million of taxpayers' money on a scheme that has no timetable. Is it a bottomless pit? Will he come back at a later stage and say, "£900,000 is not enough because the rent has risen from £250,000 to another figure. We should like some more money, please."?

It is important that, rather than telling us that the amendments are technical, the Solicitor-General should give us an explanation of them. He also promised on an earlier amendment that he would tell us the amount that he proposes to pay to the Council for Licensed Conveyancers. He said earlier—I respected his honesty—that he did not know whether the latest grant of £130,000 would be the final grant paid to the Council for Licensed Conveyancers. I saw the hon. and learned Member for Feltham and Heston (Mr. Ground) go to speak to those in the civil service Box, and presumably he was supplied with an answer to the question. When the Solicitor-General replies, I hope that he will convey the answer to the House. If the two figures are added together, we are talking of £1·5 million. I see that the hon. and learned Member for Feltham and Heston has moved to the civil service Box once again, so I shall continue until the necessary information is conveyed to the Minister.

About £1·5 million of taxpayers' money will be paid without any conditions being set. There is no timetable for when the money will come back. We do not know what the fees will be. There is no understanding of how long the enterprise will last. We have not been told how the expenditure will be monitored. We hear, however, that value for money is the prime criterion of the legal aid fund. We wait in hope for answers from the Solicitor-General. I see that the hon. and learned Member for Feltham and Heston is about to return to his place. Let us be supplied with the figures. These important amendments should not be passed on the nod, as the Solicitor-General would wish.

The Solicitor-General: The hon. Member for Leicester, East (Mr. Vaz) is right to describe the amendments as technical. As I explained, the pump-priming funding of the Authorised Conveyancing Practitioners Board amounts to about £900,000 a year. I summarised the contents of my letter, to which the hon. Gentleman referred. He rightly quoted from it.

The board must provide itself with suitable accommodation, and it is the sort of board that one would expect to find accommodated in London. That is a major part of the cost. That and other matters are set out in my letter.

It is not easy to say how quickly the authorised conveyancing practitioners will make application and become self-financing. As there is considerable enthusiasm on the part of several fairly large bodies to participate, I hope that the process will not be over long.

I have received such advice as can be given on the pump-priming money for the council that will represent the licensed conveyancers. It is not possible to say when the money will cease to be necessary and when the council will become self-financing. That is not entirely surprising. The hon. Member for Leicester, East has had the benefit of being a solicitor, and he is now moving into his new profession. He will appreciate that to start a new profession—albeit a small one with about 700 members—costs money. I have in mind the licensed conveyancers and the expenditure of £430,000 so far. It is the will of Parliament that this should be done. The hon. Gentleman would rightly be the first to complain if Parliament willed the end but not the means.

The same can be said of the Authorised Conveyancing Practitioners Board. The hon. Gentleman speaks of the board as if he were not in favour of it, but I do not think that that is his stance. I think that he accepts that it must be properly funded. We must look to the future to ascertain how quickly it becomes self-financing. I am sorry that I cannot assist the hon. Gentleman further, but I have done my best.

Mr. Vaz: I am sorry, but I must speak again——

Madam Deputy Speaker: Order. The hon. Member has already spoken once. We are on Report. I must now put the Question.

Amendment agreed to.

Amendment made: No. 28, in page 31, line 36, at end insert—

'(13) Any sums repaid by the Board in accordance with conditions imposed under subsection (11) shall be paid into the Consolidated Fund.'.—*[The Solicitor-General.]*

Clause 35

AUTHORISATION OF PRACTITIONERS

Amendment made: No. 150, in page 33, line 15, leave out from 'rules' to 'so' and insert

made by the Board and any regulations made under section 38'.—*[The Solicitor-General.]*

Clause 36

REFUSAL OF APPROVAL AND IMPOSITION OF CONDITIONS

The Solicitor-General: I beg to move amendment No. 29, in page 34, line 29, at end insert—

'(8A) Where the Board—

(a) proposes to impose a condition under this section on an authorised practitioner; and

(b) is satisfied that the circumstances of the case are exceptional and justify the condition taking effect immediately,

it may disregard subsections (5) to (8) when imposing the condition.'.

Madam Deputy Speaker: With this it will be convenient to consider Government amendment No. 30.

The Solicitor-General: This amendment enables the board, in a case of urgency, to impose a condition on authorisation immediately without having to wait for a period of 28 days to expire within which representations can be made under clause 36.

Amendment agreed to.

Amendments made: No. 151, in page 34, line 34, leave out 'this Part' and insert 'section 39'.

No. 30, in page 34, line 34, at end insert—

'(11) An authorised practitioner who fails to comply with a condition imposed on him under this section shall not thereby cease to be such a practitioner; but in such a case the Board may—

(a) impose additional, or substituted, conditions on him; or

(b) revoke or suspend his authorisation in accordance with rules made under section 37(1).'.—*[The Solicitor-General.]*

Clause 38

REGULATIONS ABOUT COMPETENCE AND CONDUCT ETC. OF AUTHORISED PRACTITIONERS

The Solicitor-General: I beg to move amendment No. 31, in page 35, line 33, leave out 'potential' and insert 'prospective'.

This is a technical amendment to ensure consistency throughout the Bill in the nomenclature and use of the word "prospective".

Amendment agreed to.

Mr. Fraser: I beg to move amendment No. 91, in page 35, line 38, at end add—

'( ) requiring that any authorised practitioner who is proposing to provide conveyancing services to the public by appointing a qualified person (as defined in section 34(6)) in private practice to act on its behalf in connection with the provision of those services shall only appoint such a person;

(a) where it selects those persons which it appoints to provide conveyancing services on the basis of objective criteria which relate to the quality of the services available from, and the qualifications held by, those persons and their officers, employees or members;

(b) where such criteria are not applied in a discriminatory manner; and

(c) where a statement of such criteria is available on request from the authorised practitioner to all qualified persons who may wish to provide conveyancing services on behalf of that authorised practitioner.'.

The amendment seeks to address the circumstances in which an authorised conveyancing practitioner—that is, one of the banks or building societies which will be receiving almost £1 million per year towards their authorised board to help them out—decides to provide conveyancing services, not through the in-house department but by instructing solicitors or licensed conveyancers in private practice to provide the conveyancing services on behalf of the authorised practitioner—that is, the corporate conveyancer. The danger is that authorised practitioners may select only one or two solicitors in a particular area to provide conveyancing services, which could endanger the survival of other independent solicitors and licensed conveyancers.

The amendment would enable regulations to be made ensuring that authorised practitioners had to select solicitors and licensed conveyancers to act on their behalf on the basis of objective, qualitative criteria and would have to instruct any firm that fulfilled those criteria.

That reflects the present admirable practice of banks and building societies in not discriminating between one firm of solicitors and another. I hope that that practice, which is to the benefit of solicitors and the client, will be continued. Discriminatory selection by one of the new professions of one of the older professions—not the oldest profession—could be damaging.

The Solicitor-General: When dealing with old professions, one should not be discriminatory but one should always be discriminating.

When we discussed this amendment in Committee, I said that I would think about it further. As I said then, the Lord Chancellor's regulations will provide that authorised practitioners must maintain satisfactory standards of competence and conduct in providing services. The

[The Solicitor-General]

regulations make provision to ensure the efficient transaction of business. In that context we have thought about the matter.

Authorised practitioners must bear the requirements in mind when they select a qualified person to act as agent. The Lord Chancellor said recently, however, to the president of the Law Society that it would be a significant advantage to the client to know that solicitors employed as agents by authorised practitioners were fully competent to do the work under the special circumstances that will obtain. Therefore, the Government are prepared to consider whether the regulations—this is how we think that it should be dealt with—should contain criteria for the suitability of solicitor agents.

The existence of the criteria would be a substantial advantage to solicitors who thought they met them and that they were being unfairly or unjustifiably excluded from the lists of those who authorised practitioners choose to work for them.

I do not think that, realistically, we can look for the regulations to do more than that. Decisions on how many solicitors to use as possible agents and which ones must be matters for the commercial judgment of authorised practitioners, provided that all agents meet the standards of service that authorised practitioners will be required to uphold.

As the House will be well aware, the Lord Chancellor has undertaken to consult widely on the regulations and has already asked the president of the Law Society for his views on what criteria should be considered in respect of this matter. I hope that that is a helpful answer which will achieve, as far as possible, in practice——

Mr. Fraser: That is not a helpful answer because, under the provisions, all the solicitors might come up to standard, but will not be selected.

The Solicitor-General: I am sorry if my answer was not helpful. We have done our best to think about the matter. It would not necessarily be in the interests of fair competition to attempt to regulate the way in which authorised practitioners, as private businesses, allocated their work. That is an entirely different matter from the allocation of contracts by public authorities. The Government are not likely to be better able than practitioners to guess at appropriate commercial practices. I believe that what the Lord Chancellor has offered to do in relation to the provisions will be of assistance. I am sorry that I cannot offer more than that at present.

Amendment negatived.

Clause 43

ADVISORY AND SUPERVISORY FUNCTIONS OF DIRECTOR GENERAL OF FAIR TRADING

Amendments made: No. 152, in page 38, line 21, leave out 'this Part' and insert 'section 38'.

No. 153, in page 38, line 30, leave out 'this part' and insert 'section 38'.

No. 164 in page 38, line 45, leave out subsection (9). *—[The Attorney-General.]*

Clause 45

PREPARATION OF PAPERS FOR PROBATE ETC

Amendments made: No. 32, in page 39, line 29, at end insert—

'(cc) the Official Solicitor,'.

No. 33, in page 40, line 24, at end insert—

'(4) For the avoidance of doubt, where a person does any act which would constitute an offence under subsection (1) but for an exemption given to him by this section or by or under any other enactment, he shall not be guilty of an offence under section 22 by virtue of having done that act".'.*—[The Attorney-General.]*

Amendment made: No. 154, in page 44, line 31, leave out clause 49.*—[The Attorney-General.]*

Clause 51

IMMUNITY OF ADVOCATES FROM ACTIONS IN NEGLIGENCE AND FOR BREACH OF CONTRACT

The Attorney-General: I beg to move Amendment No. 34, in page 45, line 32, leave out from 'described)' to end of line 33 and insert

'which prohibit barristers from entering into contracts or restrict their right to do so.'.

This is a clarifying amendment, which has no effect on the meaning of the clause, but merely clarifies the fact that subsection (1) does not alter the powers of the general council of the Bar to restrict or prohibit a barrister's right to enter into contract.

Amendment agreed to.

Clause 56

EXEMPTION FROM LIABILITY FOR DAMAGES ETC.

Amendments made: No. 165, in page 48, line 30, leave out

'or by a designated judge' and insert ', a designated judge or the Director'.

No. 166, in page 48, line 31, after 'by', insert 'or to'. *—[The Attorney-General.]*

Clause 58

QUALIFICATION FOR JUDICIAL AND CERTAIN OTHER APPOINTMENTS

Mr. Fraser: I beg to move amendment No. 89, in page 50, line 1, leave out 'has a 10 year' and insert

'is a solicitor or barrister of 10 years standing with a'.

The purpose of the amendment—*[Interruption.]* I am grateful to the Government Whips for moving our amendments, and if they are prepared to carry on doing so, I shall sit down, but I expect that they will change their minds.

The purpose of the amendment is to enable the period of qualification of a solicitor to count towards the total period of qualification for the purpose of receiving judicial office. I can give an example from my experience. I think that I have been a solicitor for about 30 years, almost to the day. If the Law Society were to obtain rights of audience in a higher court, and if I were to choose to be an advocate in a higher court—I am not sure that I would —with my considerable experience of 30 years as a solicitor, as the rules stand I would have to start all over again if I wanted to clock up 10 years to obtain judicial office. It is a personal example, but it is a good one. It

would seem a pity if I had to put in 40 years' experience in order to qualify for appointment for judicial office. That is why it would be right if rights of audience were given, and I could count the 30 years, as well as the time that I was qualified to be an advocate in the higher court.

Mr. Temple-Morris: I agree with what the hon. Member for Norwood (Mr. Fraser) said. Many solicitors are already experienced advocates. I salute the hon. Gentleman's 30 years. Many have specialties that are useful for the bench, which is different from the Bar in terms of the attributes that sometimes make good and great judges. Many solicitors also have wide experience which is useful to the bench. Advocacy experience is not always needed for the bench.

Last, but not least, one does not have to appoint Lords Justices. All that is required, under the amendment, is the largest pool of experience and, hopefully, wisdom for the main office that needs those qualities.

The Solicitor-General: I think that there is some misunderstanding about the effect of the clause as amended. The personal example offered by the hon. Member for Norwood (Mr. Fraser) illustrates the importance of stressing that the Government have made special provision for those currently qualified as solicitors and who in future obtain full High Court or Supreme Court rights of audience. The deeming provisions in paragraph 3 of schedule 17 will enable those solicitors—this will include the hon. Member for Norwood—to count their years' standing and years' possession of rights of audience in the lower courts as if they were years' possession of higher qualifications. Solicitors qualifying in future would have to hold the higher qualification for the full period required for any particular appointment.

The amendment would have undesirable effects which I am sure the hon. Gentleman does not intend, and would put an undue burden on others who become freshly qualified, requiring them to last longer. I hope that my explanation has been satisfactory, and that the hon. Gentleman will withdraw his amendment.

Mr. Fraser: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 61

District Judges

Amendment made: No. 35, in page 52, line 20, at end insert—

'(2A) Any reference in any enactment, instrument or other document to an office which is, or includes, one to which this section applies shall be construed as a reference to, or (as the case may be) as including a reference to, that office by its new name.'.—*[The Attorney-General.]*

Clause 78

Functions of the Solicitors Disciplinary Tribunal

The Attorney-General: I beg to move amendment No. 36, in page 62, line 43, leave out '£3000' and insert '£5000'.

The effect of the amendment is to increase the maximum penalty of the solicitors' disciplinary tribunal from £3,000 to £5,000.

Amendment agreed to.

Amendment made: No. 177, in page 70, line 10, leave out clause 88.—*[The Attorney-General.]*

Clause 89

Liability of Magistrates for Damages and Costs

The Attorney-General: I beg to move amendment No. 167, in page 71, line 42, leave out subsection (6) and insert—

'(6) The following sections shall cease to have effect—
(a) 46 (warrant granted on conviction or order made by another justice);
(b) 47 (exercise of discretionary powers);
(c) 48 (compliance with, or confirmation on appeal to, superior court);
(d) 49 (distress warrant for rates);
(e) 51 (no action in county court if defendant justice objects);
(f) 52 (limitation of damages against justice); and
(g) 54 (provisions as to prerogative proceedings and membership of Crown Court).'.

Madam Deputy Speaker: With this it will be convenient to discuss Government amendment No. 174.

The Attorney-General: These amendments tidy up the provisions relating to the liability of magistrates for damages and costs. If I attempted to explain how they do that, I should need tidying up myself.

Amendment agreed to.

Clause 91

Jurisdiction of the Parliamentary Commissioner for Administration

Mr. Fraser: I beg to move amendment No. 90, in page 73, line 9, at end insert—

'(1A) In section 5 of the Parliamentary Commissioner Act 1967 (matters subject to investigation), the following subsection shall be added at the end—

"(7) For the purposes of this section, matters concerning listing in the courts (except directions by a judge in an individual case) shall, notwithstanding paragraph 6A of Schedule 3, be taken to be administrative functions of the Lord Chancellor's Department or, in Northern Ireland, the Northern Ireland Court Service.".'.

The reason for the amendment is almost self-evident. It is that the Parliamentary Commissioner would have jurisdiction to look at the listing of court cases except when that was done under the direction of a judge; so that if a judge directed a case to be heard on a particular day, that would be a matter of judicial decision. But other listing decisions would be administrative decisions and subject to the jurisdiction of and investigation by the Parliamentary Commissioner. Since most of the complaints made by solicitors about the inefficiency of the courts relate to listing, this would be an effective remedy and provide an effective supervisory function to be exercised over the dispatch of justice. As the Government believe in efficiency and saving money, I hope that they will accept the amendment.

Mr. Temple-Morris: The reason for the amendment is indeed self-evident. This is a primary cause for complaint, and far from being a judical act, this is often a purely administrative one. As such, it should come within the purview of the Parliamentary Commissioner.

Mr. Austin Mitchell: I support what my hon. Friend the Member for Norwood (Mr. Fraser) has said. It is wrong that the privilege of the judges should be extended to cover a matter of this nature. If we had had a minister of justice who was accountable to the House, listing matters of this sort would never have been excluded from the purview of the Ombudsman in the first place.

The Solicitor-General: I must resist these amendments. There is a misunderstanding. It is easy to say that listing is a purely administrative function, but it is not accurate to say so. The intention of the clause as a whole is to allow the Parliamentary Commissioner to investigate the administrative acts of court staff—that is, actions necessary to carry on the administration of the courts—but to prevent him from investigating actions taken in support of the judiciary in the judicial process. The distinction is important, as is widely recognised, if the independence of the judiciary and the judicial process is to be preserved.

I am surprised that the amendment is being pressed by the Opposition because, although it is perfectly true that listing is usually performed by court staff, it is a function carried out on behalf of the judges and under their authority. That is an important matter of principle. If listing were not accepted as a judicial function, it would theoretically be open to the Executive to influence the outcome of cases, including those to which public authorities were a party. The Executive could do that by, for example, ensuring that cases were listed before judges known to be sympathetic to a particular point of view, or simply by delaying or by bringing forward the hearing of a case. There is a much more important underlying point of principle involved than is recognised. I must resist the amendment.

Mr. Fraser: If a solicitor is negligent, he pays the costs of the case. However, if a judge or his clerk are negligent, they do not pay the costs. Nevertheless, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 92

TIME WHEN ACTION BROUGHT FOR PURPOSES OF LIMITATION

The Solicitor-General: I beg to move amendment No. 7, in page 73, line 17, leave out clause 92.

Madam Deputy Speaker: With this it will be convenient to consider Government amendments Nos. 184 and 185.

The Solicitor-General: The amendment is a good example of consultation producing better legislation. I pay tribute to the hon. Member for Norwood (Mr. Fraser), who used his own deep practical experience as a solicitor to advance arguments in Committee to which I was instantly attracted. His arguments were about the disadvantages of a three-year flat period for limitation during which one had not only to issue but to serve one's process.

One has three years, or it may be six years, in which to issue process and only four months rather than the previous 12 months in which to serve it. Those with detailed knowledge of obtaining leave to serve in difficult circumstances realise that if we had taken the route suggested by the civil justice review, many detailed administrative provisions made under rules of court would have taken much time to understand. I am not talking here about the physical process of serving, although that can be relevant.

The hon. Member for Norwood said that ordinary litigants would think that they had three years, which is the normal time for a personal injuries case, and might turn up to their solicitor in the last week or the last day or two and the solicitor would not have time to serve process. Insurance companies and others might also be less constructive and helpful than they are under the present rules, and the whole procedure would cause more trouble than it was worth. I said that we would think again.

In the meantime, we had an extremely helpful paper on the matter from the Law Commission. We have carefully examined that and have decided that the civil justice review suggestion of a period of limitation in which not only service but issue had to be carried out was outweighed by the disadvantages. We have therefore tabled the amendment. I am grateful to the members of the civil justice review for the attention that they gave to this matter.

Mr. Fraser: This is one of the few occasions in my time as a Member of Parliament when I have seen a victory for reason on an important point of principle. I shall not be ungenerous in victory. I am grateful to the Solicitor-General for the way in which he has examined the matter. I rejoice at what has happened.

Amendment agreed to.

Clause 93

COSTS AGAINST LEGAL REPRESENTATIVES IN MAGISTRATES' COURTS

Amendments made: No. 37, in page 73, line 35, leave out subsection (1) and insert—

'(1) In any civil proceedings, a magistrates' court may disallow or (as the case may be) order the legal or other representative concerned to meet the whole of any wasted costs or such part of them as may be determined in accordance with rules.

(1A) In subsection (1), "wasted costs" means any costs incurred by a party—

(a) as a result of any improper, unreasonable or negligent act or omission on the part of any legal or other representative or any employee of such a representative; or

(b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay.'.

No. 38, in page 74, line 9, after 'legal' insert 'or other".

No. 39, in page 74, line 17, leave out

'or out of central funds'

No. 40, in page 74, line 20, at end insert 'or other'.

No. 41, in page 74, line 27, leave out 'and'.

No. 42, in page 74, line 31, at end insert

'and

(d) shall provide that a legal or other representative against whom action is taken under the rules may appeal to the Crown Court".'.—*[The Attorney-General.]*

Clause 97

PROVISION WITH RESPECT TO THE CHILDREN ACT 1989

Amendment made: No. 168, in page 76, line 14, at end insert—

'(3) The general rule making power of any authority having power to make rules of court for Northern Ireland shall include power to make any provision which may be made under section 93 of the Act of 1989 (rules of court) subject to the modifications that in subsection (2)—

(a) paragraphs (e) and (i) shall be omitted; and

(b) in paragraphs (f) and (g) the references to England and Wales shall be read as references to Northern Ireland.'.—*[The Attorney-General.]*

Clause 99

INTERPRETATION

The Attorney-General: I beg to move amendment No. 179, in page 78, line 5, leave out from 'body' to end of line 7 and insert

'(other than any body established by this Act), includes any person who is not a member of that body but who may be subject to disciplinary sanctions for failure to comply with any of that body's rules;'.

This is an important drafting amendment to the definition of clause 99, which I should be most unwise to describe.

Amendment agreed to.

Amendments made: No. 102, in page 78, line 7, at end insert—

'"multi-national partnership" has the meaning given by section *(Foreign lawyers: recognised bodies and partnerships with solicitors)*(9);'.

No. 44, in page 78, line 19, at end insert—

'"qualified person" has the meaning given in section 34(6);'.

No. 103, in page 78, line 19, at end insert—

'"registered foreign lawyer" has the meaning given by section *(Foreign lawyers: recognised bodies and partnerships with solicitors)*(9);'.—*[The Attorney-General.]*

Clause 100

REGULATIONS AND ORDERS

Amendments made: No 104, in page 78, line 45, at end insert—

'(2A) Any such regulations or order may contain such incidental, supplemental or transitional provisions or savings as the person making the regulations or order considers expedient.'.

No. 105, in page 79, line 2, after '50' insert

'(*Foreign lawyers: recognised bodies and partnerships with solicitors*)(5) or (7)'.

No. 106, in page 79, line 2, after '50' insert '105(3A)'.

No. 129, in page 79, line 2, after '8' insert

'or paragraph 9(c) of Schedule *(Foreign lawyers: partnerships and recognised bodies)*'.—*[The Attorney-General.]*

Clause 103

EXTENT

Amendments made: No. 107, in page 79, line 28, at end insert—

'( ) section (*Discrimination by, or in relation to, advocates*);'.—*[The Attorney-General.]*

No. 108, in page 79, line 28, at end insert—

'( ) section 58(2), so far as necessary;'.

No. 180, in page 79, line 30, leave out paragraph (b) and insert—

'(b) sections *(Tying-in arrangements in connection with residential property loans)* to (*Tying-in: enforcement*);'.

No. 46, in page 79, line 31, at beginning insert 'section 97, this section and'.

No. 47, in page 79, line 36, at end insert—

'( ) paragraphs 3B, 20 to 21A, 24, 25 and 25A of Schedule 14;'.

No. 48, in page 79, line 41, at end insert—

'( ) section 58(2), so far as necessary;'.

No. 49, in page 79, line 43, leave out 'and 101 to 105' and insert—

'101, 102, this section and sections 104 and 105, so far as necessary'.

No. 50, in page 80, line 6, leave out 'Schedules 14' and insert—

'paragraphs 3B, 15B, 20, 21, 24 and 25 of Schedule 14; ( ) Schedules'.

No. 181, in page 80, line 6, after 'amend' insert 'or relate to'.—*[The Attorney-General.]*

Clause 104

COMMENCEMENT

12 midnight

The Attorney-General: I beg to move amendment No. 169, in page 80, line 9, leave out subsections (1) and (2) and insert—

'(1) The following provisions come into force on the passing of this Act—

(a) sections 1, 5, 99 to 103, this section and section 105(1); and

(b) paragraphs 2 and 3 of Schedule 15.

(2) The following provisions come into force at the end of the period of two months beginning on the day on which this Act is passed—

(a) sections 6, 8, 9, 14, 53, (*Discrimination by, or in relation to, advocates*), 59, 60, 72, 74 to 78, (*Agreements with solicitors for payment by hourly rates*), 80 to 83 and 89 to 91;

(b) paragraphs 1, 11, 12, 16 and 20 of Schedule 15;

(c) paragraphs 4, 5, 11 to 13, 38 and 40 of Schedule 16; and

(d) paragraph 1 of Schedule 17.'.

This amendment extends various provisions of the Bill that will come into force on the passing of the Act or two months after the Act is passed.

Amendment agreed to.

Clause 105

SHORT TITLE, MINOR AND CONSEQUENTIAL AMENDMENTS, TRANSITIONALS AND REPEALS

Amendment made: No. 109, in page 80, line 23, at end insert—

'(3A) The Lord Chancellor may by order make such amendments or repeals in relevant enactments as appear to him to be necessary or expedient in consequence of any provision made by Part II with respect to advocacy, litigation, conveyancing or probate services.

(3B) In subsection (3A) "relevant enactments" means such enactments or instruments passed or made before or in the same Session as this Act as may be specified in the order.'.—*[The Attorney-General.]*

New Schedule

LICENSED CONVEYANCERS

PART I

ADDITIONAL POWERS OF COUNCIL FOR LICENSED CONVEYANCERS IN CONNECTION WITH SECTIONS 25, 26, AND 46

General

1. In this Schedule—
"the Act of 1985" means the Administration of Justice Act 1985;
"advocacy licence" means a licence issued under section (*The Council for Licensed Conveyancers*) and constituting the grant by the Council to the licensed conveyancer concerned of a right of audience;
"the Council" means the Council for Licensed Conveyancers;
"the Discipline and Appeals Committee" means the committee established under section 25 of the Act of 1985;
"litigation licence" means a licence issued under section (*The Council for Licensed Conveyancers*) and constituting the grant by the Council to the licensed conveyancer concerned of a right to conduct litigation;
"probate licence" means a licence issued under section (*The Council for Licensed Conveyancers*) and constituting the grant by the Council to the licensed conveyancer concerned of an exemption under section 46; and
"relevant licence" means a licence under Part II of the Act of 1985 or an advocacy, litigation or probate licence.

Qualification regulations and rules of conduct

2.—(1) For the purpose of exercising the powers conferred by section (*The Council for Licensed Conveyancers*), the Council may make such qualification regulations and rules of conduct as it considers appropriate in connection with the granting of the rights or exemption in question.

(2) In making any such regulations or rules the Council may, in particular, do anything which it has power to do in making rules under section 13 of the Act of 1985 (training rules).

Applications for licences

3.—(1) An application for an advocacy licence, litigation licence or probate licence shall be made to the Council in such manner, and shall be accompanied by such fee, as may be prescribed by rules made by the Council under this paragraph.

(2) Any such rules—
(a) may prescribe the forms to be used in connection with applications for any such licence; and
(b) may provide for applications of any description specified in the rules to be exempt from any of the requirements of the rules.

(3) Rules made under section 14 of the Act of 1985 and this paragraph may make provision with respect to applications for composite licences.

Issue of licences

4.—(1) If, on an application for an advocacy, litigation or probate licence, the Council is satisfied that—
(a) the applicant has complied with such qualification regulations, rules of conduct or other requirements as are applicable in his case in relation to the licence applied for;
(b) that he has made adequate arrangements for the purpose of complying with any provisions which are applicable in his case in relation to the licence applied for; and
(c) that he is a fit and proper person to provide the advocacy, litigation or probate services in question,

the Council may issue the applicant either with a licence free of conditions or with a licence subject to such conditions as it sees fit to impose.

(2) If the Council is for any reason not so satisfied, or for any other reason refuses the application, it shall notify the applicant of its refusal and of the grounds on which the application has been refused.

(3) Subsections (3) to (6) of section 15 of the Act of 1985 (issue of licences under section 14 of that Act) shall apply, with the necessary modifications, with respect to any application under paragraph 3 and any licence in force under section (*The Council for Licensed Conveyancers*) as they apply with respect to any application under section 14 of that Act and any licence under Part II of that Act.

Conditional licences

5.—(1) This paragraph has effect in any case where a person applies for an advocacy, litigation or probate licence—
(a) for the first time;
(b) when a licence of the kind applied for which has previously been held by him has been subject to conditions;
(c) when, on the first day of the period to which the licence applied for would (if granted) relate, a period of twelve months or more will have elapsed since he held a licence of that kind;
(d) after the Discipline and Appeals Committee have made any order in his case under section 26 of the Act of 1985.

(2) This paragraph also has effect in any case where a person applies for such a licence and any of the circumstances mentioned in paragraphs (e) to (j) of section 16 of the Act of 1985 (conditional licences) apply in his case.

(3) Sub-paragraphs (1) and (2) are subject to subsection (4) of section 16 of the Act of 1985, as applied by sub-paragraph (7) of this paragraph.

(4) In any case where this paragraph has effect the Council may, on issuing an advocacy, litigation or probate licence to the applicant, issue it subject to such conditions as the Council thinks fit.

(5) The Council's decision in any such case to impose any particular conditions under this paragraph may be made by reference to such criteria of general application as may have been determined by the Council.

(6) Without prejudice to the generality of sub-paragraph (4), conditions may be imposed under that sub-paragraph—
(a) for restricting the kinds of service that may be provided by the applicant by virtue of his having the advocacy, litigation or probate licence in question; or
(b) for requiring the applicant to take any specified steps that will, in the opinion of the Council, be conducive to his carrying on an efficient practice as a licensed conveyancer who provides the additional services authorised by that licence,

and conditions may be imposed under that sub-paragraph (whether for the purposes mentioned in paragraph (b) or otherwise) as they may be under Part II of the Act of 1985.

(7) Subsections (4) and (5) of section 16 of the Act of 1985 shall have effect, with the necessary modifications, with respect to an advocacy, litigation or probate licence as they have effect with respect to a licence issued under Part II of that Act.

Register of licensed conveyancers

6.—(1) Where an advocacy, litigation or probate licence is in force with respect to a licensed conveyancer, the Council shall enter details of the licence in the appropriate place in the register of licensed conveyancers maintained by it under section 19 of the Act of 1985.

(2) The Council shall accordingly cause the appropriate entries to be made on the issue of any advocacy, litigation or probate licence and deletions on any such licence ceasing to be in force.

(3) Where any such licence is for the time being suspended, the Council shall cause that fact to be noted in the register against the name of the licensed conveyancer concerned.

Code of conduct

7.—(1) The rules made by the Council under section 20 of the Act of 1985 (rules as to professional practice, conduct and discipline) shall also be made in pursuance of the Council's general duty under section (*The Council for Licensed Conveyancers*)(5).

(2) Those rules may also provide for regulating the association of licensed conveyancers with respect to whom advocacy, litigation or probate licences are in force, with other persons in connection with the provision of advocacy, litigation or (as the case may be) probate services to members of the public.

Effect of suspension or disqualification under Part II of the Act of 1985

8. Where a licence issued under Part II of the Act of 1985 ceases to be in force (whether because it is suspended or the licensed conveyancer concerned is disqualified from holding a such a licence or for any other reason), any advocacy, litigation or probate licence in force with respect to that licensed conveyancer at the time shall cease to have effect to the same extent as the licence under Part II of the Act of 1985.

Removal of disqualification from holding a licence

9.—(1) Where the Discipline and Appeals Committee have made any order directing that a licensed conveyancer shall be disqualified (either permanently or during a specified period) from holding an advocacy licence, a litigation licence or a probate licence, he shall not, while his disqualification continues in force, be issued with a licence of a kind to which the disqualification relates unless the Committee, on an application made to them in that behalf, direct otherwise.

(2) An application under this paragraph shall not be made to the Committee—

(a) within ten months of the date of the Committee's order relating to the kind of licence in question; or

(b) within ten months of a previous such application by the licensed conveyancer concerned with respect to that kind of licence.

Revocation on grounds of error or fraud

10.—(1) Where the Discipline and Appeals Committee are satisfied that a relevant licence was issued to any person as a result of any error, or as a result of fraud on the part of that person, they may if they think fit by order revoke that licence and any other relevant licence issued to that person.

(2) Where a person has had a relevant licence which was held by him revoked, he shall not be issued with any relevant licence except on the advice of the Committee given to the Council as the result of an application made by that person to the Committee.

(3) On any such application the Committee may, if they think fit, direct that the applicant shall be disqualified from holding any relevant licence, or a relevant licence of a specified kind, until the expiry of such period as may be specified in the direction.

(4) Paragraph 9 shall apply in relation to a direction under sub-paragraph (3) as it applies in relation to any direction of a kind mentioned in sub-paragraph (1) of that paragraph.

Recognised bodies

11. Section 32 of the Act of 1985 (provision of conveyancing services by recognised bodies) shall have effect as if the references to conveyancing services included references to advocacy, litigation or probate services.

PART II

AMENDMENTS OF PROVISIONS RELATING TO POWERS OF COUNCIL ETC.

Delegation of powers etc.

12.—(1) Subject to any provision to the contrary made by or under any enactment, the Council may arrange for any of its functions (other than those of making rules, schemes or standing orders under Part II of the Act of 1985) to be discharged—

(a) by a committee of the Council; or

(b) by a member of the Council's staff.

(2) The Council may make rules providing for functions conferred by Part II of the Act of 1985 on any committee established under that Part to be discharged by a committee established under this paragraph.

(3) In exercising its powers under sub-paragraphs (1) or (2), the Council may impose restrictions or conditions on the committee by which the functions concerned are to be discharged.

(4) The Council may make rules providing for any of its committees (including one established under Part II of the Act of 1985) to refer any matter of a kind specified in the rules, in such circumstances as may be so specified, to any other such committee, or to the Council.

(5) Where any matter is referred under sub-paragraph (4) to a committee of the Council or to the Council, that committee or (as the case may be) the Council shall have the same power to deal with it as the committee referring it.

(6) The number of members of a committee established under this paragraph, and the terms on which they are to hold and vacate office, shall be fixed by the Council.

(7) A committee established under this paragraph may include persons who are not members of the Council (whether licensed conveyancers or not) but a majority of the members of any such committee (including the chairman) shall be members of the Council.

(8) The validity of any proceedings of such a committee shall not be affected by any casual vacancy among its members.

(9) Any rules made under this paragraph—

(a) may make such incidental and supplemental provision as the Council considers appropriate; and

(b) may make different provision for different circumstances.

Council's intervention powers

13.—(1) Subject to sub-paragraph (2), the powers conferred by Part II of Schedule 5 to the Act of 1985 (intervention in licensed conveyancer's practice) shall also be exercisable where—

(a) the Council is satisfied that a sole licensed conveyancer has abandoned his practice; or

(b) the Council is satisfied that a licensed conveyancer has been practising in breach of any condition imposed on him in connection with any relevant licence of his.

(2) The powers—

(a) conferred by Part II of Schedule 5 to the Act of 1985; and

(b) exercisable by virtue of sub-paragraph (1)(b),

shall only be exercised if the Council has given the licensed conveyancer notice in writing that it is satisfied as mentioned in sub-paragraph (1)(b) and also (at the same or any later time) notice in writing that the powers conferred by Part II of that Schedule are accordingly exercisable in his case.

Inadequate professional services

14.—(1) The Council may take any of the steps mentioned in paragraph 15 ("the steps") with respect to a licensed conveyancer where it appears to it that the professional

services provided by him in connection with any matter in which he or his firm has been instructed by a client have, in any respect, not been of the quality which it is reasonable to expect of him as a licensed conveyancer.

(2) The Council shall not take any of the steps unless it is satisfied that in all the circumstances of the case it is appropriate to do so.

(3) In determining in any case whether it is appropriate to take any of the steps, the Council may—

(a) have regard to the existence of any remedy which it is reasonable to expect to be available to the client in civil proceedings; and

(b) where proceedings seeking any such remedy have not been begun by him, have regard to whether it is reasonable to expect him to begin them.

(4) The Council's powers under this paragraph are exercisable in relation to a person who was, at the material time, a licensed conveyancer even though he is no longer a licensed conveyancer and references to a licensed conveyancer in this paragraph and paragraphs 15 to 20, so far as they relate to the exercise of those powers, shall be construed accordingly.

Inadequate professional services: steps that may be taken

15.—(1) The steps are—

(a) determining that the costs to which the licensed conveyancer is entitled in respect of his services ("the costs") are to be limited to such amount as may be specified in the determination and directing him to comply, or to secure compliance, with such one or more of the permitted requirements as appear to the Council to be necessary in order for effect to be given to its determination;

(b) directing him to secure the rectification, at his expense or at that of his firm, of any such error, omission or other deficiency arising in connection with the matter in question as it may specify;

(c) directing him to pay such compensation to the client as the Council sees fit to specify in the direction;

(d) directing him to take, at his expense or at that of his firm, such other action in the interests of the client as it may specify.

(2) The "permitted requirements" are—

(a) that the whole or part of any amount already paid by or on behalf of the client in respect of the costs be refunded;

(b) that the whole or part of the costs be remitted;

(c) that the right to recover the costs be waived, whether wholly or to any specified extent.

(3) The power of the Council to take any such steps is not confined to cases where the client may have a cause of action against the licensed conveyancer for negligence.

Inadequate professional services: compensation

16.—(1) The amount specified in a direction by virtue of paragraph 15(1)(c) shall not exceed £1,000.

(2) The Lord Chancellor may by order made by statutory instrument amend sub-paragraph (1) by substituting for the sum of £1,000 such other sum as he considers appropriate.

(3) Before making any such order the Lord Chancellor shall consult the Council.

(4) Any statutory instrument made under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Inadequate professional services: failure to comply with direction

17.—(1) If a licensed conveyancer fails to comply with a direction given under this Part of this Schedule, any person may make a complaint in respect of that failure to the Discipline and Appeals Committee; but no other proceedings whatever shall be brought in respect of it.

(2) On the hearing of such a complaint the Discipline and Appeals Committee may, if it thinks fit (and whether or not it makes any order under section 26(2) of the Act of 1985), direct that the direction be treated, for the purpose of enforcement, as if it were contained in an order made by the High Court.

Inadequate professional services: fees

18.—(1) The Council may, by regulations made with the concurrence of the Lord Chancellor, make provision for the payment, by any client with respect to whom the Council is asked to consider whether to take any of the steps, of such fee as may be prescribed.

(2) The regulations may provide for the exemption of such classes of client as may be prescribed.

(3) Where a client pays the prescribed fee it shall be repaid to him if the Council takes any of the steps in the matter with respect to which the fee was paid.

(4) In this paragraph "prescribed" means prescribed by the regulations.

Inadequate professional services: costs

19. Where the Council takes any of the steps with respect to a licensed conveyancer it may also direct him to pay to the Council—

(a) the amount of the fee repayable by the Council to the client under paragraph 18(3); and

(b) an amount which is calculated by the Council as the cost to it of dealing with the complaint, or which in its opinion represents a reasonable contribution towards that cost.

Duty of Discipline and Appeals Committee

20. Where the Discipline and Appeals Committee—

(a) is considering, or has considered, an application or complaint with respect to a licensed conveyancer; and

(b) is of the opinion that the Council should consider whether to take any of the steps with respect to that licensed conveyancer,

it shall inform the Council.

Power to examine files

21.—(1) Where the Council is satisfied that it is necessary to do so for the purpose of investigating any complaint made to it—

(a) alleging professional misconduct by a licensed conveyancer; or

(b) relating to the quality of any professional services provided by a licensed conveyancer,

the Council may give notice to the licensed conveyancer or his firm requiring the production or delivery to any person appointed by the Council, at a time and place to be fixed by the Council, of all documents in the possession of the licensed conveyancer or his firm in connection with the matters to which the complaint relates (whether or not they relate also to other matters).

(2) The provisions of paragraphs 9(2) to (12), 11 and 12 of Schedule 5 to the Act of 1985 shall apply in relation to the powers conferred by sub-paragraph (1) as they apply in relation to the powers conferred by paragraph 9(1) of that Schedule.

Interest on clients' money

22. Where a licensed conveyancer—

(a) is required by rules made under section 23 of the Act of 1985 to place any sum of money in a separate deposit account; but

(b) fails to do so as soon as is reasonably practicable,

the Council may give a direction requiring him to account to the client in question for any interest which has not been earned but which would have been earned if that sum had been placed in a separate deposit account as soon as was reasonably practicable.

Full and limited licences

23. In section 15 of the Act of 1985 (issue of licences by Council), the following subsections shall be added at the end—

"(7) A licence issued under this Part may be endorsed by the Council as—

(a) a full licence, if the Council is satisfied that the person to whom it is issued has complied, or will comply, with the requirements made under this Part with respect to professional indemnity and compensation; or

(b) as a limited licence, if the Council is not so satisfied.

(8) Rules made under section 21 may make provision for the making, or removal, of endorsements while a licence is in force and for the recording of any such endorsement, or of its removal, in the register maintained under section 19."

Cases in which conditions may be attached to licences

24. In section 16(1) of the Act of 1985 (cases in which conditions may be attached to licences), the following shall be substituted for paragraph (i)—

"(i) after having been committed to prison in civil proceedings;

(ia) after having been convicted of an offence involving dishonesty or deception or a serious arrestable offence (as defined by section 116 of the Police and Criminal Evidence Act 1984); or".'.—*[The Attorney-General.]*

Brought up, read the First and Second time, and added to the Bill.

New schedule

FOREIGN LAWYERS: PARTNERSHIPS AND RECOGNISED BODIES

PART I

REGISTRATION

General

1. In this Schedule—

"the Act of 1974" means the Solicitors Act 1974;

"controlled trust" means, in relation to a registered foreign lawyer who is a member of a multi-national partnership, a trust of which he is a sole trustee or co-trustee only with one or more of the employees or other partners of that partnership and of which he is a trustee by virtue of his being a member of that partnership;

"the Council" means the Council of the Law Society;

"the register" means the register maintained by the Society under section (*Foreign lawyers: recognised bodies and partnerships with solicitors*);

"registration" means registration in that register;

"the Society" means the Law Society; and

"the Tribunal" means the Solicitors Disciplinary Tribunal.

Application for registration

2.—(1) An application for registration or for renewal of registration—

(a) shall be made to the Society in such form as the Council may prescribe; and

(b) shall be accompanied by such fee as the Council may, with the concurrence of the Master of the Rolls, prescribe.

(2) Where such an application is duly made by a foreign lawyer, the Law Society may register the applicant if it is satisfied that the legal profession of which the applicant is a member is one which is so regulated as to make it appropriate—

(a) for solicitors to enter into multi-national partnerships with members of that profession; and

(b) for members of that profession to be officers of recognised bodies.

(3) Any registration may be made subject to such conditions as the Society sees fit to impose.

(4) The Council may make regulations, with the concurrence of the Master of the Rolls, with respect to—

(a) the keeping of the register (including the manner in which entries are to be made, altered or removed); and

(b) applications for registration or renewal of registration.

(5) The register may be kept by means of a computer.

Duration of registration

3.—(1) Every registration shall have effect from the beginning of the day on which it is entered in the register.

(2) The Council may make regulations—

(a) prescribing the date ("the renewal date") by which each registered foreign lawyer must apply for his registration to be renewed; and

(b) requiring every entry in the register to specify the renewal date applicable to that registration.

(3) Any such regulations may—

(a) provide different renewal dates for different categories of registered foreign lawyer or different circumstances;

(b) provide for the Society to specify, in the case of individual registered foreign lawyers, different renewal dates to those prescribed by the regulations;

(c) make such transitional, incidental and supplemental provision in connection with any provision for different renewal dates as the Council considers expedient.

(4) Where a foreign lawyer is registered, the Society may cancel his registration if—

(a) the renewal date for his registration has passed but he has not applied for it to be renewed; or

(b) he has applied to the Society for it to be cancelled.

Evidence as to registration

4. Any certificate purporting to be signed by an officer of the Society and stating that a particular foreign lawyer—

(a) is, or is not, registered; or

(b) was registered during a period specified in the certificate,

shall, unless the contrary is proved, be evidence of that fact and be taken to have been so signed.

PART II

REGISTERED FOREIGN LAWYERS: SUPPLEMENTARY PROVISIONS

Intervention in practices

5.—(1) In this paragraph "the intervention powers" means the powers conferred by Part II of Schedule 1 to the Act of 1974 (intervention in solicitors' practices) as modified by this Schedule or under section (*Foreign lawyers: recognised bodies and partnerships with solicitors*).

(2) Subject to sub-paragraphs (3) and (4), the intervention powers shall be exercisable in relation to a person who is or has been a registered foreign lawyer and the practice of the multi-national partnership of which he is or was a member as they are exercisable in relation to a solicitor and his practice.

(3) The intervention powers are only exercisable where—

(a) the Council have reason to suspect dishonesty on the part of the registered foreign lawyer, or on the part of an employee of the multi-national partnership, in connection with—

(i) the practice of that partnership; or

(ii) any trust of which the registered foreign lawyer is or was a trustee by virtue of his being a member of that partnership;

(b) in the case of a registered foreign lawyer who has died, the Council have reason to suspect dishonesty on the part of his personal representative, in connection with—

(i) the practice of the multi-national partnership; or

(ii) any trust of which the registered foreign lawyer was a trustee by virtue of his being a member of that partnership;

(c) the Council are satisfied that the registered foreign lawyer has failed to comply with rules made under section 32 or 37(2)(c) of the Act of 1974;

(d) a bankruptcy order (as defined in paragraph 10(3)) has been made against him or he has made a composition or arrangement with his creditors;

(e) he has been committed to prison in any civil or criminal proceedings;

(f) the powers conferred by section 98 (emergency powers) or 99 (appointment of receiver) of the Mental Health Act 1983 have been exercised in respect of him;

(g) his name has been struck off the register or his registration has been suspended or cancelled;

(h) he has purported to act as a member of a multi-national partnership at a time when he was not registered;

(i) the Council are satisfied that he has failed to comply with any condition, subject to which he is registered, to the effect that—

(i) he may only be a member of a partnership which is approved by the Society; or

(ii) he may only be an officer of a recognised body which is so approved; or

(iii) he may only be such a member or such an officer.

(4) The intervention powers shall only be exercisable under sub-paragraph (3)(c) if the Society has given the foreign lawyer notice—

(a) that the Council are satisfied that he has failed to comply with rules specified in the notice; and

(b) that the intervention powers are accordingly exercisable.

(5) The intervention powers (other than those conferred by paragraphs 5 and 10 of Part II of Schedule 1 to the Act of 1974) shall also be exercisable where—

(a) a complaint is made to the Society that there has been undue delay on the part of a registered foreign lawyer in connection with—

(i) any matter in which he, or the multi-national partnership of which he is or was a member, was instructed on behalf of a client; or

(ii) any controlled trust;

(b) the Society by notice invites the registered foreign lawyer to give an explanation within a period (of not less than 8 days) specified in the notice;

(c) the registered foreign lawyer fails within that period to give an explanation which the Council regard as satisfactory; and

(d) the Society gives notice of the failure to the registered foreign lawyer and notice that the intervention powers are accordingly exercisable.

(6) Where the intervention powers are exercisable in relation to a registered foreign lawyer, they shall continue to be exercisable—

(a) at any time when his registration is suspended;

(b) after his name has been struck off the register or his registration has been cancelled; or

(c) after his death.

(7) Part II of Schedule 1 to the Act of 1974 shall have effect in relation to the intervention powers exercisable by virtue of this Schedule, subject to—

(a) any express modifications made under section (*Foreign lawyers: recognised bodies and partnerships with solicitors*); and

(b) any modifications necessary in the light of this paragraph.

(8) For the purposes of this paragraph, Part II of Schedule 1 to the Act of 1974 shall be read with paragraph 4(2) of Part I of that Schedule.

(9) The notices required to be given by this paragraph must be in writing but need not be given at the same time.

The Compensation Fund

6.—(1) Where the Council are satisfied—

(a) that a person has suffered or is likely to suffer loss in consequence of dishonesty on the part of a registered foreign lawyer, or of an employee of a registered foreign lawyer, in connection with the practice of the multi-national partnership of which the foreign lawyer is or was a member or in connection with any trust of which that foreign lawyer is or was a trustee by virtue of his being a member of that partnership; or

(b) that a person has suffered or is likely to suffer hardship in consequence of failure on the part of a registered foreign lawyer to account for money which has come to his hands in connection with the practice of the multi-national partnership of which he is or was a member, or in connection with any trust of which he is or was a trustee by virtue of his being a member of that partnership; or

(c) that a registered foreign lawyer has suffered or is likely to suffer loss or hardship by reason of his liability to any client of his, or of the multi-national partnership of which he is or was a member, in consequence of some act or default of any of his partners or employees in circumstances where but for the liability of that registered foreign lawyer a grant might have been made out of the Compensation Fund to some other person,

the Society may make a grant out of the Compensation Fund for the purpose of relieving that loss or hardship.

(2) Section 36 of the Act of 1974 (Compensation Fund) shall apply with the necessary modifications in relation to grants under this paragraph as it applies in relation to grants under that section.

Contributions to the Fund

7.—(1) On an application for registration, a foreign lawyer shall pay to the Society a contribution to the Compensation Fund ("the initial contribution") of such amount as the Council may from time to time determine.

(2) On each application for renewal of his registration, a registered foreign lawyer shall pay to the Society—

(a) a contribution of such amount as the Council may from time to time determine ("the annual contribution"); and

(b) where it appears from his application that—

(i) he has, at any time during the period specified in the application, held or received clients' money in connection with a multi-national partnership of which he is, or was, a member; or

(ii) he is, or was at any time during that period, an officer of a recognised body which has, at any time during that period, held or received clients' money,

a further contribution ("the special levy") of such amount as the Council may from time to time determine.

(3) The Council may make rules providing, in circumstances specified by the rules, for a foreign lawyer—

(a) to pay a reduced initial or annual contribution or special levy; or

(b) not to be required to pay such a contribution or levy.

(4) Any rules under sub-paragraph (3) shall be made with the concurrence of the Master of the Rolls.

Accountants' reports

8.—(1) Unless the Council are satisfied that it is unnecessary for him to do so, every registered foreign lawyer shall, once in each period of twelve months ending with 31st October, deliver to the Society (whether by post or otherwise) a report signed by an accountant and containing such information as may be prescribed by rules made by the Council under section 34 of the Act of 1974 (accountants' reports).

(2) The provisions of that section shall apply in relation to accountants' reports required by this paragraph, and

registered foreign lawyers, as they apply in relation to accountants' reports required by subsection (1) of that section and solicitors.

Certification for purposes of investment business

9. For the purposes of enabling the Law Society to issue certificates under Part I of the Financial Services Act 1986 (regulation of investment business) to any multi-national partnership or to any recognised body managed or controlled by solicitors and one or more registered foreign lawyers—

(a) the Society shall be taken to be the appropriate professional body for that purpose;

(b) the registered foreign lawyer concerned shall be treated—

(i) as if he were a member of the Society; and

(ii) as if he were a solicitor for the purposes of paragraph 2(3) of Schedule 3 to the Act of 1986 (requirements for recognition of professional body); and

(c) Part I of that Act shall have effect subject to any modifications which the Secretary of State sees fit to make by order under this paragraph with a view to enabling certificates to be issued to such partnerships or such recognised bodies.

Effect of bankruptcy

10.—(1) The registration of any foreign lawyer against whom a bankruptcy order is made shall be suspended on the making of that order.

(2) The suspension of any registration by reason of a bankruptcy order shall terminate if the order is annulled and an office copy of the order annulling it is served on the Society.

(3) In sub-paragraph (1), "bankruptcy order" includes any order which is not a bankruptcy order but which has the same, or a similar, effect under the law in force in any territory outside England and Wales.

Effect of disciplinary action

11.—(1) Where a registered foreign lawyer is struck off, or suspended from practice, his registration shall be suspended.

(2) In sub-paragraph (1) "struck off" and "suspended from practice" mean—

(a) any action taken within the jurisdiction by reference to which the registered foreign lawyer is qualified to be registered; or

(b) where the registered foreign lawyer is qualified to be registered by reference to more than one jurisdiction, any action taken within any one of those jurisdictions,

which is the equivalent, respectively, of a solicitor being struck off the roll or suspended from practice under the Act of 1974.

Re-instatement of disciplined foreign lawyer

12.—(1) Where a person's registration has been suspended by virtue of paragraph 11, it shall be revived—

(a) if his right to practise in the jurisdiction in question is restored; and

(b) a copy of the instrument restoring his right, certified to be a true copy by an officer of the appropriate court in the jurisdiction in question, or the professional body concerned, is served on the Society.

(2) Where a person whose registration is suspended by virtue of paragraph 11 applies to the Society for the suspension to be terminated, the Society may terminate it subject to such conditions, if any, as it thinks fit to impose.

Effective date of revived registration

13. Where a foreign lawyer's registration is revived (whether as the result of the termination of its suspension, restoration by order of the Tribunal or for any other reason), that revival shall take effect on such date, and subject to such conditions, as the Society may direct.

Appeal against conditions or refusals

14.—(1) Any foreign lawyer may appeal to the Master of the Rolls against—

(a) the refusal of the Society to register him or to renew his registration;

(b) the refusal of the Society to terminate the suspension of his registration on an application made by him under paragraph 12;

(c) the failure of the Society to deal with any application by him for registration, renewal of registration or the termination (under paragraph 12(2)) of a suspension within a reasonable time; or

(d) any condition imposed by the Society under paragraph 2(3), 12(2) or 13.

(2) An appeal under sub-paragraph (1)(a), (b) or (d) must be brought within the period of one month beginning with the date on which the Society notifies the applicant of its decision on his application.

(3) On an appeal to him under this paragraph, the Master of the Rolls may make such order as he thinks fit.

Jurisdiction and powers of Disciplinary Tribunal

15.—(1) Subject to paragraph 16, section 46 of the Act of 1974 (Solicitors Disciplinary Tribunal) shall apply, with the necessary modifications, in relation to applications and complaints made by virtue of any provision of this Schedule as it applies in relation to applications and complaints made by virtue of any provision of that Act.

(2) Any application—

(a) to strike the name of a foreign lawyer off the register;

(b) to require a registered foreign lawyer to answer allegations in an affidavit;

(c) to suspend the registration of a foreign lawyer for a specified or indefinite period;

(d) by a foreign lawyer whose name has been struck off the register by order of the Tribunal to have his name restored to the register;

(e) by a foreign lawyer whose registration has been suspended for an indefinite period by order of the Tribunal for the termination of that suspension,

shall be made to the Tribunal.

(3) Any person who alleges that a registered foreign lawyer has failed to comply with any rule made under section 31, 32, 34, or 37 of the Act of 1974 may make a complaint to the Tribunal.

(4) On the hearing of any application or complaint made to the Tribunal with respect to a foreign lawyer, the Tribunal shall have power to make such order as it may think fit, and any such order may in particular include provision for any of the following matters—

(a) the striking off the register of the name of the foreign lawyer to whom the application or complaint relates;

(b) the suspension of that foreign lawyer's registration indefinitely or for a specified period;

(c) the payment by that foreign lawyer of a penalty not exceeding £5,000, which shall be forfeit to Her Majesty;

(d) the termination of that foreign lawyer's unspecified period of suspension from registration;

(e) the restoration to the register of the name of a foreign lawyer which has been struck off the register;

(f) the payment by any party of costs or a contribution towards costs of such amount as the Tribunal may consider reasonable.

(5) Any order made under subsection (4) of section 47 of the Act of 1974 varying the maximum amount of the penalty which may be imposed under subsection (2)(c) of that section may make the same variation in the corresponding amount mentioned in sub-paragraph (4)(c).

Foreign lawyers assisting the Tribunal

16.—(1) For the purposes of section 46 of the Act of 1974 (Solicitors Disciplinary Tribunal), the Tribunal may make rules providing for it to be assisted, in dealing with any application or complaint of a kind mentioned in paragraph

15, by a member of the legal profession in the jurisdiction by reference to which the foreign lawyer is or was qualified to be registered.

(2) Rules under sub-paragraph (1) shall not be made without the concurrence of the Master of the Rolls.

(3) Subsection (12) of section 46 of the Act of 1974 (rules to be made by statutory instrument etc.) shall apply to rules made under this paragraph as it applies to rules made under subsection (9) of that section.

Appeals from Tribunal

17.—(1) An Appeal from the Tribunal shall lie—

(a) in the case of an order on an application under paragraph 15(2)(d) or (e), or the refusal of any such application, to the Master of the Rolls;

(b) in the case of any other order or refusal under paragraph 15, to the High Court.

(2) The High Court and the Master of the Rolls shall have power to make such order on an appeal under this paragraph as they may think fit.

(3) Any decision of the Master of the Rolls on an appeal under this paragraph shall be final.

(4) The Master of the Rolls may make regulations about appeals to him under this paragraph.'.—*[The Attorney-General.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 1

THE ADVISORY COMMITTEE

Amendments made: No. 110, in page 81, line 19, leave out

'he has been adjudged backrupt'

and insert

'a bankruptcy order has been made against him'.

No. 51, in page 82, line 11, leave out 'specially' and insert 'specifically'.—*[The Attorney-General.]*

Schedule 2

SPECIFIC FUNCTIONS OF THE ADVISORY COMMITTEE

The Attorney-General: I beg to move amendment No. 111, in page 86, line 40, at end insert—

'Persons with special needs

. In discharging its functions under this Schedule, the Advisory Committee shall have regard to the need for the efficient provision of legal services for persons who face special difficulties in making use of those services, including in particular special difficulties in expressing themselves or in understanding.'.

The effect of the amendment is to require the advisory committee to have regard to the needs of the disadvantaged, particularly the less articulate, when carrying out its functions under schedule 2. It has been tabled in response to amendments tabled in both another place and in Committee. I gave an undertaking that we would consider them with every sympathy. The amendment is the result that I am happy to bring forward.

Amendment agreed to.

Schedule 4

AUTHORISATION AND APPROVAL

Amendments made: No. 170, in page 90, line 22, leave out sub-paragraph (6).

No. 171, in page 92, line 46, leave out sub-paragraph (6).—*[The Attorney-General.]*

Schedule 5

THE AUTHORISED CONVEYANCING PRACTITIONERS BOARD

Amendment made: No. 112, in page 96, line 7, leave out

'he has been adjudged bankrupt'

and insert

'a bankruptcy order has been made against him'. *[The Attorney-General.]*

Mr. Temple-Morris: On a point of order, Madam Deputy Speaker. Amendment No. 5 is grouped with amendment No. 139. Amendment No. 5 was not moved but I had hoped to speak to amendment No. 139.

Madam Deputy Speaker: I made it quite clear that amendment No. 5 was an Opposition amendment. I paused and asked if it was to be moved. No one moved it and I cannot go back to it.

Mr. Vaz: Further to that point of order, Madam Deputy Speaker. I think that you were referring to amendment No. 5, not to amendment No. 139.

Madam Deputy Speaker: No. The hon. Gentleman cannot get away with that. I made it quite clear what I was doing. Amendment No. 5 is an Opposition amendment. I asked if it was to be moved and no one did so. We have now moved on.

Schedule 7

THE CONVEYANCING OMBUDSMAN SCHEME

The Attorney-General: I beg to move amendment No. 52, in page 99, line 43, after 'by' insert

',or inconvenience or distress has been caused to,'.

The amendment extends the grounds on which the conveyancing ombudsman will be able to make compensation orders to include inconvenience and distress as well as loss. In Committee, I expressed the hope that we would be able to meet the representations that were made and the amendment is the result.

Amendment agreed to.

Schedule 9

JUDICIAL AND OTHER APPOINTMENTS

Amendment made: No. 113, in page 114, line 39, at end insert—

'Judge's legal secretary

46A. In section 98(4) of the Supreme Court Act 1981 (appointment by certain senior judges of a legally qualified secretary) for the words "barrister or solicitor" there shall be substituted "person who has a general qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990)".'.

No. 114, in page 119, line 21, at end insert—

'Crown Prosecutors

.—(1) In section 1(3) of that Act (Crown Prosecutors) for the words "who is a barrister or solicitor" there shall be substituted "who has a general qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990)".

(2) In section 5(1) of that Act (conduct of prosecutions by barristers or solicitors) for the words from "who is" to "authority" there shall be substituted "who has a general qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990)".'.—*[The Attorney-General.]*

Schedule 14

CHILDREN ACT 1989

Amendments made: No. 53, in page 133, line 40, at end insert—

'The Children and Young Persons Act 1969 (c.54)

3A. —(1) Section 16 of the Children and Young Persons Act 1969 (provisions supplementary to section 15) shall be amended as follows.

(2) In subsection (3)—

(a) for the words "relevant infant" there shall be substituted "supervised person"; and

(b) the words from "and the justice" to the end shall be omitted.

(3) After subsection (3) there shall be inserted the following subsections—

"(3A) Where a supervised person is brought before a justice under subsection (3) of this section, the justice may—

(a) direct that he be released forthwith; or

(b) subject to subsection (3C) of this section, remand him to local authority accommodation.

(3B) A justice who remands a person to local authority accommodation shall designate, as the authority who are to receive him, the authority named in the supervision order in respect of which the application or reference is being made.

(3C) Where the supervised person has attained the age of eighteen at the time when he is brought before the justice, he shall not be remanded to local authority accommodation but may instead be remanded—

(a) to a remand centre, if the justice has been notified that such a centre is available for the reception of persons under this subsection; or

(b) to a prison, if he has not been so notified."

(4) For subsection (4) there shall be substituted the following subsection—

"(4) Where an application is made to a court under section 15(1) of this Act, the court may remand (or further remand) the supervised person to local authority accommodation if—

(a) a warrant has been issued under subsection (2) of this section for the purpose of securing the attendance of the supervised person before the court; or

(b) the court considers that remanding (or further remanding) him will enable information to be obtained which is likely to assist the court in deciding whether and, if so, how to exercise its powers under section 15(1)."

(5) In subsections (5)(b) and (c) and (6)(a), after the word "12A", in each place where it occurs, there shall be inserted "12AA".

3B.—(1) Section 32 of that Act (detention of absentees), as amended by paragraph 27 of Schedule 12 to the Act of 1989, shall be further amended as follows.

(2) In the new subsection (1A), in paragraph (b)(ii), for the words "section 23(1)" there shall be substituted "section 16(3A) or 23(1)".

(3) In the new subsection (1C), after the words "section 12AA" there shall be inserted ", 16(3B)".'.

No. 54, in page 134, line 18, at end insert—

'The Child Care Act 1980 (c.5)

5A. After section 21(2) of the Child Care Act 1980 (power of local authority to allow child in care to be under charge and control of parent, etc.) there shall be inserted the following subsection—

"(2A) For the purposes of subsection (2) above and section 22A below a child shall be regarded as being under the charge and control of a person if he stays with that person for a continuous period of more than 24 hours".'.

No. 55, in page 134, line 34, at end insert—

'7A. In section 21(2)(c)(i) of the 1989 Act (provision of accommodation for children on remand) after the word "section" there shall be inserted "16(3A) or".'.

No. 56, in page 134, line 38, at end insert—

'(2) After subsection (5) of that section there shall be inserted the following subsection—

"(5A) For the purposes of subsection (5) a child shall be regarded as living with a person if he stays with that person for a continuous period of more than 24 hours".'.

No. 57, in page 134, line 47, at end insert—

'9A. In section 27 of the Act of 1989 (co-operation between authorities)—

(a) in subsection (1) the words "or other person" and the words "or person" shall be omitted; and

(b) in subsection (3) for the word "persons" there shall be substituted "authorities" and after the words "health authority" there shall be inserted "or National Health Service trust".'.

No. 58, in page 135, line 27, at end insert—

'13A. For section 45(10) of the Act of 1989 (appeals against emergency protection orders) there shall be substituted—

"(10) No appeal may be made against—

(a) the making of, or refusal to make, an emergency protection order;

(b) the extension of, or refusal to extend, the period during which such an order is to have effect;

(c) the discharge of, or refusal to discharge, such an order; or

(d) the giving of, or refusal to give, any direction in connection with such an order."

13B. In section 47(11)(d) of the Act of 1989 (persons obliged to assist local authority investigations), after the words "health authority" there shall be inserted "or National Health Service trust".'.

No. 172, in page 135, line 31, at end insert—

'14A. In section 93(2) of the Act of 1989 (rules of court)—

(a) in paragraph (f) for the words "the United Kingdom" there shall be substituted "England and Wales"; and

(b) in paragraph (g) after the word "is" there shall be inserted "or resides".'.

No. 59, in page 135, line 34, at end insert—

'15A. In section 97(8) of the Act of 1989 (privacy for children involved in certain proceedings) for the words "Section 71 of the Act of 1980 (newspaper reports of certain proceedings)" there shall be substituted "Sections 69 (sittings of magistrates' courts for family proceedings) and 71 (newspaper reports of certain proceedings) of the Act of 1980".

15B. In section 108(12) of the Act of 1989 (provisions extending to Northern Ireland), in the entry relating to Schedule 14, the word "18" shall be omitted.'.

No. 60, in page 135, line 38, at end insert—

'16A. In Schedule 3 to the Act of 1989 (supervision orders) paragraph 7 shall be omitted.'.

No. 61, in page 136, line 4, at end insert—

'19A. In Schedule 12 to the Act of 1989 (minor amendments), paragraph 25 (which amended section 16 of the Children and Young Persons Act 1969) shall be omitted.

19B. In Schedule 13 to the Act of 1989 (consequential amendments), paragraph 40 shall be omitted.

19C.—(1) Schedule 14 to the Act of 1989 (transitionals and savings) shall be amended as follows.

(2) In paragraph 15 (children in compulsory care) at the end of sub-paragraph (1) there shall be added "; or—

(h) in care by virtue of an order of the court made in the exercise of the High Court's inherent jurisdiction with respect to children,".

(3) In paragraph 16 (modifications)—

(a) in sub-paragraph (4), for the word "(g)" there shall be substituted "(h)"; and

(b) in sub-paragraph (5) for the words from "under" to "1973" there shall be substituted "—

(a) under section 4(4)(a) of the Guardianship Act 1973;

(b) under section 43(5)(a) of the Matrimonial Causes Act 1973; or

(c) in the exercise of the High Court's inherent jurisdiction with respect to children,".

(4) After paragraph 16 there shall be inserted the following paragraph—

"Cessation of wardship where ward in care

16A. Where a child who is a ward of court is in care by virtue of—

(a) an order under section 7(2) of the Family Law Reform Act 1969; or

(b) an order made in the exercise of the High Court's inherent jurisdiction with respect to children,

he shall, on the day on which Part IV commences, cease to be a ward of court."

(5) In paragraph 22(a) for the word "(g)" there shall be substituted "(h)".

(6) In paragraph 36(5)(b) for the words "subsection (4)" there shall be substituted "subsection (6)".'.

No. 182, in page 136, line 12, after 'Act' insert—

'(including that provision as applied in relation to Northern Ireland by section 97(3) of the Courts and Legal Services Act 1990)'.

No. 62, in page 136, line 18, at end insert—

'The Social Work (Scotland) Act 1968 (c.49)

21A. In section 94(1) of the Social Work (Scotland) Act 1968 (interpretation), in the definition of "supervision order" for the words from first "has" to "1969" there shall be substituted "means a supervision order under the Children and Young Persons Act 1969 or the Children Act 1989".'.

No. 63, in page 136, line 44, at end insert—

'The Magistrates' Courts Act 1980 (c.43)

24A. In section 65(1) of the Magistrates' Courts Act 1980 (meaning of family proceedings), paragraph (k) shall be omitted.'.

No. 64, in page 137, line 6, at end insert—

'The Mental Health Act 1983 (c.20)

25A. In section 116(2) of the Mental Health Act 1983 (visiting of patients who are children) for paragraph (a) there shall be substituted—

"(a) a child or young person—

(i) who is in the care of a local authority by virtue of a care order within the meaning of the Children Act 1989, or

(ii) in respect of whom the rights and powers of a parent are vested in a local authority by virtue of section 16 of the Social Work (Scotland) Act 1968;".'.—*[The Attorney-General]*

Schedule 16

Consequential Amendments

Amendments made: No. 65, in page 140, line 35, at end insert—

'The Fair Trading Act 1973 (c.41)

. In section 133(2) of the Fair Trading Act 1973 (purposes for which certain information obtained under the Act may be disclosed), in paragraph (a)—

(a) after the words "Electricity Supply" there shall be inserted "or the Authorised Conveyancing Practitioners Board"; and

(b) after the words "Regulations 1988" there shall be inserted "or the Courts and Legal Services Act 1990".'.

No. 115, in page 140, line 35, at end insert—

'The Matrimonial Causes Act 1973 (c.18)

. In section 50(1) of the Matrimonial Causes Act 1973 (matrimonial causes rules), for the words from "one registrar of the divorce registry" to "local law society" there shall be substituted "one district judge of the principal registry of the Family Division, two Circuit judges, one district judge appointed under the County Courts Act 1984, two persons who have a Supreme Court qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990), and two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court.".'.

No. 66, in page 140, line 45, at end insert—

'The Consumer Credit Act 1974 (c.39)

. In section 174(3) of the Consumer Credit Act 1974 (purposes for which certain information obtained under the Act may be disclosed), in paragraph (a)—

(a) after the words "Regulations 1988" there shall be inserted "or the Courts and Legal Services Act 1990"; and

(b) after the words "Electricity Supply" there shall be inserted "or the Authorised Conveyancing Practitioners Board".'.—*[The Attorney-General.]*

The Solicitor-General: I beg to move amendment No. 67, in page 142, line 17, leave out from '(1)' to end of line and insert

'for the words "to committees conferred on the Council" there shall be substituted "conferred".'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 68 and 77.

The Solicitor-General: Amendments Nos. 67 and 77 are consequential amendments concerning the power of the Law Society and its council to delegate their functions, and amendment No. 68 refers to reduced contributions to the Law Society compensation fund for certain of its members.

Amendment agreed to.

Amendments made: No. 68, in page 142, line 33, at end insert—

'(3B) Where it appears from his application for a practising certificate that a solicitor has not held or received clients' money at any time during the period specified in the application, the Council may require him—

(a) to pay an annual contribution of a specified reduced amount on that application; or

(b) to pay no annual contribution on that application.'.

No. 69, in page 142, line 33, at end insert—

'The Restrictive Trade Practices Act 1976 (c.34)

. In section 41(1) of the Restrictive Trade Practices Act 1976 (purposes for which certain information obtained under the Act may be disclosed), in paragraph (a)—

(a) after the words "Electricity Supply" there shall be inserted "or the Authorised Conveyancing Practitioners Board"; and

(b) after the words "Regulations 1988" there shall be inserted "or the Courts and Legal Services Act 1990".'.

No. 70, in page 142, line 33, at end insert—

'The Estate Agents Act 1979 (c.38)

.—(1) In section 10(3) of the Estate Agents Act 1979 (purposes for which certain information obtained under the Act may be disclosed), in paragraph (a)—

(a) after the words "Regulations 1988" there shall be inserted "or the Courts and Legal Services Act 1990"; and

(b) after the words "Electricity Supply" there shall be inserted "or the Authorised Conveyancing Practitioners Board".'.

The Competition Act 1980 (c.21)

. Section 19 of the Competition Act 1980 (restriction on disclosure of information) shall be amended as follows.

(2) In subsection (2), after the words "Electricity Supply" there shall be inserted "the Authorised Conveyancing Practitioners Board".

(3) In subsection (3) the following paragraph shall be inserted after paragraph (l)—

"(m) the Courts and Legal Services Act 1990".'.

No. 116, in page 142, line 33, at end insert—

'The Patents Act 1977 (c.37)

.—(1) In section 102 of the Patents Act 1977 (right of audience etc in proceedings before the comptroller), the following subsection shall be added at the end—

"(5) Nothing in this section shall be taken to limit the right to draw or prepare deeds given to a registered patent agent by section (*Preparation of documents etc. by registered patent agents and trade mark agents*) of the Courts and Legal Services Act 1990."

(2) In section 102A of that Act (right of audience etc in proceedings on appeal from the comptroller), the following subsection shall be added at the end—

"(6) Nothing in this section shall be taken to limit the right to draw or prepare deeds given to a registered patent agent by section (*Preparation of documents etc. by registered patent agents and trade mark agents*) of the Courts and Legal Services Act 1990." '.

No. 173, in page 142, line 33, at end insert—

'The Domestic Proceedings and Magistrates' Courts Act 1978 (c.22)

. In section 16 of the Domestic Proceedings and Magistrates' Courts Act 1978 (powers of court to make orders for the protection of a party to marriage or a child of the family), in subsection (6) for paragraphs (a) and (b) there shall be substituted "that the respondent has not been given such notice of the proceedings as may be prescribed by rules".'.

No. 117, in page 142, line 37, at end insert—

'The Magistrates' Courts Act 1980 (c.43)

.—(1) The Magistrates' Courts Act 1980 shall be amended as follows.

(2) In section 150(1) (interpretation) after the definition of "impose imprisonment" there shall be inserted the following definition—

"legal representative" means an authorised advocate or authorised litigator, as defined by section 99(1) of the Courts and Legal Services Act 1990;".

(3) For the words—

(a) "counsel or a solicitor" in sections 4(4)(b), 6(2)(b), 23(1)(a) and 128(1B);

(b) "counsel or solicitor" in sections 122(1) and (3);

there shall be substituted "a legal representative".

(4) For the words—

(a) "solicitor" in sections 6(2)(a), 12(2), 128(1A)(ii) and (3B);

(b) "counsel or solicitor" in sections 72(3)(a) and (4);

(c) "solicitor or barrister" in section 145(1)(d),

there shall be substituted "legal representative".

(5) For the words "counsel and solicitors" in section 8(4)(d) there shall be substituted "the legal representatives".

(6) For the words—

(a) "solicitors and counsel" in section 69(2)(b);

(b) "solicitors or counsel" in section 69(4),

there shall be substituted "legal representatives".

(7) In section 144(3) (members of the rule committee) in subsection (3), for the words "one justices' clerk" to the end there shall be substituted—

"(a) one justices' clerk;

(b) one person who has a Supreme Court qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990); and

(c) one person who has been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court.".'.

No. 118, in page 144, line 1, at end insert—

'.—(1) In section 85 of the Supreme Court Act 1981 (Supreme Court Rule Committee)—

(a) for paragraphs (f) and (g) of subsection (1), there shall be substituted—

"(f) two persons who have a Supreme Court qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990); and

(g) two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court."

(b) for subsection (4) there shall be substituted—

"(4) Before appointing a person under paragraph (f) or (g) of subsection (1), the Lord Chancellor shall consult any authorised body with members who are eligible for appointment under that paragraph."

(2) In section 86 of that Act (Crown Court Rule Committee)—

(a) for paragraphs (f) and (g) of subsection (1), there shall be substituted—

"(f) two persons who have a Supreme Court qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990); and

(g) two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court."

(b) for subsection (4) there shall be substituted—

"(4) Before appointing a person under paragraph (f) or (g) of subsection (1), the Lord Chancellor shall consult any authorised body with members who are eligible for appointment under that paragraph.".'.

No. 71, in page 144, line 9, at end insert—

'. In section 90 of that Act (Official Solicitor) the following subsections shall be inserted after subsection (3)—

"(3A) The holder for the time being of the office of Official Solicitor shall have the right to conduct litigation in relation to any proceedings.

(3B) When acting as Official Solicitor a person who would otherwise have the right to conduct litigation by virtue of section 26(2)(a) of the Courts and Legal Services Act 1990 shall be treated as having acquired that right solely by virtue of subsection (3A)".'.

No. 119, in page 144, line 43, leave out paragraph 32.

No. 120, in page 145, line 21, at end insert—

[The Solicitor-General]

'. For section 75(7) of that Act (members of the rule committee) there shall be substituted—

"(7) The rule committee shall consist of the following persons appointed by the Lord Chancellor—

(a) five judges of county courts;

(b) two district judges;

(c) two persons who have a Supreme Court qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990); and

(d) two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court."

. For section 143(1) of that Act (prohibition on persons other then solicitors receiving remuneration for work in county courts) there shall be substituted—

"(1) No person other than—

(a) a legal representative; or

(b) a person exercising a right of audience or a right to conduct litigation by virtue of an order made under section 9 of the Courts and Legal Services Act 1990 (representation in county courts),

shall be entitled to have or recover any fee or reward for acting on behalf of a party in proceedings in a county court."

.—(1) In section 147(1) of that Act (interpretation) after the definition of "landlord" there shall be inserted—

" "legal representative" means an authorised advocate or authorised litigator, as defined by section 99(1) of the Courts and Legal Services Act 1990."

(2) For the word "solicitor" in sections 13(1) and (4), 61(2) and 126 of that Act there shall be substituted "legal representative".

(3) For the word "solicitors" in sections 18, 24(1), 27(6), 75(3)(f) and 79 of that Act there shall be substituted "legal representatives".'.

No. 121, in page 145, line 21, at end insert—

'The Matrimonial and Family Proceedings Act 1984 (c. 42)

. In section 40(1) of the Matrimonial and Family Proceedings Act 1984 (family proceedings rules), for paragraphs (c) to (g) there shall be substituted—

"(c) one district judge of the principal registry of that Division,

(d) two Circuit judges,

(e) one district judge appointed under the County Courts Act 1984,

(f) two persons who have a Supreme Court qualification (within the meaning of section 58 of the Courts and Legal Services Act 1990), and

(g) two persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court.".'.

No. 122, in page 146, line 4, at end insert—

'.—(1) In section 14(1)(a) of that Act (regulations in relation to fees of counsel) for the word "counsel" there shall be substituted "any legal representative".

(2) The following definition shall be inserted in section 15(1) of that Act after the definition of "Director"—

"legal representative" means an authorised advocate or authorised litigator, as defined by section 99(1) of the Courts and Legal Services Act 1990.'.

No. 183, in page 146, line 4, at end insert—

'. In section 20(2) of that Act (regulations providing for the recovery of sums paid by the Legal Aid Board or out of central funds), in paragraph (a) for the words "party to proceedings" there shall be substituted "person".'

No. 123, in page 146, line 5, at end insert—

'.—(1) Section 9 of the Administration of Justice Act 1985 (management and control by solicitors of incorporated practices) shall be amended as follows.

(2) In subsection (1)(a)—

(a) after the word "solicitors", where it first occurs, there shall be inserted "or solicitors and one or more registered foreign lawyers"; and

(b) at then end there shall be inserted "or by multi-national partnerships".

(3) In subsection (8), the following definitions shall be inserted at the appropriate places—

""multi-national partnership" means a partnership whose members consist of one or more registered foreign lawyers and one or more solicitors;

"registered foreign lawyer" means a person who is registered under section (*Foreign lawyers: recognised bodies and partnerships*) of the Courts and Legal Services Act 1990".'.

No. 172, in page 146, line 25, at end insert—

'40A. In Schedule 6 to that Act (incorporated licensed conveyancers) the following shall be substituted for paragraph 4(3)—

"(3) Where it appears to the Council that the professional services provided by a recognised body in connection with any matter in which that body has been instructed by a client have, in any respect, not been of the quality which it is reasonable to expect of that body, the Council may take any step with respect to that recognised body as it could take under paragraphs 14 to 20 of Schedule (*Licensed conveyancers*) of the Courts and Legal Services Act 1990 with respect to a licensed conveyancer in similar circumstances.

(3A) Those paragraphs shall have effect (with the necessary modifications) with respect to any steps taken against the recognised body under this sub-paragraph as they have effect with respect to any steps taken with respect to a licensed conveyancer under paragraph 14 of that Schedule".'.

No. 155, in page 146, line 39, leave out '49' and insert—

'(*Representation under the Legal Aid Act 1988*)'.

No. 156, in page 146, line 46, leave out subsection (7A) and insert—

'(7A) If it is satisfied that the circumstances of a particular case in the Supreme Court or the House of Lords warrant a direction under this subsection, the Board or, in the case of criminal proceedings the competent authority, may direct that representation in that case shall be by one legal representative.'.—[*The Attorney-General.*]

Schedule 17

TRANSITIONALS AND SAVINGS

Amendments made: No. 73, in page 149, line 15, leave out paragraphs 5 and 6.

No. 74, in page 149, line 31, at end insert—

'Judicial oaths

.—(1) Sub-paragraph (2) applies in relation to any person who, immediately after the coming into force of section 63, holds any of the offices listed in subsection (1) of that section.

(2) The Promissory Oaths Act 1868 shall have effect as if in section 6 for the words "as soon as may be after his acceptance of office" there were substituted "not later than 6 months after the coming into force of section 63 of the Courts and Legal Services Act 1990'.

No. 75, in page 151, line 27, at end insert—

'The Council for Licensed Conveyancers

.—(1) The following provisions—

(a) section (*The Council for Licensed Conveyancers*);

(b) the repeal by Schedule 18 of section 26(3) of the Administration of Justice Act 1985; and

(c) paragraph 40A of Schedule 16,

shall not affect any case in which the final bill of costs was delivered to the client concerned before the commencement of section (*The Council for Licensed Conveyancers*).

(2) Until such date as may be specified by order made by the Lord Chancellor, the provisions of—

(a) paragraphs 14 to 20 of Schedule (*Licensed conveyancers*); and

(b) paragraph 4(3) and (3A) of Schedule 6 to the Administration of Justice Act 1985 (as substituted by paragraph 40A of Schedule 16,

shall have effect as if they conferred powers on the Discipline and Appeals Committee and not on the Council for Licensed Conveyancers.

(3) Any order made by the Lord Chancellor under sub-paragraph (2) may make such transitional, consequential or supplemental provision as he thinks necessary or expedient in consequence of the transfer of jurisdiction under the provisions in question from the Discipline and Appeals Committee to the Council.'.

No. 174, in page 151, line 27, at end insert—

'Immunity of magistrates etc.

.—(1) The Justices of the Peace Act 1979 shall continue to apply in relation to any matter arising before the coming into force of section 89, in connection with the exercise or purported exercise of his office by a justice of the peace, as if section 89 had not been enacted.

(2) The Magistrates' Courts (Northern Ireland) Order 1981 shall continue to apply in relation to any matter arising before the coming into force of section 90, in connection with the exercise or purported exercise of his office by a resident magistrate or justice of the peace, as if section 90 had not been enacted.

(3) Section 63 of the Administration of Justice Act 1985 shall continue to apply in relation to any matter arising before the coming into force of section 90, in connection with the exercise or purported exercise of his office by a person to whom this sub-paragraph applies, as if section 90 had not been enacted.

(4) Sub-paragraph (3) applies to—

(a) a resident magistrate, including a deputy resident magistrate;

(b) a justice of the peace; and

(c) a person specified in section 63(7) of the Act of 1985 (county court judges sitting in connection with certain appeals and members of juvenile court panels).'.

No. 184, in page 151, leave out lines 28 to 31.—*[The Attorney-General.]*

Schedule 18

Repeals

Amendment made: No. 76, in page 152, line 51, at end insert—

'1969 c. 54.	The Children and Young Persons Act 1969.	In section 16(3), the words from "and the justice" to the end.'.

No. 77, in page 153, column 3, leave out lines 31 and 32.

No. 175, in page 153, line 48, at beginning insert—

'1978 c. 22.	The Domestic Proceedings and Magistrates' Courts Act 1978.	Section 16(7). Section 17(2). Section 23(1). Section 24. Section 30(2) to (4).'.

No. 79, in page 154, line 6, at end insert—

'1980 c. 43.	The Magistrates' Courts Act 1980.	Section 65(1)(k).'.

No. 124, in page 154, line 46, column 3, at end insert—

'In section 60, subsection (1), and in subsection (2) the words "not being a person entitled to address the court by virtue of subsection (1)" and "as if he were a person so entitled.".'.

No. 125, in page 154, line 51, column 3, leave out '"them"' and insert '"and prescribing"'.

No. 126, in page 154, line 55, column 3, at end insert—

'Section 143(2).'.

No. 127, in page 155, line 8, column 3, at end insert—

'In section 15(1), the definition of "solicitor", and the word "and" immediately preceding it.'.

No. 80, in page 155, line 11, column 3, at end insert—

'Section 26(3).'.

No. 128, in page 155, line 11, column 3, at end insert—

'In section 9(8) the second "and".'.

No. 81, in page 155, line 20, column 3, at end insert—

'In Schedule 3, paragraph 8.'

No. 82, in page 155, line 42, column 3, at beginning insert—

'In section 27(1), the words "or other person" and the words "or person".'.

No. 83, in page 156, line 1, column 3, at beginning insert—

'In section 108(12), in the entry relating to Schedule 14, the word "18".
In Schedule 3, paragraph 7.'.

No. 84, in page 156, line 8, column 3, at beginning insert—

'In Schedule 12, paragraph 25.'.

No. 85, in page 156, line 9, column 3, leave out 'and 25' and insert—

'25 and 40
In Schedule 14, in paragraph 15(1), the word "or" immediately preceding paragraph (g).'.—*[The Attorney-General.]*

Title

Amendment made: No. 185, in line 13, leave out 'to amend the law relating to the limitation of actions;'.—*[The Attorney-General.]*

Order for Third Reading read.

12.8 am

The Attorney-General: I beg to move, That the Bill be now read the Third time.

I express my warm appreciation to all hon. Members, and in particular to the right hon. and learned Member for Aberavon (Mr. Morris), the hon. Member for Norwood (Mr. Fraser), the hon. and learned Member for Montgomery (Mr. Carlile), and all those from the Back Benches on both sides of the House who have contributed greatly to the success of the parliamentary handling of the Bill. The Bill takes an important place in the Government's strategy of encouraging competition and the widening of choice, particularly the widening of choice for those who are customers here for legal services. I believe that the parliamentary process has worked very well because of the assiduity of hon. Members. I hope that, in turn, they feel that the Government have listened and responded constructively in many instances, although not in as many as they would have wished, to suggestions to improve the Bill. I am grateful for all that has been done.

I realise that the Bill has occasioned a great deal of approval in the country, but also a certain amount of anxiety. Each of those reactions has been well founded. I believe that much of the anxiety has been dispelled. The Bill will take its place as a constructive measure.

12.10 am

Mr. John Morris: If I am forgiven anything in this House, I am sure that I shall be forgiven my brevity on this occasion. I endorse the Attorney-General's thanks to the Committee for its consideration. I thank the Law Officers and the Lord Chancellor for their courtesy and explanations at all times. I am especially grateful for the work done by Lord Mischcon and his team in the other place.

The improvement of the Bill was necessary because of the severe criticism levelled at it.We have not objected to extending rights of audience. I was anxious that the power should not be enshrined solely in the bosom of a political Minister, even though he be the Lord High Chancellor. Now that the judges have a new and important role, we are anxious that the aims of the Bill are carried out. I am confident that they will be. If there is any breakdown, we shall have to return to the matter later and consider it afresh, but I am sure that that will not be necessary.

One of the sad omissions from the Bill is that it has no enhancement for legal aid. The professions are concerned about profitability in that area. I fear that one day we shall have to return to that.

12.11 am

Mr. Temple-Morris: This is broadly a good Bill which will result in a more balanced profession. Perhaps all those who have been closely associated with the Bill would agree that it is as important for that which has been discussed but is not in the Bill as for that which is in the Bill following our discussions.

During its progress, the Bill has been improved in relation to consumer safeguards in conveyancing. However, the danger to the small solicitor—other than in Scotland where that has been overtly recognised—remains and must be monitored. We shall also have to monitor how the rights of audience work. There remains concern about the designated judges. Indeed, I had intended briefly to air that concern, had I spoken to the amendment which I did not succeed in moving a few moments ago.

I am sure that many people will carefully watch what happens with the new authorised conveyancers and the consumer interests relating to them. They should be no obstruction—I do not suggest that they will be—to solicitors' rights of audience in the higher courts.

I welcome the role of the ombudsman and hope that increasingly the administration of the courts will be considered by that gentleman.

I thank the Front-Bench spokesmen for both the Government and the Opposition for the spirit of courtesy that has prevailed during the passage of the Bill.

12.13 am

Mr. Alex Carlile: I thank the Attorney-General and the Solicitor-General for their courtesy and co-operation. I also thank their officials, to whom all members of the Committee had access during the Committee stage, which was extremely helpful.

I make no apology for saying that I still view the future of the legal profession with trepidation. It is essential for our constitutional safeguards and for the liberties of the citizen that there should be a strong and independent Bar in England and Wales. I hope that, through the process of consultation and reasonable argument, we have ensured that when the machinery set up by the Bill comes to consider the future of the profession it, too, will bear in mind the need for that strong, independent Bar as part of our legal establishment.

With that in mind, I wish the Bill a fair wind, although I suspect that we shall argue some of the issues time and time again.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

PROCEDURE

Motion made,

That this House agrees with the recommendations contained in the First Report of the Select Committee on Procedure of this Session (House of Commons Paper No. 379).

Hon. Members: Object.

QUESTIONS TO MEMBERS, ETC.

Motion made

That with effect from the beginning of the next Session of Parliament Standing Order No. 17 (Questions to Members) and Standing Order No. 18 (Notices of Motions, amendments and questions) be repealed and the following Standing Orders be made—

Time for taking Questions

(1)—Questions shall be taken on Monday, Tuesday, Wednesday and Thursday, after private business has been disposed of.

(2) No question shall be taken after half-past three o'clock, except questions which have not appeared on the paper but which are in Mr Speaker's opinion of an urgent character and relate either to matters of public importance or to the arrangement of business.

(3) Any questions tabled for written answer on a day on which the House does not sit by reason of the continuance of a previous sitting shall be deemed to be questions for written answer on the next sitting day and shall appear on the Order Paper for that day.

Notices of Questions, Motions and Amendments

(1)—Notices of questions shall be given by Members in writing to the Table Office.

(2) A notice of a question, or of an amendment to a motion standing on the Order Paper for which no day has been fixed or of the addition of a name in support of such a motion or amendment, which is given after half-past ten o'clock in the evening shall be treated for all purposes as if it were a notice handed in after the rising of the House.

(3) A Member shall indicate on the notice of any question whether it is for oral, written or priority written answer.

(4) Where a Member has indicated that a question is for priority written answer the Minister shall cause an answer to be given to the Member on the date for which notice has been given, provided that the requirement of notice shall be the same for such questions as that prescribed in this order for questions for oral answer.

(5) Notice of a question for oral answer may not be given on a day earlier than ten sitting days before the day for answer, provided that, where that earliest day would otherwise fall on a Friday, the earliest day on which such notice may be given will instead be the previous sitting day.

(6) Notice of any question for oral answer must appear at latest on the notice paper circulated two days (excluding Saturday and Sunday) before that on which an answer is desired.

(7) When it is proposed that the House shall adjourn for a period of less than four days, any day during that period (other than a Saturday or Sunday) shall be counted as a sitting day for the purpose of calculating the period in paragraph (5) of this order.

(8) When notice shall have been given of a Motion for the adjournment of the House for more than three days Mr. Speaker may cause to have printed and circulated with the Vote a memorandum superseding the provisions of paragraphs (5) and (6) of this order and instead setting out the earliest day on which notice of questions for oral answer may be given for each of the first ten sitting days after that adjournment, provided that each such day shall as far as practicable fall on the same day of the week as that on which the question is to be answered and shall not be fewer than fourteen days before the day for answer; and also setting out the latest day for notice of questions for oral answer on each of the first two sitting days following that adjournment provided that each such day shall not be fewer than two days (excluding Saturday and Sunday) before the day for answer.

Hon. Members: Object.

PUBLIC ACCOUNTS

Motion made,

That Mr. Peter Lilley be discharged from the Committee of Public Accounts and Mr. Francis Maude be added to the Committee.

Hon. Members: Object.

Humberside (Boundary Commission Investigation)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

12.14 am

Mr. Michael Brown (Brigg and Cleethorpes): It is a pleasure and a privilege to address the House on the day of the appointment to Government of my hon. Friends the Member for Tatton (Mr. Hamilton), for Daventry (Mr. Boswell) and for Leeds, North-East (Mr. Kirkhope), all of whom I am delighted to see in their rightful places on the Treasury Bench. I wish them all a long and distinguished career, and I wish them well in their new, arduous and onerous responsibilities.

I remind the House that the reason for this debate was the excellent decision of my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley) who in 1989, as Secretary of State for the Environment, was so concerned about the strong feeling against the existence of Humberside county council that, exceptionally, he ordered the Local Government Boundary Commission for England to consider the case for that county's abolition.

My right hon. Friend was moved to take that decision because he had received about 7,000 representations from the people of the ill-loved county of Humberside expressing their opposition. He took the view that it was right and proper for the Boundary Commission to consider whether the people concerned should revert to residing in their rightful counties of Yorkshire and Lincolnshire.

The commission's interim report did not, sadly, accord with the wishes of my constituents. Just three weeks ago, on 5 July, my hon. Friend the Member for East Lindsey (Sir P. Tapsell) initiated an Adjournment debate on the same issue. He drew attention to the guidelines given to the Boundary Commission, whose interim review published on 7 March states in paragraph 47, on page 13, that there are three strands to any consideration of boundaries. As the commission approaches the task of drafting its final report, I take this opportunity to remind it of its terms of reference, and that the three strands that it is obliged to take into account are:

"whether the boundary accords with the wishes of the local inhabitants;

(ii) whether it reflects the pattern of community life; and

(iii) whether it is conducive to the effective operation of local government or any associated services."

On the first test, there is no doubt that the majority of my constituents—and, I suspect, those of Glanford and Scunthorpe and of Great Grimsby—wish to return to the county of Lincolnshire, as that most likely to reflect

"the pattern of commmunity life".

Lincolnshire has a natural boundary in the form of the river Humber estuary. The old country of the east riding of Yorkshire was the other county which had the river Humber as a natural boundary. The residents of south Humberside look to Lincoln and to the county of Lincolnshire as the county with which they identify.

Our experience of living under the dreaded county of Humberside over the past 15 years with regard to whether it is

"conducive to the effective operation of local government"

is that the county of Humberside fails that test. The community charge in the county of Humberside is about £100 higher than it is in the county of Lincolnshire. Lincolnshire can deliver its local government services—eduacation, social services, roads and all the ancillary services—at a cost to the charge payer that is £100 less than the charge in the county of Humberside. That test proves conclusively that Lincolnshire is the county which is most conducive to the effective operation of local government for my constituents.

I remind my hon. Friend the Minister, who was kind enough to reply to the debate three weeks ago that the hatred of my constituents for the county of Humberside is virtually total. The unhappiness about the concept of Humberside which persists among many of its residents 15 years after its creation shows that now is the time to urge the Local Government Boundary Commission for England to consider the strength of local feeling. I fully accept that it is probably unlikely that my hon. Friend the Minister can add much more to what he said three weeks ago, but I hope that he will assure me and my constituents today that he will draw the attention of the Boundary Commission to the strength of feeling that I am expressing on behalf of my constituents.

I hope that my hon. Friend the Minister will draw to the commission's attention the fact that I was elected by the people and speak for them. My voice on their behalf must be considered when the commission produces its final report. This is the appropriate time to urge the Boundary Commission to accept the challenge thrown down by my right hon. Friend the Member for Cirencester and Tewkesbury. At this point in the sad history of the county of Humberside, people's confidence in the county has been sapped. I hope that my hon. Friend the Minister will be able to pass on my views.

I am delighted to see that my hon. Friend the Member for Keighley (Mr. Waller), a Yorkshire Member, is present in the Chamber. He has told me that he would like to support my comments and I will now allow him to substantiate some of my points.

12.22 am

Mr. Gary Waller (Keighley): I wish to congratulate my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) on initiating this debate and I agree with everything that he has said.

As my hon. Friend pointed out, my hon. Friend the Member for East Lindsey (Sir P. Tapsell) initiated a debate on this subject on 5 July. He spoke in similar terms and argued for the abolition of Humberside, for the creation of a new county of East Yorkshire and for the return of South Humberside to Lincolnshire. The fact that we have had a second debate so soon after the first, shows the strength of feeling about this.

Both debates have been initiated by hon. Members representing constituencies south of the river Humber. Lest it be thought that the strength of feeling is greater in the areas that were formerly unashamedly in Lincolnshire, I remind the House that the Local Government Boundary Commission for England found that the strength of feeling —or outrage as I would describe it—about their incorporation in Humberside is even greater among those who live to the north of the estuary.

Although I represent a constituency in West Yorkshire which is quite a long way from Humberside, I speak as a native Yorkshireman and a member of the Yorkshire Society. I have no trouble in understanding why the

changes that came about in 1974 have never been accepted. Those who drew purely artificial lines on the map to create this concoction cannot easily be forgiven.

Some think that the problem of assuaging traditional loyalties could be resolved either if Humberside changed its name, although it is difficult to think of an alternative, or if postal addresses were altered. That argument is similar to that put by those who argued for the new administrative counties at the time of the passage of the Local Government Act 1972. They claimed that there was no problem because people would still be able to retain their traditional counties. Most of those on the north side of the estuary still feel themselves to be Yorkshire people, but know that something significant has been taken from them by the creation and continuation of a new administrative county for which they feel no affection and little, if any, loyalty.

The Boundary Commission considered issues under the two heads of convenience of administration and traditional loyalties as well as patterns of community life. On the first, it concluded that a reversion to more traditional boundaries would be

"no better able to provide effective and convenient local government than the present Humberside County Council."

At no point did the commission suggest that local government would be any worse. Not surprisingly, it found that there were too many imponderables to make a judgment as to whether there would be an improvement or a deterioration. The main issue, therefore, related to the transitional inconvenience of a further disruption in local government.

When it comes to the preferences of the people as a whole rather than those of people with a stake in the status quo, there is no doubt about how they feel. When asked for their opinion, 62 per cent. of all residents wanted a change from the present county. On the north bank, 64 per cent. stated a wish to see some sort of Yorkshire solution. Many, like me, felt that the answer could be the creation of a new East Yorkshire county, including Selby, although that issue has not exercised most people's minds at this stage. Curiously, a reason why the Boundary Commission seemed to come down against that option was that the present boundary between York and Selby is unsatisfactory. Surely, more urgent attention could be given to that matter if necessary, rather than leaving it until the Humberside issue has been resolved.

The Boundary Commission rather airily dismissed the deep feelings of people for Yorkshire and Lincolnshire, stating:

"Such loyalties should be able to co-exist with support for Humberside as an administrative unit."

Unfortunately, that statement is out of touch with reality. After many years, the survey carried out on behalf of the Boundary Commission shows that only just over a third of the people of Humberside would support the retention of the county. That being so, I find an element of perversity in the Commission's conclusion, especially bearing in mind the strong lead given by my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley), the former Secretary of State for the Environment. I accept that it is difficult for any group of people to reach one decision and then to come to a contrary one.

Like my hon. Friend the Member for Brigg and Cleethorpes, I appreciate that my hon. Friend the Minister cannot say anything substantive today. I realise that the law does not allow my right hon. Friend the Secretary of State to reach a conclusion off his own bat. Rather, he must endorse or refuse one presented to him by the Boundary Commission. I can only say, with a great deal of support from those who still think of themselves as Yorkshire or Lincolnshire people, that I hope even now that there will be a recognition that a decision to go back to something like the ancient Yorkshire and Lincolnshire which existed before 1974 would be enthusiastically applauded not only in the present Humberside but far outside the existing boundaries of that unloved teenager.

11.29 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): It was no surprise to me that my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) chose this subject. I have been aware of his strong feelings on the issue. He has never been one to be shy about making his views known, particularly when his constituents are concerned. He set out his case against the present county structure with his usual skill and exuberance, and he was supported in that by some additional points by my hon. Friend the Member for Keighley (Mr. Waller), who gave his views from a slightly different perspective—from West Yorkshire. On 5 July I answered a debate initiated by my hon. Friend the Member for East Lindsey (Sir P. Tapsell). I recall that my hon. Friend the Member for Brigg and Cleethorpes intervened on that occasion as well.

It might be appropriate if I set out a little of the background, because the present boundary review takes place in a more general framework. I shall then comment more specifically on the Humberside review.

Until 1972, the review of local government boundaries was somewhat haphazard and intermittent. There were periods of great change interspersed with periods when little happened. In 1972, it was thought that a new system would be appropriate. There was general agreement that it should not be possible for the Government of the day to make changes as they saw fit, because that would introduce the temptation to change electoral boundaries for political convenience.

I believe that Governor Gerry of Massachussetts was the first politician who fell victim to the temptation to alter boundaries to suit his political ends. I understand that he designed a constituency which looked rather like a salamander. Someone thought that it should be called a gerrymander, so he gave his name to a political system and it passed into our language.

In 1972, the then right hon. Member for Crosby, the late Graham Page, wisely wished to protect his successors as Ministers for Local Government from the temptation to follow in Governor Gerry's steps. He designed a system which ensures that changes can be made when they are desirable for

"effective and convenient local government."

Those words appear in the Local Government Act 1972, which also imposes constraints upon the Secretary of State of the time in initiating such changes.

Effective and convenient local government has three components, to which reference has been made—first, whether the proposed boundaries reflect the wishes of the majority of the local residents; secondly, whether the alterations would provide more efficient services at county or district level; thirdly, whether they would better reflect the pattern of community life.

[Mr. David Heathcoat-Amory]

Under the Local Government Act 1972, the Local Government Boundary Commission for England was set up. It is a small, expert body of people who review local government boundaries throughout the country and form a view of what will make for effective and convenient local government. The legislation provides for the commission to take the Government's views into account. That is done by way of Department of the Environment circulars. The legislation also provides for local people to be given every opportunity to have their say, both before the proposals are submitted to the Secretary of State and afterwards.

A very important feature of the system is that the Secretary of State can only work within the framework of the commission's recommendations. He can either accept its recommendations or reject them. He can accept them with some modifications, but what he cannot do, and has no power to do, is to devise changes of his own and come up with something quite different from the commission's recommendations.

My hon. Friend mentioned the role played by my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley) on Humberside. The guidelines for the first Humberside review laid down that the abolition of the county council or any principal authority should not be recommended. However, after the Commission recommended that there should not be a major change on Humberside, a large number of people took issue with the report. Over 7,000 representations were received. My hon. Friend mentioned that figure.

In the light of that response, my right hon. Friend the Member for Cirencester and Tewkesbury decided that the commission should have a further look at the question, without the previous constraints. He therefore directed the comission to carry out a further review and to take a completely fresh look at the question. It was able to consider the abolition of Humberside county council and the division of the county in whatever way seemed appropriate, and that remains the position. As I told my hon. Friend the Member for East Lindsey earlier this month, we now await the commission's report on its further review.

We know that the commission is carrying out careful and thorough studies of all aspects of the question. It has told me that its consideration of all the questions involved is proving somewhat more difficult than expected. Nevertheless, I should prefer the commission to take a careful, considered and painstaking look at every aspect of these possible boundary changes rather than trying to meet an artificial deadline.

My hon. Friends know that the Government cannot express an opinion at this stage. I have listened carefully to what they have said today and I shall draw the Boundary Commission's attention to the debate. It is right that it should be made aware of expressions of opinion in the House.

Mr. Waller: Is my hon. Friend aware that when a debate on this issue took place recently in the other place all who spoke in it expressed very much the same sort of view as has been expressed in this House?

Mr. Heathcoat-Amory: Yes, I have read the report of that debate, and Lord Hesketh sent the report of the debate to the Boundary Commission, so the chairman and the members of the commission are also aware of it.

At this time I can express no views on the merits of the case, but I await the commission's report with interest. In conclusion, I repeat that I will ensure that the commission is made aware of the views that have been expressed today.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to One o'clock.

House of Commons

Thursday 26 July 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRESENTATION OF BILL

MINISTERIAL AND OTHER OFFICES (PENSIONS AND SALARIES)

9.34 am

Mr. Speaker: Second Reading, what day?

Mr. Ray Powell (Ogmore): On a point of order, Mr. Speaker. I should have thought that a Bill involving pensions would be presented before most hon. Members had left for their constituencies. Much opinion has been voiced, especially by Opposition Members, since last night when we knew that the Bill would be presented. Having been subject to some pressure by Opposition Members, one might have thought that the Leader of the House would have considered presenting the Bill either earlier or after the end of the recess. Presenting it before the start of the recess, knowing that most hon. Members are away——

Mr. Speaker: Order. This is purely a formal presentation. It happens regularly. We have yet to have the Second Reading, when the hon. Gentleman can object and put his points of view.

Mr. Powell: I appreciate that, Mr. Speaker. However, surely hon. Members, with a Bill which affects them, should be consulted about when the Bill would be presented. I am given to understand that what we would refer to as our shop steward for pensions and other issues that concern hon. Members has had consultations with the Leader of the House. Unfortunately, he cannot be here this morning, but if he had been, he would have made these objections himself. The Leader of the House should have given some consideration to this matter and should not have presented the Bill until after the recess.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): I can understand the hon. Gentleman's interest in this matter, which is why I have kept in touch with the representatives of the major parties, including the trustees who are closely interested in it. Everyone has been anxious that the matter should come forward as soon as possible so that it could be debated and brought to a conclusion in the overspill. It is for that reason alone that we thought it right to secure the publication of the Bill today so that hon. Members might have the benefit of studying the matter throughout the recess. If I had postponed the Bill's introduction until the overspill, I might legitimately have been exposed to some criticism.

Perhaps I may have a word with the hon. Gentleman afterwards. As I have said, I have kept in touch with the right hon. Member for Manchester, Wythenshawe (Mr. Morris), who presides over the trustees, and others, and it is in accordance with the general wish that the Bill has been published today, so that it may be considered during the overspill.

BILL PRESENTED

MINISTERIAL AND OTHER OFFICES (PENSIONS AND SALARIES):

Sir Geoffrey Howe, supported by Mr. Chancellor of the Exchequer, presented *(under Standing Order No. 48 (Procedure upon Bills whose main object is to create a charge upon the public revenue))* a Bill to make new provision with respect to the pensions payable to or in respect of persons who have held the office of Prime Minister and First Lord of the Treasury, Speaker of the House of Commons or Lord Chancellor; to relate the salary of the Lord Chancellor to that of the Lord Chief Justice; and to provide for the making of grants to persons ceasing to hold ministerial and certain other offices and the payment of an allowance to persons holding those offices who are members of the House of Lords: And the same was read the First time; and ordered to be read a Second time on Monday 15 October and to be printed. [Bill 195.]

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

COMPANIES

That the Companies (Fees) (Amendment No. 2) Regulations 1990 (S.I., 1990, No. 1368), dated 5th July 1990, a copy of which was laid before this House on 6th July, be approved.—*[Mr. Goodlad.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

WEIGHTS AND MEASURES

That the draft Weights and Measures (Various Foods) (Amendment) Order 1990, which was laid before this House on 29th June, be approved.—*[Mr. Goodlad.]*

Question agreed to.

FOREIGN AFFAIRS

Ordered,

That Mr. Peter Temple-Morris be discharged from the Foreign Affairs Committee and Mr. William Powell be added to the Committee. *[Sir Marcus Fox, on behalf of the Committee of Selection.]*

PETITION

Kirklees and Bradford (Boundary Proposals)

9.38 am

Mrs. Elizabeth Peacock (Batley and Spen): I beg leave to present a petition signed by some 2,160 of my constituents in Batley and Spen, opposing the local government Boundary Commission proposals to move the boundary between Kirklees and Bradford to the line of the M62 motorway.

The main effect of the proposals would be to move the communities of Birkenshaw, East Brierley, Oakenshaw, Hartshead and Scholes from the Kirklees metropolitan district council to Bradford city council. That is not acceptable to the residents of the villages, or to others in my constituency who would be affected by the changes. The Boundary Commission for England cannot ignore

[Mrs. Elizabeth Peacock]

historical and family ties when boundaries are drawn on maps. Local preference and tradition must be taken into consideration.

Wherefore your petitioners pray that your honourable House will request the Secretary of State for the Environment to reject the Boundary Commission proposals.

And your Petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Young Offenders (Secure Units)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Goodlad.]*

9.39 am

Mr. Alan Williams (Swansea, West): I want to focus attention on a need that exists throughout the country, although I shall demonstrate it in the light of Welsh experience and a recent sad episode of which many hon. Members are aware. The hon. Member for Pembroke (Mr. Bennett) is here, as it involved his constituent.

I want to emphasise the need to ensure that 15 and 16-year-olds who are certified as unruly by a magistrates court should not go to prison. I shall argue the case and demonstrate that there is virtual unanimity in support of that argument. No one suggests that young people should not be punished. Much of the argument involves the type of secure accommodation that should be available for young people.

I shall quote from the House of Commons Expenditure Committee which puts the case more clearly and effectively than I could:

> "We condemn in the strongest possible terms the use of certificates of unruliness as a means of achieving secure accommodation. We recommend that the practice of remanding young persons to adult prisons should cease forthwith; alternative arrangements must be made."

It is clear and unequivocal and most of us would probably agree with it, but that report was published in 1975 and we are still waiting for action on it. We are still consulting on the problem in England and Wales 15 years on. The recent sad case illustrates the cost that is being incurred.

In the past 20 years, six 15 and 16-year-olds have died in prisons to which they should not have been sent. In the past couple of weeks, there was the youngest ever suicide in a prison in the United Kingdom. A 15-year-old, Philip Knight, committed suicide in Swansea prison. He should not have been there in the first place. He was sent there only because nowhere else could be found for him. There was no adequately secure place available at the time. There is a major gap in provision throughout the country; in Wales it is a complete gap. We have just three small units, two of which have two cells each and the third has three cells. The Government have dismissed those units as unacceptable and suitable only for confining youngsters for a maximum of seven days.

The young lad who committed suicide had been in Swansea prison for three weeks. On the day he committed suicide, he had gone to court for sentencing. He and the prison authorities expected that that was the last he would see of the inside of Swansea prison. It was expected that he would be sent to suitable secure accommodation for young people aged 15 or 16. However, he was sent back to prison because no suitable accommodation could be found.

The hon. Member for Pembroke has asked whether he could have a few minutes of this Adjournment debate. I am willing to agree with that if he should catch your eye, Madam Deputy Speaker, as the case involves his constituent. We all recognise that questions need to be asked. It is not for us to take over the coroner's role, but we should put down some markers.

The governor of the prison and his staff, the prison officers, were every bit as angry as the hon. Member for Pembroke and I that the young lad was sent to Swansea prison. In a broadcast that the prison governor and I did together and in other interviews, the prison governor has

made it clear that prisons are not intended for young people of that age. In the past nine months there have already been two suicides at Swansea prison involving young offenders aged between 17 and 21, so it was the third suicide in that time, but the only one involving a youngster in that age group.

It is even sadder that the lad was still in prison although apparently he had made an attempt earlier to commit suicide. It seems that he had cut his wrists about a week before he eventually hanged himself. One is bound to ask with what he cut his wrists when he was supposed to be in a secure prison. What did he use, and why was it available? He then went to the prison hospital where there was an overnight guard because, as is normal in prisons, there was no overnight medical attendant. It has been suggested that the guard did not even have a key. I understand that, according to normal prison procedures, under special watch B, which involves a prisoner being watched every 15 minutes, a sealed package containing the key is available for whoever is on duty overnight, but it has been suggested that no key was available, yet the youngster had already made one attempt on his life and might have needed instant attention.

In view of the immaturity of the boy, why was he not placed under special watch A, which involves constant supervision? Not only had the youngster attempted suicide in prison, but, according to reports, he was suspected of trying to commit suicide before he was even sent to prison. It has been suggested to me by people with great experience in the prison service that, although special watch A—the constant watch facility—is available in theory, it is virtually never used simply because it costs so much, the lack of resources and staffing levels. Yet constant supervision is essentially what a 15-year-old should have had after a suicide attempt when clearly he was in a severe emotional condition, having returned from court that day after sentencing and having expected not to be sent back to the prison.

I emphasise that the criticisms that I am making and the questions that I am asking relate to the system. I am not in any way pointing fingers at individuals. I received a sad letter from someone who retired from the prison service some time ago in which he said that even now, many years later, he still worries about suicides of adult prisoners within the prison and wonders whether more could have been done to save their lives. In this case we are entitled to ask why the system was not operating more efficiently. The individuals involved were operating the system as they were required to do, but it was not enough.

The tragic death of a youngster took place 15 years after the House of Commons Select Committee on Expenditure made its conclusive recommendation that youngsters under the unruliness certificate—that put Philip Knight into Swansea prison—should not be placed in prisons in future. An even sadder twist to the tale is that on 17 January 1989 the clerk to the magistrates in Haverfordwest, the area from which the young boy came, wrote to Dyfed county council and copied the letter to the Lord Chancellor and the Home Office. He did that because he knows that the scale of provision required would be too large for a county such as Dyfed to undertake. In that letter he said:

"It is highly desirable that secure accommodation be available so as to prevent the offender running away and sometimes even adding a further list of offences to those which he or she already faces."

Referring to young offenders, the letter goes on:

"They are sometimes being committed to custodial sentences or remanded to remand centres or prisons in circumstances where perhaps a custodial sentence or remand would otherwise not have been ordered if secure residential council accommodation had been available."

Therefore, that letter anticipated events and 18 months earlier the clerk to the magistrates in this lad's area had drawn the attention of the county, the Home Office and the Lord Chancellor to the gap in provision.

The Lord Chancellor's Department forwarded the correspondence to the Welsh Office which replied to the letter. The reply is dated 20 February 1989 and is from a Mr. B. J. Collins. It reads:

"Your letter of 18 January addressed to the Lord Chancellor's Department and concerning secure accommodation in Dyfed has been passed to the Welsh Office for attention. Accordingly, we are currently undertaking a study of the scale and nature of secure accommodation in Wales."

That was more than a year and a half ago.

Yesterday I saw the Secretary of State for Wales and asked him about the result of that study. I had a telephone call from him just before I came into the Chamber. He told me that the study, which started 18 months ago, has now been completed, and a consultative document is with the directors of social services. Therefore, 15 years after the original Committee recommendation and 18 months after the attention of the Welsh Office, the Home Office and the Lord Chancellor had been drawn to the gap in provision, we have a consultative document. The result of that consultation is not expected before April 1991. One can hardly accuse anybody of undue haste in the way in which they are trying to deal with the problem. There is an appalling lack of urgency and almost a lack of awareness.

I had an incredible answer a week ago from the Welsh Office. On 19 July I was told by a Welsh Office Minister:

"We have not received any representations which call for the provision of a secure unit for young offenders."—[*Official Report*, 19 July 1990; Vol. 176, c. *662*.]

That is despite having received the correspondence forwarded from the Lord Chancellor's Department and having allegedly set up a study 18 months ago.

That is what the hon. Member for Pembroke and I face in dealing with the problem in Wales. However, it is not just a Welsh problem, and that is why a Department of Health Minister has been courteous enough to attend the debate instead of his Welsh counterpart. The problem in Wales is reflected throughout the country.

In October 1989 the Minister for Health, the hon. Member for Surrey, South-West (Mrs. Bottomley), produced a discussion document. I am not criticising her because it was recognised long before her ministerial appointment that she had a keen interest in social need. She pursued that interest when she was appointed a Minister. The document was for England and Wales and was entitled "Secure Accommodation in Community Homes". The Government's policy is stated. They say:

"The Government accept that the use of secure accommodation remains necessary for a relatively small proportion of young people because they are a major risk to themselves or other people. The policy view of the Department is that the secure placement must be a last resort, never because no other placement is available at the relevant time."

Yet Philip Knight was in Swansea prison because no other place was available at the relevant time.

The Government are trying to shuffle a responsibility that should be theirs on to the councils. There remains a legitimate Government interest in the extent of the

[Mr. Alan Williams]

national stock of secure accommodation in its scale and location. I do not think that any of us would dissent from that proposition. However, it runs contrary to some of the points that arise later in the document.

The Government are clear about the type of provision they recommend. They rule out the type of accommodation already available in Wales. They said:

"If greater impact is to be made in reducing the number of juveniles remanded to custody, secure facilities need to be made accessible for those parts of the country which are presently under resourced. Such new units should provide a minimum of eight places or multiples of eight and up to a maximum of 24 places."

The Government point to the inadequate nature of the small existing secure units which provide between two and six placces. There are many of those in England, but in Wales we have only units within the unacceptable category.

The document goes on to say that, because of the limitations of size, they provide a poor quality of life, inhibit the staff in providing the quality of care that they strive to attain and are totally unsuited to the task of holding young people for more than a limited period. That unsuitability is recognised by the seven-day rule that applies to holding people.

The accommodation that is condemned in the document is the only type of accommodation available in Wales. In fact, for other accommodation we have to go foraging in England, but England has its own problems of trying to find suitable accommodation for its young people. The Government say, "Because these units of eight are too big for one county council social services department's requirements, we need a multi-council approach." In the document, there is a long screed giving the reasons for a regional basis, a regional bed bank and regional databases. It says:

"The Department's Regional Social Services Inspectorate should play an active enabling role in bringing together local authorities within regions to develop coherent local strategy."

That is all very well, but the Government abandoned the regional approach in 1982.

We in Wales have to send our youngsters to England. Mid-Glamorgan sent four to England last year and still cannot place two youngsters. Clwyd uses Hindley, Gwent sometimes has to place young people as far away as county Durham, and of course there are Cardiff and Swansea prisons.

The point that emerges from the document is the uneven spread throughout England and Wales of units with a minimum of eight places, which the Government say we need. The Government will provide only capital grant aid, not running cost aid, and they are even withdrawing some of the capital aid for converting existing units. Far from being more helpful, they are being less helpful.

The problem is exacerbated—I do not say this in a party-political sense because it is a financial reality—by the financial constraints of the poll tax. Authorities facing capping are reluctant to take on the capital and running-cost commitment of units whose occupancy rate is less than 80 per cent., yet the Government say, "We will not meet the running costs of these units because it is the responsibility of local authorities."

It is worth bearing in mind that it costs the Home Office about £1,000 a week to keep a youngster in prison. It agrees with councils that they should not be in prison but says, "We want you to bear the cost of providing accommodation." Where is the legitimate Government interest in the national stock of accommodation and its location and in meeting the running costs of these units?

The Government emphasise in the document the need for central initiatives, central co-ordination and central planning provision, and although they can provide all those functions they are dodging their responsibility. The National Association for the Care and Resettlement of Offenders, the Howard League for Penal Reform, prison governors, councils, social services departments and even common sense are against youngsters of this age group being kept in prison, yet 15 years after a categoric recommendation of a Select Committee we are still consulting and talking, and no one is doing anything.

10.3 am

Mr. Nicholas Bennett (Pembroke): I am grateful to the right hon. Member for Swansea, West (Mr. Williams) and my hon. Friend the Minister for allowing me two or three minutes to raise the important case of Philip Knight, who hanged himself in Swansea prison on Friday 13 July.

Philip, who was 15, had been sentenced by the magistrates court and had arrived at prison earlier that day. He was seen alive at 9.30 pm but when he was seen again at 10 pm he was found hanging in his cell. Unfortunately, attempts to revive him failed and he was adjudged dead on arrival at Singleton hospital.

The bald facts of the tragic case of Philip Knight raise considerable worries about how young juvenile offenders are treated by the prison system and how potential suicide cases such as Philip Knight are supervised. As the right hon. Member for Swansea, West said, he had previously attempted to commit suicide by trying to slash his wrist. The first question that we must ask, although I recognise the difficulties for the prison service, is how young people and other prison inmates are assessed as a suicide risk and supervised when they arrive in prison.

The treatment of suicide-risk cases is set out in Home Office circular instruction 29/1989, which states that special procedures must be followed for a potential suicide or a high-risk suicide case. As the right hon. Gentleman said, this can be 30 minutes observation, 15 minutes observation or, in high-risk cases, continuous supervision.

The question that I want to ask on behalf of my late constituent's parents is, why was there not continuous supervision of Philip Knight as he had already attempted to commit suicide?

Circular instruction 20/1989 provides suitable instructions that should be followed by the prison service. It is of particular concern, first, that a youngster of this age should be in an adult prison and, secondly, that, given his history, he was not under supervision. I hope that the Home Office, in conjunction with the Department of Health and the Welsh Office, which is responsible for such matters in Wales, will seriously consider this case and any lessons that can be learned in the light of the coroner's inquest and what additional co-ordination is necessary to ensure that tragic cases do not occur in the future.

10.6 am

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): The issue raised by the right hon. Member for Swansea, West (Mr. Williams) and discussed

by my hon. Friend the Member for Pembroke (Mr. Bennett) is of considerable importance for the treatment of young people charged with offences. The Government do not dispute the seriousness of the issues that they have raised.

The right hon. Member for Swansea, West began by quoting the report of a Select Committe in 1975, which emphasised the unsatisfactory nature of the certificate of unruliness procedure. The Select Committee recognised that juveniles on remand should not be committed to prison. That is not in dispute; indeed, the Government are as committed as the Select Committee and the right hon. Gentleman to the phasing out of the remand of juveniles to prison department establishments as soon as resources permit. That statement of policy was made not in 1975, when the Government were not in a position to make a statement on policy, but in a report to Parliament on social services for children in England and Wales between 1979 and 1981. As a statement of policy, there is no division between the right hon. Gentleman, my hon. Friend and the Government. We are committed to the elimination of this admittedly unsatisfactory procedure.

Wherever possible, local authorities strive to provide accommodation within the child care system for alleged juvenile offenders on remand. In the present circumstances, however, that is not always practicable and, regrettably, some young people are remanded to a prison department establishment while awaiting trial or sentence. We acknowledge that this is the least desirable of all the options, and none of us would wish it to be used, except where no other option is viable.

Strict criteria govern the use of penal establishments for such people. Over the years, this route has been progressively closed to all remanded girls under 17 and boys under 15. Only juvenile males aged 15 and 16 can now be placed in penal establishments on remand. This is a significant advance on the position when the Select Committee reported in 1975. They must either have committed alleged offences carrying a maximum sentence of 14 years or more in the case of an adult or have been charged with a crime of violence or have a previous conviction for such a crime. I emphasise that the Government remain committed to the complete abolition of penal remand for juveniles as soon as resources permit.

The right hon. Member for Swansea, West and my hon. Friend the Member for Pembroke referred to the case of Philip Knight and cited it as an example of the continued operation of this admittedly unsatisfactory procedure. Clearly I cannot disagree in general terms with the proposition that Philip Knight should not, in an ideal world, have found himself admitted to the prison. The specific questions which have been asked about his case are the subject of an inquiry by Dyfed social services department, which will make a report to the social services inspectorate in Wales. I am sure that the right hon. Member for Swansea, West recognises that it would be inappropriate for me to discuss any of the specific circumstances surrounding that tragic case.

In response to the points raised by the right hon. Member for Swansea, West and my hon. Friend the Member for Pembroke, I should like to comment on the general development of policy in penal establishments in England and Wales for the reduction of the risk of inmates committing suicide. The prison service is constantly looking to improve its suicide prevention strategy. Present initiatives include a planned trial for the use of closed circuit television, the continuation of the family ties programme, a proposed experiment at Winchester prison in the use of card phones by remand prisoners and a pilot scheme to reduce routine censorship in category B establishments. The risk of suicide is acknowledged to be and clearly is a problem in penal establishments. Serious work is being done to eliminate the risk of people committing suicide, particularly juveniles, whom we acknowledge should not be there in the first place.

The core of the charge made by the right hon. Member for Swansea, West is perhaps summed up in his phrase that progress towards the achievement of the ideal objective defined by the Select Committee in 1975 has not been going forward with "undue haste". The right hon. Gentleman quoted the discussion documents issued by the Welsh Office and by my Department as evidence that we were more interested in talking about the problem than in resolving it. I do not accept that charge. To some extent, the right hon. Gentleman misses the point of the discussion documents.

He went on to say that the core of the problem is that the Government are not providing sufficient resources for the development of a network of secure units. The Government do not believe that the solution lies necessarily in the creation of more and more secure units. The discussion documents were directed to the questions of establishing the scale of need of secure units, how we can use the units that exist more effectively, and how we can eliminate the unnecessary remar ' juveniles to them.

Mr. Alan Williams: I understand that. The hon. Gentleman stated the Government's policy in 1980-81, when they recognised that they wanted to end the imprisonment of these youngsters. Why did it take until October 1989 even to produce a consultative document?

Mr. Dorrell: As the right hon. Gentleman was kind enough to say, my hon. Friend the Minister for Health cannot be responsible for everything that was said and done in the intervening period. It seems to me that the right hon. Gentleman might welcome the fact that some serious work is being done and the commitment to address the problem to ensure that there are sufficient secure units across the country and that they are used effectively.

I should like to refer to the provisions in chapter 8 of the recent Home Office White Paper "Crime, Justice and Protecting the Public" relating to young offenders. This noted the encouraging development in some parts of the country of bail support schemes offering close supervision of, and constructive work with, young people on remand on bail and expressed the Government's view that such schemes offer a valuable means of avoiding the undesirable effects of remanding a young person away from home.

The White Paper acknowledged also that the arrangements for remanding juveniles charged with criminal offences are unsatisfactory in certain respects. While falling short of proposing complete abolition of penal remand for juveniles, it suggested that the unruliness certification procedure would be replaced by a more stringent test for a remand in custody, which would be more closely related to the need to protect the public from the risk of serious harm or from repeated alleged offending.

I hope that I have been able to show the right hon. Member for Swansea, West and my hon. Friend the Member for Pembroke that there is no division of principle

[Mr. Dorrell]

on these difficult issues, and that the Government are addressing them as substantial issues. Their importance is highlighted by the tragic events which have been brought to the attention of the House.

Multi-fibre Arrangement

10.15 am

Sir John Farr (Harborough): I should be remiss if I did not offer the congratulations of the House to my hon. Friend the Member for Hove (Mr. Sainsbury) on his recent promotion. I understand that he is about to make his maiden speech in his new post. I hope that, in answering my points, he will bear it in mind that he has the good wishes of all hon. Members for a successful and long term in his important position. My hon. Friend is in a responsible position, because 500,000 jobs in the apparel industry are under threat because of the threatened abandonment by the Government of the multi-fibre arrangement.

In the past, my hon. Friend the Minister, with whom I have had several dealings, has always proved receptive to common sense. I hope that he can reassure me. As recently as 12 January this year, we had a full Friday's debate on the multi-fibre arrangement. It will be no surprise to him, therefore, that a number of hon. Members were disappointed with what we thought was the very ineffective view taken by the Government. Time has passed rapidly. On Tuesday this week, the final round of negotiations began in Geneva, and we are still not satisfied that the Government's voice, which is part of the voice of the 12 EEC nations, has been heard. We are still not convinced that the Government are aware of the critical importance, if there is to be an apparel manufacturing industry in Britain, of not throwing out the window what we have in the MFA.

Hon. Members are not prepared to accept a whitewash. Experts among Opposition and Conservative Members are not prepared to accept something that is not as stringent as the MFA. Half a million United Kingdom jobs are involved, including 2,800 in my constituency, which is a trivial number compared with the numbers in other constituencies. The future of the 500,000 jobs in the United Kingdom, and a total of 5 million jobs in Europe, will be decided by the EC's posture in this round of negotiations, which is to terminate in December.

I remind the House that, at the moment, the inustry is protected by MFA 3. From what I have heard in the House and in answers to questions, the Government unfortunately appear to be committed to the dismantling of the MFA, despite warnings from all sides. It is said—I hope that the Minister will by now be able to tell me that I am wrong—that the Government are leading that school of thought in the EC negotiating team that not only calls for the scrapping of the MFA but would allow that to be done without ensuring suitable safeguards in GATT following the ending of the arrangement.

Will my hon. Friend the Minister tell me that I am wrong? I know of no hon. Member on either side of the House who has not heard from his constituents that the multi-fibre arrangement or something equally strong is absolutely essential to the continuance of full employment and to Britain's massive industry. If the MFA has to go, it must be replaced with GATT regulations that are just as strong. For far too long, the industry has suffered from distorted conditions of international trade. We have been made to appear the bad man of Europe. We have suffered from illegal subsidies, dumping, the closure of potential markets and the theft of intellectual achievements.

As a major exporting industry, with overseas sales worth £4 billion in 1989, we favour freedom of trade, provided that that freedom is mutual and not one sided. Unless the Uruguay round of GATT negotiations results in real success in demolishing such trade distorting practices, there can be no question of the multi-fibre arrangement being phased out or even weakened.

If the negotiations are, indeed, finally successful, the Government and the European Community as a whole are committed to accepting an eventual phase-out of the multi-fibre arrangement. What worries me is that the Government appear to be giving support for an unrealistically short transition period. [HON. MEMBERS: "Hear, hear."] My hon. Friends the Members for Bosworth (Mr. Tredinnick) and for Batley and Spen (Mrs. Peacock) are also worried. A substantial weakening of the multi-fibre arrangement is to take place almost immediately. That appears to be acceptable to the Government but I can assure the Minister that it is totally unacceptable to hon. Members.

Mr. Max Madden (Bradford, West): I congratulate the hon. Gentleman on obtaining this debate. Does he agree that even if proper safeguards are obtained and incorporated within the GATT rules, it would be wholly unacceptable to all of us if the MFA were phased out in less than seven years? Does he agree that that is the absolute minimum?

Sir John Farr: I am grateful to the hon. Gentleman, who has long been a great supporter of textiles and who has done much for his constituents in this respect. Of course, seven years is the minimum. The hon. Gentleman touches on another of my fears. I have it on good authority —I am sure that the hon. Gentleman does, too—that the Government are pressing for a short transitional period from a strong MFA to something unknown, devised under GATT. I welcome the hon. Gentleman's support.

Another of my worries is that the United States Congress is ready to pass into law a Bill to control textile and clothing imports, including those from the United Kingdom and the EC. If the Geneva negotiations are unsatisfactory, the Bill will undoubtedly be introduced in the United States, as it was passed by a large majority in the Senate on Tuesday last week.

I wish to deal with another important matter—what is known as linkage. As I said, the industry is concerned that in the Uruguay round too much concern is being shown for wider interests such as agriculture and services and too little regard is paid to jobs in Britain, especially in the apparel industry. We are facing the prospect of a commitment to phase out the MFA without achieving statisfactory improvements in GATT rules and disciplines in line with the Punta del Este declaration, which launched the round in 1986. Hon. Members on both sides of the House have stressed linkage as a crucial element more congently and ably than I can. But I should warn my hon. Friend the Minister that our bottom line is that, in the absence of effective linkage being achieved, there cannot and must not be any commitment to weaken, let alone phase out, the MFA.

With the MFA abolished and without effective safeguards plus an effective anti-dumping code plus an effective clamp on trade-distorting Government subsidies, a further major cut in the current employment level of 480,000 in the United Kingdom textiles, knitting and clothing industries would be inevitable. My hon. Friend the Minister—a new, fresh face in a new and important job —may think that I am exaggerating. I should tell him that since 1979 the employment in the industry has declined to from 780,000 to 480,000, and that has been with the protection of the multi-fibre arrangement and with modernisation which has been carried out by many employers and a co-operative work force throughout the country. In the knitting sector, with which we in Leicester are familiar, 46,000 jobs have been lost since 1979, including an estimated 14,000 over the past 18 months. The main centre of the east midlands has been really hard hit, but Scotland and other centres have not escaped the alarming surge of imports between 1986 and 1989—some 60 per cent.—to the value of £1,400 million.

The loss of jobs has to be stemmed. The industry demands a stronger MFA or equivalent safeguards, and many hon. Members are becoming most disturbed. Let me give an up-to-date illustration which, quite by chance, I found in a highly regarded local paper, the *Leicester Mercury*. Similar illustrations could be found in Yorkshire and Scotland and wherever the apparel industry is predominant in Britain. Thanks to the MFA, two knitwear firms were saved by the breakthrough of imposing restrictions on Indonesian sweater imports. The article says:

> "After several months of sustained campaigning by the East Midlands-based Knitting Industries' Federation, the UK government has slapped a quota on imports of sweaters from this developing South East Asian country . . . The quota of 3,208,000 pieces will cover the 10 months from March 1 to December 31, this year. It compares with Indonesian sweater imports of 3·4 million pieces in 1989 and one million pieces in the three months to March 1990, at an average price of £2·46 per garment. These imported sweaters are 100 per cent. acrylic and are aimed at the lower end of the clothing market. The quota has been introduced under category five—the jumpers and sweaters section of the Multi Fibre Arrangement."

That is the sort of protection that we must have if the British apparel industry is to survive.

10.30 am

Mrs. Elizabeth Peacock (Batley and Spen): I congratulate my hon. Friend the Member for Harborough (Sir J. Farr) on gaining yet another debate on the MFA in this Session. As he said, we had one in January and we welcome today's debate.

I also congratulate my hon. Friend the Minister for Trade on his promotion and welcome him to his new post. I say in all seriousness that I hope that he will be a friend to the textile industry. We need good Ministers and good friends, particularly in this important year. The Uruguay round of GATT will come to an end in September this year and, as we have heard, important negotiations are taking place in Geneva this week which, because of their complexity, will probably last until the end of the year.

As chairman of the all-party textile group, I assure my hon. Friend the Minister that the industry is committed to competition. It has continued to invest, even during the difficult times of high interest rates. It now runs the most up-to-date modern technology of computer dyeing together with traditional wool scouring—the two ends of the factory process—and it has continued, as an act of faith in the future and as an act of faith and commitment to the industry.

Strong representations are needed in Geneva during the international trade negotiations because they are crucial to the future of the British textile, knitting and apparel

[Mrs. Elizabeth Peacock]

industries. We are a major exporting industry of quality goods. We have lost the cheaper end of the market, as everybody recognises. We now have high quality, high added value goods, and that is the market in which we wish to continue.

Our overseas sales in 1989 amounted to £4 billion—an awful lot of exports. They help our trade deficit and we would not want to lose any more. The industry is not looking for protectionism; it is looking for fair trade opportunities. We would all be happy if we had a level playing field, but we do not, as my hon. Friend will no doubt quickly learn. The industry would favour the liberalisation of trade provided that it was mutual, and not one-sided, as it seems to be at the moment. We are making all the running and other countries are not treating us fairly.

Unless the GATT negotiations result in real and demonstrable success in demolishing the trade-distorting practices, there can be no question of the MFA being phased out or even weakened. That is due to take place in 1991, but we must be sure that some other mechanism is in place before then. Those Governments calling for the removal of the MFA must decide whether they are willing to bring their trading policies into line with normal conditions of competition. So far, there is no sign that they are.

Whatever happens at the end of the negotiations, I stress that we need a long transitional period for the phasing out of the MFA—at least seven years, as the hon. Member for Bradford, West (Mr. Madden) said. Many of us will be looking for up to 10 years as a realistic time for any new GATT rules to be absorbed by other countries. Our industry is happy to come into line with whatever is decided, but it must be assured that other countries will be the same. A shorter phasing-out period is not acceptable to the industry. Again, I stress that it is looking not for protectionism but for fair trade.

As my hon. Friend the Member for Harborough said, this week, by a majority of 36, the United States Congress passed a Bill to control textile and clothing imports, including those from the United Kingdom and the EC. Yorkshire's high quality worsted cloth has a good market in the United States and if that cloth cannot go there, our industry will be affected. The United States has said that if the Geneva negotiations are unsatisfactory it will proceed with that Bill. We have been told that it could be vetoed by President Bush, but that is a risk which we are not willing to take at this stage.

I appreciate that my hon. Friend the Minister has had only 72 hours in his new job. I hope that we are not blinding him with too much science today about the textile, knitting and apparel industries. I am sure that he will learn quickly. But will he assure the House and the industry, which I know is listening intently to what we and, in particular, the Minister have to say, that the Government and the EC will take the strongest possible stance in the interests of our industry and of fairness and discipline in our international trade?

Can we have the assurance that my hon. Friend the Minister will fight as hard as possible for fair and free trading opportunities—the level playing field about which everybody talks but which, as yet, we do not seem able to find? The British seem to play cricket very much by the rules, but our competitors have not even learnt the rudimentary rules of rugby. Please can we have an assurance that he will fight hard to ensure that our industry has that level playing field so that it can compete on fair grounds to expand exports and so maintain a healthy industry at home? I am sure that my hon. Friend will realise that without a healthy manufacturing base, a trading nation such as ours cannot sustain an export trade. We must have trade at home and abroad to have a good manufacturing base.

I shall listen carefully to my hon. Friend's reply. I assure him that before long we shall be knocking on his door to ask him to meet representatives of the industry and, as his predecessor did, to visit some of our factories in Yorkshire to see what is being done.

10.37 am

Mr. David Tredinnick (Bosworth): I congratulate my hon. Friend the Minister for Trade on his promotion. I am delighted to see him on the Front Bench. I thank my hon. Friend the Member for Harborough (Sir J. Farr) for giving me the opportunity to participate in the debate. I do so aware of the fact that, between June 1988 and the end of 1989, 760 workers were made redundant in the Hinckley district of the National union of Hosiery and Knitwear Workers and there have been other redundancies in Leicester and elsewhere.

I want to address some specific problems. The hon. Member for Bradford, West (Mr. Madden) referred to the transition period for the MFA and suggested seven years. That is inadequate. Most developing countries are asking for the phasing out to be spread over six to nine years and the United States is suggesting 10 years. Against that background, six to eight years, about which my hon. Friend's predecessors were talking, is far too short. A minimum period of 10 years is essential, with, as was stated earlier, clearly defined stages, the first of which would involve the minimum of concessions. My hon. Friend must also take into consideration the problems posed by eastern Europe, with the possibility of a flood of hosiery, knitwear and textiles coming from an entirely different source.

Specific problems relate to the industry and the MFA. The first is the basket extractor. My hon. Friend the Member for Harborough referred to Indonesian jerseys and an article on the subject in the *Leicester Mercury*. The Minister may be aware that it takes six months to get the basket extractor to work after the trigger level has been reached. There must be an improvement in the mechanism for setting new quotas when new products are developed. At present, for example, somebody can establish a T-shirt company in Bangladesh and flood the market, but it will take six to nine months to establish a quota. That state of affairs is not good enough.

Why is China not being treated as a dominant supplier? It is the largest manufacturer of clothing in the world and potentially the largest exporter. It should be treated as the largest, along with Hong Kong, South Korea and Macao. What will happen when Hong Kong is subsumed into China? It is important that the new Minister deals with those important problems.

As part of our policy, the United Kingdom must maintain a production chain and, to do that, we must keep control of all parts of the chain—yarn, plain fabric, dyed

fabric and garments. There is no point in having quotas only on parts, so we must look at the transitional arrangements for all component parts of the chain.

The Minister should also address the whole area of the clause on social development in the GATT. The clause says that the benefits of trade in textiles should in part go to those who produce the garments, yet pitifully poor wages are paid in many parts of the world. For example, in Indonesia there is an hourly rate of 25 United States cents, in Thailand it is 75 cents, whereas in Britain the rate is $8. Indeed, my hon. Friend could make his name as a Minister if he dealt with that issue, because his predecessors did not do so.

We must not overlook the whole issue of confidence. I was at Leicester polytechnic recently where I discussed the new CIMTEX—computer integrated manufacturing of textiles—project for which the Government have made £4·5 million available over three years for the development of automated garment assembly. It is a wonderful project. At Hinckley college in my constituency we are training operatives of the future, but 15 and 16-year-olds will not become sewing machinists, mechanics, overlockers and knitting mechanics unless they have confidence in the industry.

I call on the Minister to throw us a lifeline. He must address the problems of the industry with great urgency and seek a seven-year—or, as we would hope, a 10-year —minimum transitional period.

10.42 am

Mr. Gary Waller (Keighley): Last week I was present at the completion of a new factory in my constituency. Courtaulds has invested £4 million in the new factory at Silsden, so demonstrating its confidence in the future of the textile industry, in the skills that exist among our operatives and in our ability to produce the best designs and the best quality garments which can sell anywhere in the world so long as they are able to compete fairly with those of other countries.

I place great emphasis not so much on the length of time during which the MFA is to be phased out but the linkage to which my hon. Friend the Member for Harborough (Sir J. Farr) referred. So long as other countries allow access of our goods to their markets and they withdraw the subsidies in which all too many of them indulge to prop up their industries, we—I am sure that I speak for the whole of the British industry—are prepared to see free trade and the withdrawal of protection proceed apace.

Mr. Bob Cryer (Bradford, South): Does the hon. Gentleman agree with his hon. Friend the Member for Bosworth (Mr. Tredinnick) that the social clause is essential because any freedom of trade must be based on equality, and clearly there is not equality in health and safety standards, trade union rights and levels of payment, which are equally important?

Mr. Waller: I note what the hon. Gentleman says, but we are in a poor position to impose on other countries the standards that we in Britain consider to be important.

I attach great importance to the withdrawal of subsidies and to a strengthening of the GATT rules. The dismantling of the MFA must go hand in hand with a strengthening of the GATT rules in accordance with the principles of the Punta del Este declaration. Provided those developments take place, I am confident that we can have a strong textile industry.

It is essential that Britain should not waver in its contribution to the negotiations, for many countries will hold out to the last if they see Britain and Europe unwilling to uphold the principles of competition, for which the British Government stand. Fair competition should be our standard, but it must apply to all countries. Unless they are willing to conform, we cannot be the odd man out.

10.45 am

The Minister for Trade (Mr. Tim Sainsbury): I wish at the outset to thank my hon. Friends the Members for Harborough (Sir J. Farr), for Bosworth (Mr. Tredinnick), for Batley and Spen (Mrs. Peacock) and for Keighley (Mr. Waller) for their kind remarks and welcome to me as I take up my new responsibilities. I hope that I shall live up to their expectations.

I am glad to have this opportunity, in my first speech as Minister for Trade, to reply on the important subject of the multi-fibre arrangement, an issue which we have debated many times in the House over the years. I appreciate that it is a matter of great concern to my hon. Friends, in particular to my hon. Friend the Member for Harborough, who has been vigilant on behalf of his constituents' interests in the matter for many years.

I also take the opportunity to pay tribute to my predecessor, whom I knew well and worked happily with for two years at the Ministry of Defence, when we were, or could have been said to be, collectively the largest customers of British industry. My noble Friend attached great importance to his discussions with hon. Members of this House about matters such as the MFA and the visits that he was able to make to textile and clothing companies in different regions of the United Kingdom.

I say immediately in response to what my hon. Friends have said that I have every intention of continuing that close interest. I have already heard of the industry's splendid export record, to which my hon. Friend the Member for Batley and Spen referred. In the first quarter of this year, it showed a 14 per cent. increase in volume terms over the first quarter of 1989, a very satisfactory performance, and one hopes that it will go on to do even better.

I hope that my hon. Friends will appreciate that after less than 72 hours in the job, I have not been able to familiarise myself with all the intricacies of the MFA or with all the aspects of the textile and clothing industry.

At this stage of the negotiations, there is little I can add to the statements that have been made on the subject to the House. I appreciate that nearly two thirds of the work force of about 73,000 in the United Kingdom knitting and hosiery industry is employed in the east midlands, where I understand one in nine jobs in manufacturing industry depend on that sector.

Mr. Patrick Thompson (Norwich, North): I, too, congratulate my hon. Friend on his appointment. Although he has not been able to familiarise himself with the MFA, he brings to his new position all the experience he had in his former post and will therefore realise the importance of worldwide agreements, not simply on textiles. He will be able in his present post to draw the attention of Europe and the rest of the world to Britain's claim that financial services, chemical services and so on

[Mr. Patrick Thompson]

should be treated equally throughout the world. There would be no point in our throwing away our textile industry and getting nothing in return. In other words, it is not a single factor in this weave.

Mr. Sainsbury: I am grateful to my hon. Friend for his kind remarks, and what he says is perhaps the primary purpose of the GATT round—to end up with a balance of changes that are fair to all parties. I hope that my experience in my previous job at the Foreign and Commonwealth Office and other experience, not only in Government but before I became a Member of Parliament, will be helpful in the negotiations. After this relatively short time, I feel that I still have a lot to find out about the textile industry. I hope to have an opportunity to learn more about the industry, and see it at first hand.

Mr. Mark Wolfson (Sevenoaks): When my hon. Friend visits the industry, will he pay particular attention to two points that have become clear to me in the work in which I have been involved as a consultant in the textile industry —that industry's commitment to modern management techniques and its readiness, as has been mentioned, to undertake large capital investment? I believe that the calls that have been made today for a level playing field are vital to the industry because, without it, some countries would find it better to sell up and get out of the industry than to continue, yet the commitment of those in the industry to that industry, both traditionally and in modern times, is extremely impressive.

Mr. Sainsbury: My hon. Friend identifies a factor which is vital not just to the textile industry but to any industry, whether or not the playing field on which it operates is level—good quality of management.

There have been problems with the textile industry during the past two years. Clearly, a number of factors contribute to that, not least fashion and weather conditions. I understand the worries of my hon. Friend the Member for Sevenoaks (Mr. Wolfson) and assure him that we have very much in mind the prospects of different sectors of the textile and clothing industry.

Mr. Keith Vaz (Leicester, East) *rose*——

Mr. Sainsbury: If the hon. Gentleman will excuse me, I shall not give way, because I have already done so and this is a short debate. I am in danger of running out of time before I have been able to answer the points already made.

I was glad to hear of the scheme referred to by my hon. Friend the Member for Bosworth under which the Department of Trade and Industry is providing £2·8 million over three years for a major project based in Leicester, designed to improve automated assembly techniques in the garments sector, and in which 22 firms are collaborating with leading academic institutions. As the project was launched only in January, it is too early for results, but I have no doubt that collaborative research and such development projects have a valuable role to play in improving competitiveness.

I was also glad to hear about new developments such as that referred to by my hon. Friend the Member for Keighley. As my hon. Friend the Member for Sevenoaks said, capital investment is vital to the prosperity of the textile industry, as to other industries.

As hon. Members know, the future of the multi-fibre arrangement is being considered in the Uruguay round of multilateral trade negotiations, which is due to end this December. This week, the trade negotiations committee is meeting in Geneva to consider reports from the chairmen of the 15 separate Uruguay round negotiating groups concerned with different, but interconnected, trade issues. The committee's objective is to identify areas of agreement, where possible, as well as the further work that is needed if the Uruguay round is to come to a successful conclusion. The importance the European Community and other major industrial countries attach to a successful result was emphasised again at the Houston summit.

Ministers have explained to the House that the European Community remains committed, in the Uruguay round, to negotiating the phasing out of the multi-fibre arrangement, but over a transitional period and on the basis of strengthened GATT rules and disciplines. The European Commission, which negotiates on behalf of the Community in the Uruguay round, has put forward, in the negotiating group on textiles and clothing, proposals that specifically link the liberalisation of current restrictions to commitments on rules and disciplines, and provide for both to be monitored.

My hon. Friend the Member for Harborough rightly identified the importance of tackling trade distorting factors. At the same time, the Community is continuing to press hard in the appropriate negotiating groups for a general reduction of tariff and non-tariff barriers, and more effective rules governing safeguard action against import surges, anti-dumping measures, the use of subsidies and the protection of intellectual property.

Those are important objectives for the Community and I know that they are of particular interest to the textile and clothing industry. I will continue to keep my hon. Friend the Member for Harborough and other hon. Members, in touch with developments as these important negotiations move into their final months, and I shall look forward to visiting textile and clothing companies. My office has already been in touch with the Apparel, Knitting and Textiles Alliance to arrange an early meeting.

I am aware that there is concern in the textile and clothing industry that little has yet been achieved in the negotiations, particularly in relation to market access—which several of my hon. Friends mentioned as being of such importance—and the strengthened rules and disciplines necessary for that, which I have mentioned.

The Uruguay round is an ambitious and complicated negotiation. I am glad that my hon. Friend the Member for Batley and Spen was clearly well aware of the complexities and difficulties of those negotiations, which involve more than 100 parties with very different interests. Many of the issues are interconnected, and textiles is by no means the only problem sector. The difficult negotiations on agriculture are seen as crucial by many participants. There is absolutely no question of our ending up with what was referred to as a one-sided agreement. It is absolutely essential that the agreement should be fair to all parties and should make progress on the general objectives, with which all those who subscribe to GATT agree.

It is encouraging that a basis for continuing negotiations on agriculture has now been agreed, but much detailed work is still necessary, as, indeed, it is in other groups, including the textiles and clothing group. In those circumstances, it is not surprising that participants can be reluctant at present to give up long-established

positions. For most developing countries, greater market access for agricultural and textile and clothing exports is of overriding concern. I doubt whether the most sensitive issues can be resolved until we are much closer to the final ministerial meeting in December. In the meantime, it is extremely important that the Community should argue strongly the case for its own proposals and be ready to clarify its position where there are misunderstandings. We must convince developing countries of our commitment to integrate the textile and clothing sector into GATT if they, in their turn, are to negotiate seriously in other spheres of interest to industrialised countries, including access for our textile exports.

In the end, the European Community, like all other parties, will have to look at the results of the Uruguay round across the board, and consider where its overall interests lie. We must look particularly critically at restrictions that raise prices or reduce competition. Imports from countries that can produce at lower cost help to hold down prices for ordinary families in this country. Textiles and clothing are important for every man, woman and child in the United Kingdom—retail sales in the sector amount to £17 billion, and the price paid for those items is particularly important to lower-income families with children.

It is important to remember that the industry itself is also a consumer. Spinners buy in raw fibre and knitting and weaving companies "consume" the yarn. Dyers, finishers and printers prepare the fabric, which clothing manufacturers use. It is in the interests of both domestic and commercial consumers alike to have access to the widest choice of products at the best possible value. In that sense, imports are not bad news. They broaden the choice of product at different stages of production and allow companies to extend or complete their range. Equally important, the spur of competition, which my hon. Friends said that they welcome, helps our industry to maintain high standards, innovate and develop new products, and contributes to the fight against inflation. Open markets provide a key element in the Government's economic strategy.

For all those reasons, the Government believe that it is in our overall economic interests to phase out the multi-fibre arrangement. We cannot in any case shelter our industry from competition: two thirds of our textile imports by value and a significant proportion of our clothing imports are from other member states of the Community. The recognition that protection cannot be maintained for ever will stimulate the innovation and investment that we have identified in this short debate as being so important. Companies need to demonstrate what they can offer in terms of quality, design, productivity and quick response to offset lower wage rates in developing countries.

Much has already been achieved in the industry, and recent export figures show some of the benefit, but that does not mean that adjustment is necessarily easy. We want an outcome to the negotiations on the MFA that takes proper account of the interests of the United Kingdom, as well as the interests of consumers, retailers and importers.

11 am

Mr. Frank Cook (Stockton, South): On a point of order, Madam Deputy Speaker. I should be grateful if you would inform the House whether you have had a request from the Government for them to make a statement on an important matter that should have urgent consideration —namely, the unscheduled, uncontrolled and hitherto undisclosed release into the atmosphere of substantial quantities of irradiated material from the nuclear establishment at Harwell on 15 July last year, and its potential impact on the people in the surrounding community?

That issue specifically relates to 2,000 curies of tritium gas, which were released when several thousand redundant telephone dials were mechanically shredded and their irradiated contents vented to the four winds, in an uncontrolled and unauthorised manner and without warning to the community. This is the latest example of surreptitious atmospheric littering, and it repeats the worst standards that we criticised in the Soviet nuclear industry at the time of Chernobyl——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The points that the hon. Gentleman is making are not for the Chair, but my answer to his direct question about whether Mr. Speaker has received a request from a Minister to make a statement is, "No, he has not."

Mr. Cook: Further to that point of order, Madam Deputy Speaker. I am truly grateful for your guidance, but could you give me some further guidance, and tell me how —when regulations have been flouted in such a cavalier fashion—an hon. Member, on the last day of a parliamentary Session, can draw attention to this dilatory and negligent behaviour——

Madam Deputy Speaker: Order. I dealt with that point in my earlier remarks: this is not a matter with which the Chair can deal.

Mr. Cryer: Further to that point of order, Madam. Is there a Standing Order equivalent to the one relating to Question Time, which would allow a Member to say—in view of the unsatisfactory statement about textiles in the last Adjournment debate—"I give notice that I intend to raise the matter on the Adjournment as soon as possible."?

Madam Deputy Speaker: That is a tactic that I first used in my first year in the House.

Incenerator (Trafford Park)

11.2 am

Mr. Tony Lloyd (Stretford): Perhaps I can begin my remarks by picking up the point raised by my hon. Friend the Member for Stockton, North (Mr. Cook), who has referred to a serious environmental hazard. The management would no doubt say that it could not happen, because of the fail-safe systems involved. As with many sophisticated technical systems, however—whatever the experts may say—such fail-safe systems do fail, as we know to our cost.

I apologise to the Minister for Roads and Traffic for dragging him here this morning, as I know that he had alternative plans. I should also apologise to his son, as he is the one who will lose as a result of the Minister's presence here this morning. Perhaps the Minister will appreciate, however, that I am raising the matter of the incinerator in Trafford Park because my own son and three daughters live in the area in which it will operate. As both a parent and a constituency Member, I am concerned about the impact of that incinerator on the health of my children and those who live in the area.

I am pleased that the hon. Member for Davyhulme (Mr. Churchill) is here and is to speak later, because I wish to establish from the outset that this is not a partisan party-political issue but one that unites the entire community in our area. As the House would expect, I am authorised by my right hon. Friend the Member for Salford, East (Mr. Orme) and my hon. Friend the Member for Eccles (Miss Lestor) to register their opposition: the four constituencies most closely involved are—through their Members—united in their opposition to the development of the incinerator.

As the Minister will know, the plan is to build the incinerator at Trafford Park. Its function will be—at least in part—to destroy chemicals such as PCBs which are brought into this country from overseas. While the European Community Council of Ministers and the Minister of State, Department of the Environment were involved in the decision to ban imports from the Community—I congratulate the Minister on that—I feel that there should also be a ban on imports from the rest of the world. Nearly half of what is taken to the incinerator in Pontypool, south Wales is imported: we are bringing in other people's dirty washing.

I do not want to be accused of the NIMBY syndrome —"not in my back yard"—but I feel that we should recognise that, although the disposal of PCBs and other chemicals must be dealt with, we have no obligation to take on the world's problems. We should think seriously about what policies we adopt towards the importation of waste. Even in their unincinerated form, PCBs are dangerous chemicals, and, in the Stretford and Davyhulme constituencies in Manchester the lorries that carry PCBs are themselves dangerous, which in itself worries my constituents.

The reasons for our concern about incinerators are obvious. They have a bad record in general, and there is also specific concern about the company involved. The Select Committee on Welsh Affairs examined the ReChem incinerator in south Wales; a different company is involved in Manchester, but there are parallels. Torfaen borough council was so concerned about the incinerator that it submitted samples from the surrounding area for independent analysis.

The Select Committee reported that high levels of PCBs has been found in duck eggs near the plant and in grass samples—levels 50 to 100 times the background level of PCBs. That is from a plant that ReChem insists is technologically optimal; experts would say that the technology is of a kind that they would be prepared to reproduce elsewhere. However, the PCB levels are unacceptable to both the council and to the Select Committee. The Select Committee's report stated:

"we recommend that major incinerators are not in future located near residential areas."

The Minister knows Manchester and will be aware that Trafford Park is surrounded by housing that is in my constituency and those of other hon. Members. The site is yards across the canal from a major housing estate in the constituency of my hon. Friend the Member for Eccles. The location is certainly residential and the incinerator would fall foul of the recommendation of the Select Committee on Welsh Affairs.

The Select Committee report has a considerable bearing on the proposal. I am greatly disturbed at the role played by Her Majesty's inspectorate of pollution, which is the direct responsibility of the Department of the Environment. The inspectorate is the licensing authority and must license the incinerator and any other equipment that is required. To date, it has been incompetent. It placed a small advertisement in the *Manchester Evening News* inviting comments on the proposals. As far as I am aware, it was seen by hardly anybody. It was drawn to my attention by Trafford Park development corporation which told me that it had received a letter from the inspectorate saying that HMIP had no plans to block the proposal, subject to planning approval by the corporation.

The concern about the proposal was such that the development corporation, as the planning authority, arranged public consultation meetings. That was done at no small cost. However, the inspectorate placed just a tiny advertisement and says that there is no problem about the proposals. That shows contempt for people in the area.

The Select Committee report stated that the inspectorate is greatly understaffed. The Minister may want to comment on that. ReChem was asked:

"Would you acknowledge that the lack of inspectors working for Her Majesty's Inspector of Pollution is one of the reasons why there is something of a lack of confidence in the operation of your factory?"

Mr. Lee, the managing director of ReChem, replied:

"Yes. We would welcome as many inspections as possible. As far as we are concerned, the more inspections the better."

The report says that the inspectorate found it difficult to fill vacancies and had problems about retaining staff. In October 1989 it was 45 staff short of a complement of 240. The report states:

"HMIP therefore finds it difficult to respond quickly or effectively when incidents take place."

At public meetings held recently in Manchester, the representatives of Leigh Environmental were asked how they would respond if there were unacceptably high levels of emissions of dioxins or other chemicals from the plant. They said that nothing could be done for days. Worse still, the inspectorate does not test for such chemicals but simply accepts the results provided by the company. It is unacceptable for it to be left to the company to provide evidence about whether it is causing pollution.

I have little confidence in the work of the inspectorate. It is charged by Parliament to safeguard the public interest but the public have little confidence in the way in which it has operated so far or in the way in which it will operate in future.

Leigh Environmental says that the plant will be operated to high standards and it talks about an efficiency level of 99·999 per cent. That seems satisfactory, but even at such high efficiency levels, evidence from around the world suggests that there is still significant pollution involving chemicals such as dioxins. Dioxins are among the most deadly chemicals known to humanity. They cause cancer and produce defects in unborn children. The consequences of dioxins in the atmosphere are devastating. Even at optimum efficiency such chemicals are still produced.

If an incinerator is operated at less than maximum efficiency, the production of unacceptable byproducts increases not just a little, but astronomically. An inefficient plant is an incredibly dangerous source of pollution. Leigh Environmental has a disastrous record. I shall quote from the company's log book which records happenings at its Yorkshire site. I have picked a few examples at random. The log book is filled in by the company's operatives and they recorded on 19 January 1989:

"HMIP round, big problem smoke."

The company is anxious to make sure that the inspectorate does not catch it in default of its obligations. The log book is riddled with references to HMIP, and I am surprised that the inspectorate has done nothing to control the unacceptable operation of the plant.

On 13 March 1989, the log book recorded:

"Can you make sure you do not make any smoke in the morning as you will be watched by HMIP."

Presumably smoke is all right in the afternoon or on the previous or following days, but there must be no smoke when the inspectorate is about.

An entry on 26 April refers to the incinerator and says:

"Do you really think the plant with a BS25 jet in the aux should run without telling anyone."

I am not sure what that means. Another entry states:

"we have run at low temperature most of today".

An incinerator running at low temperature is incredibly dangerous because such low temperatures produce the dioxins that not only pollute the atmosphere but can kill people. A company that operates its incinerator in a grossly incompetent and inefficient manner is unfit to operate one in a residential area.

On 11 July 1989 the log book states:

"There is a site visit tomorrow, so can you have a tidy up in front of tank farm, please"

Once again that shows care and consideration when there is to be a visit by the inspectorate, but little control when the inspectorate is not about.

On 23 August, the log book records a visit from HMIP and states:

"HMIP unhappy housekeeping around plant, open top drums without lids, also sodium analysis."

Again the inspectorate caught the company carrying out unacceptable practices and did not take proper action. The log book lists numerous times when the plant was inadequately maintained.

On 6 April this year, one of the operatives wrote in the log book:

"It seems that nowadays safety of equipment and personnel come secondary to production."

A company which, according to its own operatives, puts the safety of its equipment and personnel secondary to production is unfit to operate a plant in a residential area.

For all the reasons that I have outlined, we are greatly disturbed about the proposals to develop the plant. I am alarmed on behalf of my family and my constituents. The proposal will put a time bomb in our midst. It threatens the environment, the quality of life and, possibly, the lives of my constituents and those of other hon. Members.

I supported the creation of the Trafford Park development corporation. One of the problems is that it was given extraordinary planning powers and, in effect, took the place of the local authority. When the corporation was given those powers, it was assumed that it would have responsibility for planning on matters that affected only Trafford Park and would not have a wider impact. It was considered that the park was an industrial area and that it was quite reasonable to give the corporation such planning powers. I have doubts about whether that was true, but for the most part the development corporation has dealt with planning applications in a way that has caused no criticism. In this case, the development corporation is not the appropriate planning authority, because the issue has wide implications for the area. The proposal is of major concern within the development area itself. Kellogg, an international manufacturer of foodstuffs, has expressed concern and doubts about the impact of the plant, and no doubt the corporation will take its views on board.

If the corporation refuses the application, as I hope it will, the company will appeal. The application will then go before the Secretary of State for the Environment. The Minister may say that ties his hands, as to the extent of the response that he can make. While I appreciate that, it is most unsatisfactory that we should be forced to fight with one hand or perhaps both hands tied behind our back. If an appeal is made, there will be a local planning inquiry, but if the corporation grants the application there will be no parallel right of appeal by the community.

I should like the Minister to say this morning that he will call in the application with a view to refusing it so that the threat to lives in my community will be scotched at this early stage. If he cannot do that, I should like him to say that the issue is of such importance that the corporation is not competent to determine the matter and that the Secretary of State will call in the application in such a way that will guarantee a local planning inquiry, at which local objectors as well as the company can make their case to the inspector, so that the matter can be properly considered.

The hon. Member for Davyhulme will demand for his constituents, as I demand for mine, that they are given maximum protection, and that includes a right to ensure that their concerns can be voiced at the highest possible level.

I am alarmed at the prospect of the incinerator, as are thousands upon thousands of people, including my constituents and those of my right hon. Friend the Member for Salford, East, my hon. Friend the Member for Eccles, and the hon. Member for Davyhulme. Collectively, we want the plant stopped, and we look to the Minister to protect the quality of our constituents' environment. The best way to do that is to ensure that it is not allowed to be built.

11.23 am

Mr. Churchill (Davyhulme): I congratulate the hon. Member for Stretford (Mr. Lloyd) on his success in securing a debate on an issue that is important to his constituents and to mine, and I thank him for his courtesy in volunteering to allow me to share some of the precious time available to him.

I re-emphasise the deep concern and disquiet that is felt by the residents of my constituency at the prospect of two incinerators in Trafford Park that will be used to burning of toxic and other chemical and clinical waste. However, public concern extends far wider than my constituency and that of the hon. Member for Stretford, to Eccles and Salford, immediately across the Manchester ship canal, and to the entire Greater Manchester area. The issue should not be viewed by my hon. Friend the Minister and by the Government as one that affects only one or two constituencies.

Trafford Park was the first and greatest of the purpose-built industrial estates, and it remains to this day the largest industrial complex in the United Kingdom. I have been closely involved with Trafford Park for 20 years. In 1970, together with Norman Quick, who this year is high sheriff of Greater Manchester, founded the Trafford Park industrial council with the aim of ensuring the continual development and prosperity of Trafford Park as a major industrial and commercial centre, and of improving its environment.

The past 20 years have seen a vast transformation in Trafford Park's environment, especially in respect of air pollution. In 1970, Greater Manchester's death rate from bronchitis was the highest in the country bar none. A high proportion of the deaths were due to emissions from Trafford Park, but also because almost every home had a coal-burning fire. The last two decades have seen that situation change out of all recognition. It would be tragic if today, in the 1990s, we were to put at risk much of the good work that has been done over the past 20 years. No matter how efficiently the plant may operate, and no matter how free of breakdowns it might be, the level of emissions will still be considerable.

At a public meeting at Lancashire county cricket ground two or three weeks ago, the promoters of the scheme, Leigh Environmental, admitted that PCBs and dioxins would remain undestroyed. Not surprisingly, the company claimed that the level would be very low, but that factor cannot be ignored. The plant would put out a large volume of various dioxides—particularly sulphur dioxide, which is believed to be a direct cause of bronchial problems, asthma, and various other ailments.

Although the Government have a responsibility to secure the safe disposal of chemical wastes, I agree with the hon. Member for Stretford that the heartland of a conurbation of 3 million people is not the proper place for that to be done. One acknowledges the difficulties that confront the Government. There is opposition, rightly, to the dumping of toxic chemicals at sea, and it is no longer acceptable to use landfill sites to bury such waste, because it can then find its way into the water table and may subsequently contaminate water supplies. That opposition led the Government to consider incineration as the way ahead.

In view of the Government's concern about global warming, I wonder whether this is the best or the only way ahead. Above all, I query whether the middle of a residential area comprising 3 million people is the appropriate place for it. The incinerator is to be sited in Trafford Park, upwind of the conurbation of Greater Manchester, with prevailing westerly and north-westerly winds, and will have a devastating effect throughout the the area downwind of the plant, which includes the centre of Manchester and surrounding dormitory suburbs.

Local residents are not the only people to be concerned. Industry and commerce in Trafford Park feel that their interests will be blighted, none more so than food manufacturers.

One must ask, when Her Majesty's inspectorate of pollution, seemingly with great and indecent haste, rubber-stamped this proposal, subject to planning permission by the development corporation, did it consider the implications for food processors in Trafford Park? Kellogg is in Trafford Park, producing cornflakes for the entire nation, and other major food processors are there. Is that a suitable place for a toxic waste incinerator, alongside major food-processing companies? My constituents certainly have the gravest doubt about it.

Will my hon. Friend the Minister inquire of the director of HMIP what consultations he has had with the chief medical officer of this country and the medical establishment about the suitability and desirability of placing incinerators in the middle of residential areas?

I agree with the hon. Member for Stretford, and I hope that Trafford borough council, which is considering the matter, will recommend that the proposal be rejected. I also hope that Trafford Park development corporation, which is the planning authority—like the hon. Gentleman, I have reservations about whether that should be the case in a matter which affects the environment and people's health—will refuse the planning permission applied for.

I hope that the Secretary of State will call in the plans because they are unacceptable as they stand. It is not merely a question of saying that we do not want this in our backyard: no one wants it in their backyard. It is not acceptable to spew toxic wastes out of chimney stacks within a few hundred yards of people's homes, schools and playgrounds.

A few years ago there was a malfunction at one of the sulphuric acid plants in Trafford Park. A big joke was made of the incident because young ladies working in office blocks on the other side of the ship canal in Salford found that their tights were disintegrating. This is a serious matter, not a laughing matter. One must wonder what effect such malfunctions and the continuing emission of wastes into the atmosphere will have.

I hope that my hon. Friend the Minister will be able to give my constituents some reassurance on this matter.

11.33 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Atkins): I congratulate the hon. Member for Stretford (Mr. Lloyd) on raising a matter which is of great concern to him. In his own inimitable way, my hon. Friend the Member for Davyhulme (Mr. Churchill) has spoken about the concerns of his constituents. The hon. Member for Stretford also referred to the anxiety of the hon. Member for Eccles (Miss Lestor) and the right hon. Member for Salford, East (Mr. Orme). They will all know that I have come to this job afresh, and while I am familar with Trafford Park as an industrial site of great significance, and with both of the Old Traffords in

the area, I am not as familar with the detail of this case as I shall inevitably become. I have considerable sympathy with the points that hon. Members have raised and understand their concern.

There has been a great deal of publicity in recent times related to problems associated with the movement and disposal of various kinds of waste and that has coincided with the growing and welcome public awareness and concern over the protection of our environment. It is not surprising that in this climate of opinion proposals for large new waste incinerators tend to generate genuine apprehensions, expressed across the House this morning, among people living and working in nearby areas who fear that the quality of the air they breathe may suffer as a result.

One can readily understand the feelings of the people of Salford and Trafford who, having seen, as my hon. Friend eloquently described, all that has been done since the 1950s to clean their air of smoke and pollutants, feel that they may now be facing a new, and perhaps more harmful, if less visible, threat. It is natural that they should feel that way, and that they should seek to have that threat removed from their locality. But, as hon. Members know, a statutory framework of control exists and is being operated to protect their interests.

The operation of clinical and chemical waste incinerators of the kind being proposed by Leigh Environmental at Trafford Park is a scheduled process under the Health and Safety at Work, etc. Act 1974, and the Health and Safety (Emissions into the Atmosphere) (Amendment) Regulations 1989. The incinerators, therefore, will be required to be registered with Her Majesty's inspectorate of pollution before they are permitted to operate. They will also be required to use the best practicable means to prevent the emission into the atmosphere of noxious or offensive substances and for rendering harmless any which may be emitted. This requirement will apply to discharges occurring from anywhere on the premises as well as from the chimneys. It relates to the manner in which the plant is operated as well as to the provision of systems and equipment.

Special wastes regulations will apply to materials arriving at the site as well as to solid wastes leaving it, and Her Majesty's inspectorate of pollution will be consulted by the Greater Manchester waste disposal authority about the terms of the licence for the disposal of these wastes.

There is therefore in being a comprehensive system under which Her Majesty's inspectorate of pollution—the national regulatory body—will apply detailed control over operations at the incinerators, should they be built. Her Majesty's inspectorate of pollution is of course closely aware of what is proposed and I understand has raised no objection to the planning application.

The controls apply to the operation of the plant but its development is also subject to the normal processes of planning control. To a large extent, that is the substance of this debate. Planning controls are concerned with regulating the development and use of land in the public interest, an expression which, on the face of it, is extremely wide. In general, however, it is unnecessary and unreasonable to seek through planning control to duplicate controls that operate under separate and more specific legislation. Nevertheless, there may be occasions when the use of planning controls is justified. Local authorities were advised in the Department's circular 11 of 1981, on clean air, that

"Planning permission should be refused only where the authority is satisfied that the development in question would result in a significant deterioration of local air quality even after the use of specific process to control pollution".

It is open to planning authorities to refuse permission for a particular development when that development will be registered by HMIP, provided that they are satisfied, having regard to all the material considerations, that the effect on the atmosphere is unacceptable, or that it is otherwise contrary to the public interest to allow the development to proceed.

These, then, are the control procedures operating in respect of the Trafford park incinerator proposals. The question arises whether the planning issues raised by them are such that my right hon. Friend the Secretary of State should intervene and call in the planning application for his own determination. This would have the advantage, for the objectors, that if my right hon. Friend did call in the applications, he would almost certainly arrange a public inquiry into them.

The vast majority of cases which are called in have already been referred to the Department as substantial departutes from the operative development plan for the area. In the case of the incinerator proposals, I understand that Trafford park development corporation has not treated it as a departure from the plan. That is not to say that the application could not be called in, but in this situation very strong grounds for doing so would be needed.

Hon. Members are concerned that the local planning authority in this instance is an urban development corporation and not a local authority and, moreover, that the effects of the incinerators, should there be any, are more likely to be felt by people outside the corporation's area than those within it. Hon. Members have made the point that it is on the edge of the site.

It is true that the corporation has a duty to secure the regeneration of Trafford Park and therefore seek to promote investment and development there, but the corporation is also a local planning authority with the same responsibilities for controlling development as other planning authorities. It has the same duties with regard to giving publicity to applications and for consulting other authorities, and, like other planning authorities, takes into account representations made to it.

I have no doubt that Trafford Park development corporation takes these duties seriously and will take careful and full account of the understandable fears of its neighbours, and of evidence about the possible consequences of operating the incinerators. Indeed, it seems to me that a corporation in whose interest it is to promote a good image of its area, is most unlikely to give less weight to questions of the sort than other authorities.

I therefore do not consider that the fact that these applications are being considered by a development corporation, or the fact that much of the concern that it is causing arises in neighbouring areas, are in themselves issues of a nature which would justify intervention by my right hon. Friend. I see no reason to suppose that the corporation will not consider all the representations and objections made most eloquently and forcefully by the hon. Member for Stretchford and by my hon. Friend the Member for Davyhulme, and that it will not make a decision based on all the material considerations.

In coming to a decision, the corporation will have the benefit of the environmental statement prepared for the

[Mr. Robert Atkins]

applicants and submitted with the planning application. In accordance with the relevant regulations, the statement has been placed on deposit with the application and has been available for public inspection since 5 April. There has, therefore, been time for other authorities and bodies to study it and to prepare cases against it. I am sure that the development corporation will consider any such cases most carefully.

On the evidence so far before the Department—I repeat those words for the benefit of the hon. Member for Stretford and my hon. Friend the Member for Davyhulme—on the evidence so far before the Department, I am not persuaded that a sufficient case has been made for taking the exceptional step of calling in the planning application. I understand people's fears about the proposal, but I do not think that fears alone, unsubstantiated by evidence, are sufficient to justify calling in the application. I can assure hon. Members, however, that all that has been said today, and any new evidence and representations that may emerge, will be carefully considered and appropriate action taken by me and my right hon. Friend if it is necessary to do so.

Royal Assent

Madam Deputy Speaker (Miss Betty Boothroyd): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts and one Measure:

Appropriation Act 1990
Finance Act 1990
Government Trading Act 1990
Aviation and Maritime Security Act 1990
Representation of the People Act 1990
Marriage (Registration of Buildings) Act 1990
British Nationality (Hong Kong) Act 1990
Enterprise and New Towns (Scotland) Act 1990
Contracts (Applicable Law) Act 1990
River Tees Barrage and Crossing Act 1990
Hasmonean High School Act 1990
Associated British Ports Act 1990
Medway Tunnel Act 1990
Greater Manchester (Light Rapid Transit System) (No. 2) Act 1990
City of London (Various Powers) Act 1990
British Railways Act 1990
Penzance South Pier Extension Act 1990
Great Yarmouth Port Authority Act 1990
Care of Cathedrals Measure 1990

Water Pollution (Camelford)

11.44 am

Mr. Gerrard Neale (Cornwall, North): I am grateful for this opportunity to raise the issue of the pollution at the Camelford water treatment works, which occurred on 6 July 1988. The matter has been given undue prominence again during the past few days and I believe that it should be debated in the House and that, on this occasion, we should try to get the facts straight.

I intend to rehearse a few of the details surrounding the incident and its immediate aftermath; to deal with certain points that arose from the Lawrence report, which was produced as a result of studying what had happened; to deal with elements of the Clayton report, which was an independent medical inquiry, to deal with certain specific issues, such as whether there has been a cover-up, whether there should be a public inquiry, the contribution of the press and the media and then to consider certain recommendations of the Clayton report.

Camelford and its immediate surrounding area is one of the most attractive parts of the west country. Hon. Members who represent the west country speak highly of our constituency environment. We are proud of it. The area around Camelford, stretching out from Port Issac, Tintagel and Boscastle is one of the prettiest areas in my constituency. In 1988, its faith in the standard of its water supply was shattered as a result of an event on 6 July. It was only during the next few days that some elements of the scale of the incident became known when people had the most extraordinary reactions when using the water in tea and coffee or for washing. Many dead fish were seen in local streams and rivers. However, at the same time, people were being assured by representatives of the water authority—this was before privatisation—that the water was perfectly safe to use and to drink. When I was in the constituency, I heard such reassurances being given on the local radio.

It has since become clear that in the middle of the following week the board of the water authority knew exactly what had happened and decided, in the interests of public confidence and not causing undue alarm, not to tell the public what had happened.

In the first week following the incident, suspicion and alarm grew. The press discovered that the incident had been caused by a lorry tipping 20 tonnes of aluminium sulphate into the wrong tank at the treatment works, thereby polluting drinking water which was entering the main system on the Lowermoor network. The Lawrence inquiry, which was set up by the water authority, reported at the beginning of August, setting out the full details of exactly what happened and why.

An appalling chapter of incidents had led to the pollution of the water supply. The inquiry reported the most desperately awful accounting between various members of the water authority dealing with the incident. It revealed gross lapses of security; the delivery lorry driver had a key to the treatment works and that key fitted every padlock on the premises; there were no signs to the various tanks so it is little wonder that the new driver visiting the site for the first time had little or no idea where to tip the chemical.

I am pleased to see my hon. Friend the Member for St. Ives (Mr. Harris) in his place. During the months following the incident he has shared my concern. He will

recall that I was particularly outspoken at the time about the attitudes and actions of the water authority and the board. I made certain demands of the Secretary of State which were not heeded at the time.

However, exactly what happened has been made quite clear. A lorry tipped 20 tonnes of aluminium sulphate into the wrong tank, thus polluting the water supply. The water authority reacted to the inquiry's report by accepting responsibility for the incident, apologising for it, and subsequently meeting certain clear-cut claims for loss.

From August to December 1988, suspicion grew that the public were not being told the truth. One of the reasons why I was so outspoken at the time of the publication of the Lawrence report was that, because the public had not been told immediately about what had happened, subsequently they found any pronouncement about it hard to believe.

In so far as my hon. Friend the Minister and the hon. Member for Dewsbury (Mrs. Taylor) have any influence on any public institutions in future, I urge them to make absolutely certain that when those institutions commit an error they are directed to publish the facts immediately, because if they do not there are the most profound effects on the local population.

Between August and December 1988 various comments were made—many without foundation. We were informed that the sludge in the bottom of the tank into which the aluminium sulphate had been poured meant that the aluminium sulphate would have entered the water supply far more quickly than had previously been thought, and that information caused alarm. It is also clear that a number of people were still complaining about feeling unwell.

I went to see the Minister's predecessor, my hon. Friend the Member for Kettering (Mr. Freeman), who is now the Minister of State, Department of Transport, just before Christmas 1988. I was accompanied by Walter Roberts from Camelford whom I thank for all his efforts. We impressed upon the Minister that he should set up an independent medical inquiry, which was subsequently established under the chairmanship of Professor Barbara Clayton. It was appointed on 11 January 1989 and began its research into the problems.

Before the setting up of the inquiry, it was established that, with one exception, there was considerable scepticism among all the local general practitioners that there had been any unusual referrals of patients to them as a result of the incident. They could not detect any particular abnormalities in the referrals. Nevertheless, the panel, which included some extremely eminent people, considered the incident in great detail. Subsequently it reported that the Camelford incident had resulted in no long-term health effects. It judged that the worst possible level of aluminium contained in the water supply that could have been consumed by any of my constituents could not have led to permanent health damage.

Hon. Members who are interested in these matters will know that Professor Edwardson of Newcastle general hospital was a member of the committee. He is a renowned expert in the subject and was impressive in giving evidence at the publication of the findings. He told those present that he and a laboratory assistant had drunk a sample of the worst possible level of aluminium that could have been consumed and had suffered no ill effects. He also said that considerable work on aluminium intake had been done at Newcastle general hospital and elsewhere. Work had been carried out on renal patients who, by the nature of their problem, consume over much longer periods far higher levels of aluminium than were ever experienced in the Camelford area. Such work has shown that it takes a long time of sustained high-level intake before any material effect is registered.

After the report was published and as a result of the incidents I have described, there were people only too ready to dispute its findings, question its efficacy and challenge the reputation of those on the panel. I must tell the House and my hon. Friend the Minister that I did not join in any of that. I was happy with the way in which the report had dealt with the matter. I was further reassured because Professor Edwardson said that if I ever needed any further information from him, I could obtain it.

It has been suggested in various correspondence and by certain people affected by the incident or those seeking to help them that there has been a cover-up. As the local Member of Parliament I have sought to apply such judgment and experience as I have—at times, in scientific matters, it seems to have been far too little—to discover whether that is the case. I have come across no evidence of a cover-up, though I remind the House of the unfortunate decision made at the start when the water authority decided not to inform the public until the publication of the Lawrence report.

Ministers have always been extremely helpful. My hon. Friend the Member for Kettering, the Secretary of State and my hon. Friend the new Minister have all been open and helpful. This is the first opportunity I have had to congratulate my hon. Friend on his appointment as Under-Secretary of State for Health. The health authority has done all it can to help, but it is not for the health authority to prove that certain problems relate to the Camelford incident. It is charged with the duty of looking after public health. As I have said, I have found no evidence of a cover-up and that should be placed on the record.

People have asked—and are asking again as a result of the publicity this week—for some form of judicial review or public inquiry. I hope that whenever that is put to my hon. Friend the Minister he will see to it that his officials remind him, by inserting the word "resist" on his brief, that that would not be a good idea. An enormous amount of time and effort would be taken up by a public inquiry which would tell us nothing that we do not already know. We know exactly what happened and who was responsible, because they have accepted responsibility and even paid damages. We are left with a medical problem, which we must consider.

I am a great believer in freedom of speech and certainly of the press and I have always expressed doubt when pressures have been exerted in this place to curtail it. However, I have been astonished by some of the reports in the national press and other media. They seem to accept only the evidence and opinons of certain people to prove a certain point and content themselves solely with trying to promote that point without scientific evidence to back it. Often, they do not give people who hold an opposite view the chance to contribute to articles or to give their view of statements that are made.

There has been a litany of such cases, and I shall refer to the Clayton report, the independent inquiry into the health aspects of this incident, which says in its conclusions and recommendations:

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"Serious anxiety about the possibilities of long-term effects has been widespread in the community. Much of the continuing anxiety is attributable to reports in newspapers, radio and television which have given prominence to alarming statements by some scientists concerning the long-term effects for which there is no adequate scientific foundation."

I can only urge those who are rightly interested in the subject to ensure that they take proper account of that and seek to advance our understanding of the medical implications of the incident rather than merely channel it in ways that appeal to some political, environmental and other interests, because that is not in the best interests of my constituents, who are trying to discover why some of them are undoubtedly ill and have been proved to be ill.

I suspect that were you, Madam Deputy Speaker, to ask hon. Members about what they had read in the press or seen on the media in the past few days, their clear impression would be that brain damage has been caused as a result of this incident. The first sentence of a press release of the Cornwall and Isles of Scilly health authority, which was issued with a recently published paper that caused the media activity in the past few days, says:

"Despite tests, no scientific proof has been produced that contaminated water two years ago affected the memory or caused major life changes for the people in the Camelford area who drank it."

The collection of papers on the Lowermoor incident which were published with the press release show nothing that links cases of illness to the incident. We must be careful about what we say.

The conclusions and recommendations of the Clayton report state:

"10. An appropriate expert organisation should be designated to provide the directors of public health with authoritative medical and toxicological advice without delay in the event of an incident. A national panel should be established comprised of independent scientists whose expertise is most likely to be relevant and who would be willing to assist the designated organisation at short notice.

11. In the event that members of the public have been exposed to chemically contaminated waste as a result of an incident, the designated organisation should advise the directors of public health of clinical tests relevant to assessment of exposure and to the diagnosis and treatment of patients."

I remind my hon. Friend the Minister that his predecessor accepted the report's findings and I should be interested to hear what steps have been taken to establish a panel. One of the complaints made by local doctors, the health authority and certain integrated parties is that they have not been able to find out from the acknowledged experts what they should do. I would not want to put any colleague through what faced north Cornwall or through the difficulty that we faced in not being able to direct people to expert information. I urge my hon. Friend the Minister to take whatever steps remain to be taken to ensure that a panel is established quickly and that every director of public health is informed of its existence and how to get information about it quickly. That important adjunct to their service should be available.

The final recommendation in the Clayton report states:

"In the event that expert advice indicates a serious possibility of long-term harm, clinical surveillance and epidemiological following should be implemented."

Knowing my hon. Friend the Minister, I am certain that, unless I admit that there is a contradiction in my contribution, he will remind me of one. I have said that I have not found any evidence that has suggested to me, as a Member of Parliament who is deeply interested in this matter, any connection between the illness of certain people which has been reported and the incident on 6 July. If I find that there is such evidence, I shall do whatever I can to ensure that it is used in the right way. I have established with Professor Edwardson of the Clayton panel that the latest series of papers issued change his opinion not one jot. He remains absolutely convinced that there is no evidence of a connection.

In connection with that final recommendation of the Clayton report, I must say this. As I have admitted, in a number of cases the press and media have been gravely irresponsible in their coverage of this matter. There have been some excellent and balanced reports, but there have been reports—no doubt there will be more—that have been grossly unbalanced and have pushed a particular line. No doubt, for their own reasons, some outside this place will want to do the same. The cumulative effect on my constituents' anxiety is profound.

I concede that this is true throughout the country but people in Camelford are ill and the doctors cannot say why. Moreover, the reports that have been made and even the papers that have been issued contain comments to the effect that the authors can see no causal link but that they cannot rule out the possibility of a connection. It is to the great credit of the Cornwall and Isles of Scilly health authority that it is continuing to look at the evidence that is coming to it and to press for further research. For example, a report on pregnancy tests in the area is almost completed.

I ask my hon. Friend the Minister to accept that, although there is no such evidence, recommendation 11 should be activated for the benefit of the Cornwall and Isles of Scilly health authority and that the health authority should be encouraged—in so far as it needs any encouragement—to set up a panel of acknowledged experts on the various elements of the matter to whom it can refer and whom it can ask to research the matter. I say that simply because I do not have the conviction that this is the last time that the matter will blow up in the press and media. I think that it will happen again and again because there are too many grey areas with which it is impossible to deal. Every time that happens, it will cause anxiety and problems.

I hope that my hon. Friend will confirm that he intends not to institute a public inquiry, because that would be irrelevant and would divert too much attention away from the medical research that needs to be done. I hope that, at every possible opportunity, he will encourage the publication of the correct story and the known evidence, to reassure my constituents of the truth on every possible occasion. I hope that he will ensure that the panel to deal with incidents across the country is established quickly and made known to health authorities throughout England and Wales. I hope that he will assist the health authority in any way possible to set up its own panel to advise it.

Perhaps at the same time my hon. Friend could make it clear that, like me, he has no evidence to suggest that the water supply is now in any way unsafe and that we are talking about a historical incident. Perhaps he will make it clear that it is perfectly safe for people to live in Camelford, to consume the water and to go on holiday there and have a jolly good time. Finally, will he confirm that if, at some stage, someone finds proof and wishes to

sue those responsible, either the new privatised company or the existing residuary water authority will deal with the matter?

12.14 pm

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell) *rose*——

Madam Deputy Speaker (Miss Betty Boothroyd): I take it that the Minister has the leave of the House to speak again. That is so.

Mr. Dorrell: I am grateful to the House for the opportunity to speak twice. The constituents of my hon. Friend the Member for Cornwall, North (Mr. Neale) have considerable reason to be grateful to him for the effective way in which he has sought to represent their concerns and to address the real issues that arose from the incident which occurred more than two years ago.

My hon. Friend has given the background facts of the incident, so I shall not weary the House by repeating them. He has also demonstrated once again that he is the full master of the facts surrounding the incident and that he is well capable of drawing out the key issues of concern to his constituents—the public concerns arising from the incident have been real and have to be addressed—and of ensuring that substantial facts are addressed and that facts are distinguished from unfounded allegations, and, perhaps even worse, the allegations of those who have a malicious intent in using public concerns for their own short-term gains.

The real issues that arise from the Camelford incident can broadly be divided into two headings. First, there are the operational issues of a water undertaking and, secondly, there are the public health issues and the concern about whether the Camelford incident resulted in identifiable health risks for those who drank the admittedly polluted water.

As my hon. Friend said, the operational aspects were the nexus of the issues addressed by the Lawrence report, published in August 1988, which provided a clear analysis of the undoubted shortcomings that led to the incident. There were clear shortcomings of management which the report identified. The South West water authority took steps to rectify those.

My right hon. Friend the then Secretary of State for the Environment asked all water undertakings to review their management and operating procedures, their on-site security, their procedures for receiving chemicals, their monitoring of the quality of treated water and their emergency plans. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), now the Secretary of State for Employment but then the Minister responsible for water, reported to the House in April 1989 that a number of improved operational procedures had been adopted in the water industry following that review.

Therefore, the water industry can legitimately claim that it took effective action to learn the lessons of the incident and then took steps to ensure that those lessons were disseminated and that action was taken to try to minimise the risk of such an incident recurring.

Those were the management issues addressed by the Lawrence report. There was also the question of the handling of public information at the time of the incident, and I am sure that my hon. Friend was right to emphasise the necessity for any undertaker finding itself in that position to publish the facts immediately.

Any attempt by an undertaker, whether it is in the public or private sectors is irrelevant, to conceal facts operates against its own interests and, more importantly, against the public interest. To draw on an unrelated experience of mine as Parliamentary Private Secretary to the Secretary of State for Energy at the time of the Chernobyl disaster, that was precisely the case that my right hon. Friend sought to press on the Russian Government. Where there is a public health concern, it is in everyone's interests, including the undertaking's, that the facts are published immediately. That did not happen in this case and it is a cause of legitimate criticism which is accepted by the South West water authority.

It is important for us to control such criticism because, although it is true that the authority did not act as it should have acted at the time of the incident, that shortcoming was addressed within two months of the incident, and that addressing of the issue is now more than two years ago. So although there was a legitimate cause of concern at the time, it is no longer a ground for criticising the way in which any of those active or involved have operated since the publication of the Lawrence report and since the issues have been in the public arena.

However, as my hon. Friend correctly said, although the operational facts were published and were in the public domain relatively quickly—not quickly enough, but relatively quickly—after the incident, public concern continued to develop, and that led my predecessor to set up the medical inquiry under Professor Dame Barbara Clayton. That was established on 11 January 1989. That inquiry was set up to address the second nexus of issues, the public health questions, and to see whether those who drank the polluted water suffered a direct health consequence as a result of drinking it.

The committee that was set up by my predecessor had eminent membership, people who used their scientific experience to assess a specific scientific question. I agree with my hon. Friend that it is as important in assessing scientific cause and effect to insist on rigorous science as it is to insist on the availability of public information.

I believe that my predecessor, by setting up that committee and by staffing it with experts in the field, and then by insisting that Government comment on the subject, took account of the rigorous science that was produced by that committee, proceeded in the right way.

Public information must be available, but if we are talking about scientific cause and effect—about an assessment of whether the health of individuals was damaged by a particular incident—that is not a question on which a politician is qualified to comment. It is a question of medical fact. I am not a doctor, nor was my predecessor and, with respect to my hon. Friend, nor is he. We have no choice as politicians but to rely, in relation to technical and scientific questions, on the technical and scientific advice that we receive from the eminent bodies that we set up precisely for the purpose of giving us that advice.

My hon. Friend asked a series of questions. He asked whether there had been a cover-up, and I agree with the way in which he addressed that issue. As I said, everyone acknowledges that inadequate information was available in the first few weeks. I do not believe that is any longer the case. From the time of the publication of the Lawrence

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report, the commitment has been clear, both on operational and health questions, and that has been to ensure that the information available is made public. That has been a shared commitment by the Government, the health authority and the water authority, and any suggestion of a cover-up seems entirely misplaced.

My hon. Friend asked whether there should be a public inquiry. It is always too easy when faced with public concern to say that the only way to handle it is to set up another public inquiry. In this case, inquiries have sat and the facts—with a few exceptions to which I shall come —have been established. If the call is to set up a public inquiry, the first question to be addressed to those who espouse that call is: what will the public inquiry inquire into? I do not believe that any case can be made out for conducting a public inquiry into the operational issues arising from the incident, because there is no sphere of ignorance into which a public inquiry can inquire. The facts are known; they are in the public domain. There is no legitimate case for a public inquiry on those issues.

As to whether there is a case for a public inquiry into the medical issues, it seems at the very least highly arguable whether a public inquiry is a legitimate instrument for inquiring into medical matters. In any case, the bulk of the medical questions have already been addressed, although there are some follow-on questions arising as a result of the papers of the February seminar, which were published this week, and about which I shall say more later. There does not seem to be a case for a public inquiry into either operational or medical issues. If my hon. Friend the Member for Cornwall, North wishes me to give an assurance that I shall not, on the facts currently available to me, establish an inquiry, I am happy to do so.

I have already referred to the document published this week, and it is important to be clear about that document. It is a publication containing papers that were presented to a seminar earlier this year to consider specific health trends following the Camelford incident. None of the papers in that document seeks to establish, or does establish, a casual link between the conditions described in the papers and the Camelford incident, but the papers pose questions that merit further examination.

The authors of many of the papers presented to the conference, while not claiming that their studies demonstrate a causal link between exposure to aluminium in water and the long-term medical conditions described in their papers, believe that some issues require further attention, particularly the serum aluminium results, which are thought interesting because they fit in with current understanding of how the body metabolises aluminium.

No clear explanation has been given and the matter could easily be worth further investigation. The issue needs confirmation and further study, as is usual with any new scientific data, especially where they conflict with established findings. The authors do not confirm that ill-health experienced by people in Camelford is due to aluminium in water or raised levels of aluminium in water, but it seems that those issues require further attention and the health authority has already said that it will set in motion the machinery for further examination of those issues.

My hon. Friend the Member for Cornwall, North talked about the recommendations of the Clayton report. He rightly said that my predecessor has already committed the Government to accept that report's recommendations in full. He specifically drew my attention to recommendations 10 and 11, and asked what progress had been made on the setting up of those committees. My Department is currently completing consideration of the means to establish the organisation to provide authoritative medical and toxicological advice should any incident occur. We shall shortly be announcing the appointment of the national panel that was called for in those two recommendations. I hope that I have reassured my hon. Friend that those two recommendations, and the other recommendations of the Clayton report, will be not only accepted, but acted on by the Government.

My hon. Friend talked about recommendation 13 and asked for some more follow-up work to be done to allay the fears that still exist. The papers that were published following the seminar in February raise specific medical questions on which further medical advice is necessary, and that medical advice will be sought. Such a specific scientific question that must be addressed on a rigorous scientific basis, and not by the bandying of political and public concerns through the media. Such questions will be addressed in the laboratory and not in the television studio.

I again congratulate my hon. Friend the Member for Cornwall, North on the way in which he has represented his contituents' concerns, and I share his commitment to ensure that it is essential that all those involved are open with information concerning public health. There is no public interest to be served by concealment. I share also——

Madam Deputy Speaker: Order.

Heyope, Knighton (Fire)

12.30 pm

Mr. Richard Livsey (Brecon and Radnor): I am extremely grateful for the opportunity to speak in an Adjournment debate on the important subject of the tyre dump fire at Heyope, Knucklas, near Knighton in my constituency. I have tried on two previous occasions to secure such a debate. People often say, "Three times for a Welshman"; on this third occasion, I have been lucky enough to bring the matter to the attention of the House. I am especially glad to see that the Under-Secretary of State for Wales is present to deal with my constituents' anxieties.

The fire was described on the front page of one of the tabloids as a "burning inferno" on the first day of the year, I suspect that the papers were short of news, but it made a dramatic headline none the less. However, it has become a forgotten fire. My objective is to give a balanced view and to come up with serious suggestions about how it can be tackled, while stressing the legitimate fears of my constituents for their community and for the precious environment in this lovely part of my native Wales.

Late in the day on Saturday 28 October 1989—ironically, one of the wettest days of the year—a fire was started at a tyre dump in Heyope. We believe that it was arson, but the police authority has yet to track down the perpetrators. That irresponsible act set light to some of the 10 million scrap tyres on the old dump, which lay in a dingle through which flowed Ffrwdwen brook. For those who are not familiar with the dingle, it is a deep wooded valley on the borders of Wales.

Twenty years previously, the dump had been started by the predecessors of the Motorway Remoulds company of Knighton, in an age when the environment was not considered in the same light as today. The tyres became a serious pollution hazard as soon as they caught light. Before, when they were inert, they were not believed to be a pollution hazard. The resulting pollutants from the burning tyres ran into the brook, and the fire and fumes polluted the air. It took the Powys fire brigade nearly 10 days to get the fire under control, and it had to seek help from the Shropshire brigade to tackle the blaze. The fire services deserve our grateful thanks for controlling the fire.

The Motorway Remoulds company is a valuable local employer, employing some 110 people in Knighton. It could be said that the company is also performing a useful service in recycling tyres by retreading them. The only problem is that as a by-product there are many waste tyres, which are dumped at Heyope in the landfill site. The old site—which is still burning some nine months after the fire started—was licensed by the local authority, the then Radnorshire county council. A new site nearby was licensed about three years ago by Radnorshire district council. That is more strictly controlled under the council's interpretation of waste management paper No. 26. Tipping takes place in compartments and the tyres are shredded.

The Select Committee on Welsh Affairs commented on tyre dumps and on the Heyope site in its recent report on toxic waste disposal in Wales. I was a member of the Committee and its main recommendation was that the waste management guidelines for disposing of tyres should become a condition of any site license. It also recommended research into recycling programmes for worn tyres. The Select Committee's recommendations are extremely sound.

During the Select Committee's study two factors emerged about the interpretation of waste management paper No. 26. They came to light in a letter from the Clerk of the Committee to the technical director of environmental services of Radnor district council, Mr. Lance Cartwright, who replied to inquiries about the Committee's interest in the fire. The Radnorshire environmental health officer said:

"The telephone call with which the principal EHO Cartwright received.

I would confirm that the above facility was licensed in accordance with our understanding of waste management paper 26."

He quotes the relevant sections of the document and says that the site is mono-disposal whereas paragraphs in the waste management paper No. 26 refer to the disposal of tyres on a co-disposal site. He goes on:

"In the light of recent events I would suggest that waste management paper 26 could be revised so as to more fully cover the situation of either mono or co-disposal sites."

Her Majesty's inspectorate of pollution commented on that in a letter to the Committee on 9 March:

"Though the section on the disposal of tyres in waste management paper 26 is contained in the chapter on co-disposal, I think the opening sentence is very clear in advising against the large scale disposal of tyres, be this at mono or co-disposal sites. The fact that mono-disposal is not mentioned specifically should be read as this form of disposal being not recommended. However, I do accept that this advice against the large scale mono-disposal of tyres is not as clear as it should be. When we revise waste management paper 26 we shall take the opportunity to make clear our strong advice against the disposal of shredded tyres in other than minor quantities."

That shows that there is some confusion about waste management paper No. 26. The local authority has interpreted it in one way and Her Majesty's nspectorate of pollution has interpreted it in another. The matter must be clarified.

The pollution caused by the fire gave rise to great worry in the area. The bodies dealing with the effects of the pollution are the National Rivers Authority, Radnor district council and Motorway Remoulds Ltd. At one stage Harwell was called in. In addition, Powys fire service has played an invaluable role. The pollution has affected water courses, especially the Ffrwdwen brook, and air pollution has also been experienced. Local people are understandably worried and have formed an effective tyre fire association. They fear that the fire may flare up and that the area may have to be evacuated. There was a small outbreak on 23 June but fortunately it was extinguished.

I congratulate the NRA on its effective monitoring of pollution and its preventive action. The NRA told me that from 12.15 pm on 29 October the local pollution control officer was at the scene. The brook flows into the River Teme, and approximately 50 miles downstream, water is extracted for drinking purposes. I am informed that up to 4 million consumers in the west midlands depend on that supply. The NRA ensured that pollution did not enter the river Teme after the initial outbreak, although traces of phenol were found as far downstream as Tenbury in the first two days.

Biological deterioration has been noticed in the Ffrwdwen brook up to one mile downstream from the fire site. Peak phenol pollution reached a brief high after the intitial fire of 2,000 mg per litre, but that fell rapidly to low

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levels. The brook breached EC drinking water standards three times in respect of phenol concentration in the initial stages. Other chemicals present were cyanide and polyaromatic hydrocarbons, or PAHs, which are carcinogenic. At no time was the brook or the river Teme above European drinking water standards in this respect and the NRA is continuing to monitor the situation.

Radnorshire district council engaged Harwell to investigate air pollution, and a brief report was produced at a cost of £500. However, monitoring of air pollution has been inadequate, and it has not produced detailed information comparable to that available from the NRA in respect of water pollution.

Air pollution is of major concern to residents, and I hope that the Minister will be able to reassure them. They would like the site to be regularly monitored for air pollution, although I suspect that insufficient resources are available to do that adequately. No problem may be evident on a superficial examination, but the local population needs more convincing reassurances.

A small authority such as Radnorshire needs assistance because it cannot respond alone. I ask the Minister to note the recommendations of the Welsh Select Committee regarding waste disposal authorities and the need to provide resources on a larger scale, and on a regional scale in Wales. The pollution inspectorate is inadequately resourced in Wales. That was highlighted in the Welsh Select Committee's report. The Principality has only two HMIP officials and its office is moving to Bristol.

The Parliamentary Under-Secretary of State for Wales (Mr. Ian Grist) *indicated dissent.*

Mr. Livsey: The Minister indicates otherwise, so perhaps he will put the record straight when he replies.

Motorway Remoulds deserves some sympathy. The company is trying hard to overcome its problems, but a long-term solution must be found. The priority must be to put out the fire quickly. The company is digging out some of the tyres and damping down those that are exposed and are still burning. That is a long job, and it presents hazards in terms of run-off into the local stream. It is also vital to maintain employment at the Knighton factory, which provides jobs for 110 people.

The long-term future of the dump must be examined with the ultimate objective of phasing it out. Recycling should be at the top of the agenda, and the production of rubber crumbs, and of rubber for playgrounds and for other purposes, should be investigated. The feasibility of tyre burning in power production should also be examined, although a plant would cost £38 million. However, that option would dispose of 12 million tyres annually, which is roughly half the number dumped in Britain each year. The contents of tyres are complex. Rubber now constitutes only a minor part of a tyre. Carbon black and metals of various kinds are also used.

I ask for more resources from the Welsh Office and from the tyre industry to put out the fire, even if it costs as much as £100,000 to do so.

I hope that the Minister will address the problem of resources for a small authority such as Radnor. Her Majesty's inspectorate of pollution must be beefed up, with a full-time director and office in Wales at least six staff. Radnorshire district council needs more resources. I believe that the recommendations of the report of the Select Committee on Welsh Affairs need to be taken on board.

I am sure that the Minister will have studied the Department of Trade and Industry report on recycling and disposal of tyres. About 23 million tyres are dumped annually in the United Kingdom and we need a regulatory framework such as exists in other countries. For example, in West Germany there is a payment of DM 100 per tonne for dumping tyres.

The report says that historically landfill is cheap but is not now appropriate, that the United Kingdom is backward with proposals for recycling and that we need recycling legislation.

The local community is worried about a number of matters: it wants regular air tests, monitoring for health risks to children, who should be kept away from the stream, evacuation procedures, the continuation of water monitoring and monitoring of potential health risks.

The Heyope fire must be put out now. We need to maintain jobs. We need the resources to tackle environmental pollution, and to clear it up. We need weekly information to be provided to the local community so that residents know what progress is being made on the site. We also need to review landfill procedures under waste management paper No. 26 and we need to legislate.

Will the Minister promise future legislation, based on the DTI report, so that all tyres are recycled or burned, and will he now initiate a five-year programme to bring that about?

12.46 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Ian Grist): I congratulate the hon. Member for Brecon and Radnor (Mr. Livsey) on bringing this subject to the attention of the House, even at this late stage. Otherwise, I might have been tempted to remain in his constituency after my visit to the Royal Welsh show yesterday. I am rather surprised that, as a farmer, he has not been there this week. It certainly brings great credit to agriculture and, with the present fine weather, offers a marvellous scene for young and old and for those people who want to learn about the industry.

The Heyope fire is a matter of considerable concern to the hon. Gentleman's constituents and he will, I am sure, be interested to know that when the deputy chief environmental health officer of Radnorshire district council visited the site on Monday of this week, there was no sign of smoke there at all. However, the work dealing with this fire is clearly still continuing, and we hope that the contractors will be able to extinguish the remains of it before very long—that is, this summer.

The site is a waste disposal site, operated under licence from Radnorshire district council. The council, as waste disposal authority for its area, is responsible for licensing all private sector waste disposal sites, passing resolutions for any sites operated by the council, and carrying out all site inspection and enforcement duties required under part 1 of the Control of Pollution Act 1974.

Similarly, as the hon. Gentleman knows, it is the duty of the National Rivers Authority to protect surface and ground waters against pollution and to ensure that flora and fauna are protected.

The council granted a waste disposal licence to Motorway Remoulds Ltd, in 1982. The licence was

granted for the disposal of scrap tyres at a site specified as Batches Dingle, Heyope, Knighton and it stipulated that the disposal of tyres at this site should be limited to 5 tonnes per day.

As waste disposal is a locally determined matter, the regulation of this service is the responsibility of the district council, and under the provisions of the Act it is the council's responsibility to take the steps needed for the purpose of ensuring that the activities to which the licence relates do not cause pollution of water, or damage to public health, or become seriously detrimental to the amenities of the locality affected by the activities.

Thirteen conditions were attached to the licence for controlling the landfill operation. Notable among these conditions were the requirements to restrict disposal activities to the disposal of tyres; that the site should be securely fenced; that the watercourse flowing through the site should be culverted and that fire fighting equipment should be provided on site to meet the requirements of the chief fire officer. A further licence condition states that the whole site shall be covered with soil to a depth of at least 9 in and the soil maintained at this depth to allow consolidation to take place.

In 1987, in agreement with the company, the council revised the conditions of the site licence to include a condition requiring the operator to tip the tyres within contained areas. The purpose of this condition was to contain the possibility of a fire outbreak to the "contained" area, but insufficient detail is contained within the licence to prescribe the nature and extent of the containment. A further condition sets out the requirement that the site access road shall be kept in a good state of repair, sufficient for the access of any fire-fighting equipment that may be called.

Following the fire, Radnorshire district council proposed further amendments to provide greater clarity about the provision of fire-proof barriers. I understand that a meeting to consider that in detail is to be held between representatives of the council, the fire authority and the National Rivers Authority on 1 August, which is next week.

The operator of the site, Motorway Remoulds Ltd., collects worn tyres from a nationwide network and transports them regularly to its factory at Knighton for reprocessing. I understand that the company's selection and test procedures reject on average about 2,000 tyres per week which are sent for disposal to the Heyope waste disposal site.

The outbreak of fire occurred ironically on 29 October last year—one of the rainest nights of last autumn, and as the hon. Gentleman said, it has been suggested that it was started deliberately, but it is impossible to tell.

The district council visits the site on a regular basis to advise where necessary both on environmental health grounds and waste disposal activities. Similarly, the National Rivers Authority is visiting the site fortnightly to ensure that risk of pollution to the stream passing through the site is minimised.

To reinforce pollution prevention activities filter units have been installed in the bed of the stream within the confines of the site to prevent oily waste from the landfill area discharging into the stream. This oily waste is collected in 45-gallon steel drums and transported off site by contractors for disposal at a suitably licensed site. Polluted water produced during fire-fighting activities is being stored and recycled on site in a closed loop system, so no polluted water is entering the stream.

Inspectors from Her Majesty's inspectorate of pollution are liaising with the regulatory authorities, providing advice, where considered necessary. I assure the hon. Gentleman that HMIP covers all forms of pollution and has a staff of seven in its Cardiff office. That office will remain—it is not going over the channel. As I have said, the inspectors liaise regularly with the local authority.

The most recent visit by a member of the inspectorate took place on 16 July. As there had been a partial collapse of the sealed surface area of the site on 23 June, which had resulted in dark smoke being emitted. That had been quickly brought under control by the site contractors present on site. The fire service had attended on that occasion, but fortunately, before the fire service arrived, the fire had already been dealt with by resealing the collapsed areas with inert material stored on site. No other fire outbreak has occurred at the site since that date.

The company has engaged consultants to advise it on the most appropriate measures, and work is currently being undertaken to excavate the burning tyres, to douse them thoroughly with water, and to spread them over the stabilised area of the site to cool off. The cool material is, I understand, then reintroduced into the lower tipped area where the fire has been extinguished, and the mass of waste consolidated and resealed. I understand that the contractors are gradually working their way up the valley, excavating partially pyrolised waste, cooling it with water and repositioning it in a non-active area of the site. I understand that large clouds of steam are emitted when new areas are opened up and watered, but no polluted water is leaving the site—all water seeping from the base is filtered and recirculated. I hope that the hon. Gentleman's constituents will feel reassured by that.

Mr. Livsey: I appreciate what the Minister is saying about water pollution, but my constituents also need reassurance about air pollution. Does the Minister have any plans to do anything about that?

Mr. Grist: As I mentioned, HMIP covers various forms of pollution. The first responsibility falls on the local council, and environmental health officers are qualified to reach a preliminary conclusion on that. If the environmental health officer or the HMIP inspector who calls regularly feels that it should be examined in greater depth, I am sure that it would be, but official bodies are already in place to take care of that issue and they are better qualified than the hon. Gentleman or me to do so.

Two tracked excavators are deployed to excavate the area. The excavation and reconsolidation of the tipped material will continue until all hot zones have been treated, and I understand that most of the work may be completed towards the end of this or next month.

The hon. Gentleman mentioned the possibility of water pollution, and the fact that there is a public water supply intake some 50 miles downstream of the site. There has been some pollution of streams in the immediate vicinity of the fire, as I explained in a written parliamentary reply to the hon. and learned Member for Montgomery (Mr. Carlile) on 5 March. The advice I have now is that there has been no significant pollution to date and that no polluted water is leaving the site.

[Mr. Grist]

The National Rivers Authority is maintaining bunds across the river where it emerges from the culvert to the tip. It is monitoring the water quality regularly and will continue to do so until such time as this particular problem has been sorted out.

The hon. Gentleman mentioned several other matters. I should draw attention to the fact that the Government have a wide variety of proposals for recycling tyres and for updating waste management paper No. 26, which was referred to in the report of the Welsh Affairs Select Committee. The Committee took the trouble to mention the reference in that waste management paper to recommended practices for the disposal of tyres. The hon. Gentleman will be reassured that the British tyre industry is also taking the matter seriously.

On the Select Committee's first recommendation, we propose to enhance the status of waste management papers so that the authorities will be obliged to take regard of their recommendations instead of merely taking note of them in carrying out their duties of licensing and enforcement.

We recognise the size of the problem created by the large numbers of tyres being disposed of annually, and have for some years been encouraging the development of effective solutions. In November 1989, the Department of Trade and Industry commissioned a major study by KPMG Peat Marwick McLintock aimed at finding economically efficient, environmentally sound and commercially viable methods for the recycling and disposal of used tyres.

As indicated in the Government's reply to the report of the Committee, the report of the study has been presented to the Department of Trade and Industry, and it is intended to discuss it in a working group representative of the interests concerned, including consumer and environmental bodies. I understand that preliminary meetings have been held already between officials and representatives of the tyre industry, motor traders and tyre retreaders.

On atmospheric pollution, the Clean Air Act 1968 states:

"dark smoke shall not be emitted from any industrial or trade premises and if, on any day, dark smoke is so emitted the occupiers of the premises and person who causes or permits the emission shall be liable on summary conviction to a fine."

That legislation has been recently strengthened by the Control of Smoke Pollution Act 1989 which enables local authorities to prosecute for illegal night-time burning—where the colour of the smoke cannot be asertained—and to take action against anyone, not just the occupier of the land, who causes or permits dark smoke to be emitted. However, the statute makes allowances for inadvertencies and we feel that that might form sufficient defence in this particular case.

The hon. Gentleman mentioned the need for more recycling in general. He should remember that last year the Government established an advisory group on recycling to help identify ways sharply to improve the United Kingdom's recycling performance. The group comprises representatives of industry, trade and commerce, district and county councils and voluntary and environmental organisations as well as central Government. The group has been focusing on domestic waste and looking at the recovery and recycling of a wide range of products and materials such as glass, paper, metals, plastics, tyres, textiles and comestibles. Its recommendations will be taken into account in the preparation of the forthcoming White Paper on the environment. If the hon. Gentleman waits for that White Paper and considers what is in the Environmental Protection Bill, he will find that most cases and most of the concerns which he rightly expressed today will be taken care of in those Government publications.

This is a matter which concerns us all. The hon. Gentleman is right not merely to defend his constituents but to take an interest in something that concerns Britain and in which the European Community is taking an interest. He will be aware of the frightful fire in Canada. I am glad that his case is not as serious as that. Things are in hand and his constituents can be reassured.

Ivory

1 pm

Mr. David Harris (St. Ives): I am grateful for the opportunity of raising the case of the firm of H. Harris Ltd. of St. Ives. It is a sad story. The firm has been in existence since 1800 and has always been under the same ownership. Let me make it clear that the owners are not related to me.

The firm moved from the east end of London to St. Ives during the war after its premises had been bombed. Since that time, until just over a year ago, it carried on a highly successful and respected business. It might seem rather odd that at one stage the only two firms of ivory cutters in the United Kingdom were in St. Ives. The second firm was a breakaway company from H. Harris. It existed for some years but subsequently closed and its business interests were taken over by the parent company. H. Harris was on the point of expanding until just over a year ago when the basis of its business was virtually destroyed overnight.

We all know of the grave and proper concern there has been in recent times—it has been taken up by national newspapers and television—over the fate of the African elephant. We have all seen dramatic pictures on television of poachers at work carrying out their heinous, illegal trade in ivory. I am not denying that it is a big problem.

As a result of the publicity, Her Majesty's Government decided suddenly and without real warning to take unilateral, interim measures pending international action, hopefully to deal with the problem. I have considerable doubt about the ban that was imposed.

I am delighted to see the hon. Member for Newham, North-West (Mr. Banks) taking his seat, as he has played an honourable role in trying to obtain a ban and international action. As I said, I am not criticising the eagerness of the Government or environmental agencies in taking action against the serious problem of poaching.

My view, for what it is worth, is that the ban will probably succeed in driving the illegal trade underground and making it more difficult to control, while forcing out of business firms such as that in my constituency which have acted scrupulously over the years and dealt only in legal ivory. The ban fails to take account of the difference that exists in Africa over stocks of elephants. Attention has been focused properly on the Kenyan problem, but further south in Botswana there has been for many years a regulated trade in ivory and the stocks of elephants are increasing dramatically. Therefore, there has to be culling of the stocks and that has given rise to a legitimate and legal trade in ivory.

That trade has been controlled for many years through the convention on trade in endangered species. The firm in my constituency has always complied to the letter with all the requirements of CITES. It imports only legal ivory and, every time it does so, it has to undertake an elaborate certification procedure to show where the ivory came from. Exports of its finished products had to be certified.

The firm's trade is in cutting keyboards for high-quality pianos and organs. It is an old-established firm which has always been in the Harris family. Its present owners, Mr. and Mrs. Lloyd-Owen, are my constituents. Mrs. Lloyd-Owen's maiden name was Harris, and her father was made a member of the British empire in recognition of his services and of those of his firm to exports over many years.

In May last year, largely as a result of pressure from the hon. Member Newham, North-West, the then Leader of the House hinted that the Government might take interim action to deal with poaching. That surprised my constituents, because until then they had always been consulted by the Department of the Environment on various matters connected with the ivory trade—and so they should have been, because theirs was the only firm in the country involved in that aspect of the trade. They immediately contacted me and I tried to obtain further information.

Subsequently, an announcement was made by my noble Friend Lord Caithness, the then Minister for Housing, Environment and Countryside, following a visit that he paid to Kenya, that the Government felt that there should be a ban on trade in ivory and that they would take unilateral action to impose it in the United Kingdom in advance of a meeting of European Ministers on the subject and a later meeting of CITES. It was expected that CITES would move the African elephant from the appendix 2 procedure, which allowed limited trade, to appendix 1, which in effect stopped the trade in ivory of African elephants.

That came as a bombshell to that small firm in St. Ives. Its business was almost destroyed overnight and it had to lay off its sole employee, Mr. Curnow. It had been the ambition of Mr. and Mrs. Lloyd-Owen to hand their flourishing business to their daughter to maintain the family link. Their business stopped, and it is now a company in name only.

I do not criticise the Government for imposing a ban on raw ivory, although I have the reservations that I expressed. But any Government who take such drastic action without notice or consultation have a moral duty to compensate those whom they put out of business. I can understand why Governments and international bodies take drastic action in the name of conservation, but they should take account of highly respectable and law-abiding firms such as H. Harris and should compensate them if they are put out of business overnight.

I have had long correspondence and meetings with Ministers on the subject. I pay tribute to them because they have been very courteous and have responded to my letters. I had informal consultations with Lord Caithness on the eve of the important meeting of European Ministers that imposed the European ban. The fact remains that the firm has virtually disappeared.

The Government's attitude is summed up in a letter that I received in June from the Minister for the Environment and Countryside, who said that he could

"find no grounds for departing from our normal practice of not paying compensation when restrictions on trade are introduced for the purpose of conserving endangered species."

Why? I understand that the Government are anxious not to create a precedent. In this environmentally conscious age, Governments usually react quickly under pressure from parliamentary colleagues and the media. Suddenly, a head of steam builds up and Ministers think that they should take sudden action for perhaps political or public relations reasons. That is their right. I referred this case to the ombudsman, who confirmed that right and said that he was sorry that he could not take up the matter. However, I believe that the Government have a moral duty in these circumstances.

[Mr. David Harris]

There is a parallel case that affects my constituency. Some bulb growers suddenly found themselves faced with a ban on the use of aldrin. I do not dispute the reason for that ban, but, again, no compensation was given. The Government should rethink their policy about implementing such overnight bans. They should consider whether compensation should be given.

I make no apology for making a special plea for H. Harris, partly because of its long, distinguished history and partly because it is the innocent victim of conservation politics and policies, both national and international. If the Government alter their stance and give compensation to that firm, I do not believe that a queue of other firms will knock at their door, because only this firm has been affected drastically.

My purpose is to make a last plea to my hon. Friend the Under-Secretary of State and, through him, to the Government to think again about this case. There have been many consequences for Mr. and Mrs. Lloyd-Owen. They have been left with £30,000-worth of ivory. They have a building in St. Ives which is now empty. They are a few years off retirement and would normally have hoped to carry on for some years. The ban has had a considerable effect on the family. I am sad that this is the end of a firm which has operated for 190 years, and I hope that the House and the Government are sad as well. Rather than just sharing my sadness, I hope that my hon. Friend the Under-Secretary of State will respond not just with sympathy but practically to the case of Mr. and Mrs. Lloyd-Owen, and that means compensation.

1.12 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): I congratulate my hon. Friend the Member for St. Ives (Mr. Harris) on securing this debate. It is characteristic of him that he should use it to put forward the worries of his constituents. I know from reading correspondence from him that he has set out the case vigorously to my hon. Friend the Member for the Environment and Countryside.

My hon. Friend has made clear the effect on H. Harris Ltd. of the imposition of the ivory ban. I have considerable sympathy with those firms or individuals who are affected by any trading bans that arise from international obligations. They are a reminder that environmental protection and nature conservation have consequences for trade and industry. They should be taken into account, and in this case were. I reassure my hon. Friend that we would not have contemplated such a ban unless we were convinced that it was necessary for conservation reasons.

The House will recall that the Government were among the first to recognise the seriousness of the threat to the African elephant posed by poaching and by pressure from human populations. We have been in the forefront of moves to ensure the survival of the African elephant and, I hope, its ultimate recovery. The main instrument through which these efforts are focused is the Convention on International Trade in Endangered Species of wild fauna and flora, for which, mercifully, there is an acronym—CITES. We were one of the first countries to sign the convention and since its inception we have played a major part in strengthening and improving it.

My hon. Friend will have followed, through his other parliamentary duties, the gradual strengthening of the conservation of the African elephant—in particular, its move from appendix 3 of the convention up to appendix 1. The African elephant was first listed on appendix 3 of the convention in 1976 so that trade could be monitored. In 1977, it was moved to appendix 2 and commercial trade could then be permitted only if it did not pose a threat to the survival of the species. Sadly, despite a tightening of controls in 1985, the number of elephants continued to decline, chiefly because of the activities of ruthless, determined and well-organised poachers. The elephants' number fell as low as 600,000. That may sound a lot of elephants but Africa is a very large continent and the number of elephants had greatly exceeded that in previous times.

On 29 May 1989, Lord Caithness announced the Government's intention to support proposals to list the species on appendix 1 of the convention, thus effectively banning commercial trade in ivory. At the same time, there was the agreement in principle to a ban on imports of ivory into the European Community under the stricter controls already in force within the Community.

On 9 June—while the arrangements for the ban were being made—the Government introduced a unilateral ban on imports of ivory into the United Kingdom, as provided for by the existing European regulations. That was followed by a European regulation imposing a Communitywide ban which came into force on 17 August last year.

As the House will know, the whole question of the conservation of the African elephant and the proposed appendix 1 listing was fully discussed at the seventh meeting of the conference of the parties to CITES held in Lausanne in October last year. It was a long and difficult negotiation but the conference decided to list the African elephant on appendix 1 of the convention and to ban trade until the conference of the parties decided that trade in particular elephant populations can be resumed without threatening the survival of the species.

Another very difficult and sensitive issue considered at the conference was a proposal to allow trade to continue in stocks of ivory accumulated before the decision to transfer the species to appendix 1. That was of considerable interest to the United Kingdom as it affected Hong Kong.

As my hon. Friend knows, Hong Kong has been a major traditional ivory trading centre for many years and it was estimated that 3,000 local people depended on the ivory trade for their livelihoods. The Hong Kong authorities had reaffirmed their commitment to complying with the ban, but they were understandably concerned about the need to allow some time for their ivory traders to dispose of their stocks. For this reason, the authorities approached the British Government and asked to register a temporary reservation against the appendix 1 listing on their behalf.

The Government considered that request carefully and supported it. The effect of the temporary six-month reservation that resulted was that during the period that it remained in force, Hong Kong could export its existing ivory stocks to CITES parties which had entered appropriate reservations, or to non-CITES states. The reservation was the best way of meeting the Government's

responsibilities to a dependent territory without compromising our support for measures to conserve the African elephant.

Mr. Harris: Does my hon. Friend agree that an arrangement similar to that made for the 3,000 people in Hong Kong should have been made for the three people in St. Ives who were involved in the trade? At least that would have given them a period in which to adjust. One of the great problems that they have faced has been the lack of information, from, I am sorry to say, the Department of the Environment on where they stood.

Mr. Heathcoat-Amory: I recognise that British ivory traders may feel that they have been treated unfairly in comparison with those in Hong Kong. I am not unsympathetic to the problems that the ban has caused, but I must make it clear that our unilateral ban on ivory imports was introduced under existing European controls, which require us to refuse imports when we consider that they would have a harmful effect on the conservation of the species.

We were concerned that, unless such urgent action was taken, poachers and others involved in the illicit trade would intensify their activities in the months before international action could be agreed at the CITES conference. A dispensation for United Kingdom traders on the lines of the Hong Kong reservation would not have been possible under the European controls.

I fully understand why my hon. Friend's constituents would have welcomed prior notice of our intention to act in that way, but it would not have been fair to alert a single trader without issuing a general warning and that would have been an open invitation to poachers to step up their activities in the intervening weeks or months. I hope that my hon. Friend will understand why it is not our policy to advertise our intention to introduce restrictions of that kind, as that could undermine the effectiveness of stricter controls.

The Government are conscious of the effect that their interim measures have had on the businesses in my hon. Friend's constituency. However, I repeat that controls on the African elephant have been increasing steadily since 1976. Our unilateral ban on ivory imports was introduced under existing controls which had been in force since 1984, and there have been many previous instances in which import restrictions for other species—for example, cockatoos and grey parrots—have been introduced under the EC CITES regulations.

It has not been our practice to pay compensation when restrictions on trade are introduced for the purpose of conserving endangered species, so although I sympathise with my hon. Friend's constituents, I regret that I can find no grounds for making an exception in this case. As I have already said, his case is illustrative of the costs involved in conservation efforts.

However, I hope that I can offer some consolation to my hon. Friend and his constituents. As he may know, the European Commission has said that the movement and sale within the Community of ivory legally acquired before 18 January 1990, when the international ban on ivory came into force, may be allowed. I am pleased to say that my Department has recently given formal consent to the sale of various pieces of ivory in the possession of my hon. Friend's constituents and they will therefore now be allowed to dispose of those stocks within the EC.

Mr. Harris: I understand that only four licences have been given. I gather that there are technical problems which mean that the whole stock is not covered by those four licences. I do not expect an answer now, but will my hon. Friend consider that so that sufficient licences can be given to enable the firm to dispose legally of its stock, although one has to accept that, as the bottom has fallen out of the market, it probably will not get anything like its value?

Mr. Heathcoat-Amory: I undertake to do that. I was not suggesting that the whole stock—my hon. Friend referred to £30,000 in his introductory remarks—was to be disposed of under existing or new licensing arrangements. If, in the future, some additional licences can be granted, I shall ensure that that is processed as fast as possible.

I appreciate the points that my hon. Friend made. I am sorry to disappoint him in some respects, but I can at least assure him that disposal in the European Community, in so far as it is agreed internationally, may bring some relief to the business concerned.

My hon. Friend and his constituents will be pleased to hear that there are indications that the ban on the trade in ivory is proving effective in the war against ivory poachers. It may not bring much comfort to the business concerned, but I hope that, should the situation in Africa continue to improve, it may be possible in the not-too-distant future to allow the ivory ban to be lifted in some respects. If that happens and it can be done while preserving the population of African elephants, it may prove possible for the business in question to be rescued and possibly to grow in future.

Lomé Convention

1.6 pm

Mr. John P. Smith (Vale of Glamorgan): I am delighted to have a second opportunity this week to draw the attention of the House to problems associated with the Lomé protocol after 1992. I shall discuss some of the details of what I think the effect could be on the British fruit trade in general and on the banana trade in particular. I shall then make some suggestions—I hope that the Government still have an open mind on the subject—about what we should be doing now to ensure that we not only protect our trade and industries but protect the interests of countries with which we trade and have traded for a long time.

In the Lomé protocol, which regulates the trade between the European Community and Afro-Caribbean and Pacific countries, there are a number of mechanisms under the banana protocol that ensures that preferential trading relationships exist with our historic trading partners. About 50 per cent. of all the bananas that come into European Community countries come from dollar fruit countries primarily in southern and central America. About 30 per cent. is home produced in southern European countries and about 20 per cent. comes from ACP countries.

Nearly all the bananas that come to the United Kingdom come from Jamaica and the Windward Islands through two major companies, Geest, which trades from my constituency at the port of Barry, and Fyffe. We in Britain, being the second largest consumers of bananas in the EC, consume 300,000 tonnes of bananas a year. Everybody will be delighted to hear that. It works out at about one banana per person per week. I hope that that rate of consumption continues and that we will continue to eat Caribbean bananas, because we shall thereby support not only British industry but our former colonies in the area.

I am delighted to say that the Prime Minister gave a categorical commitment in Jamaica in 1987 to do everything possible to protect our trading relationship. She said:

"We shall continue to fight hard in the European Community to . . . make sure that Jamaica and other Caribbean countries go on enjoying the preferential arrangements for . . . bananas under the Lome Convention."

Lomé IV protects the ACP countries and states that no country should be worse off under any arrangement reached in the EC than they are at present.

I was delighted when, on Monday, the Lord President of the Council gave a commitment and stressed the importance of protecting those markets. He said:

"The Community is fully aware of its commitments to the traditional suppliers under the Lomé convention. We consider strongly that these should be taken fully into account, together with other factors, in drawing up future arrangements for banana imports after 1992."—[*Official Report*, 23 July 1990; Vol. 177, c. 105.]

That was a fairly strong commitment. But the problem is that the Government produced a discussion document this March that was circulated to other member states in the EC, ACP countries and interested parties and which will, if it is deployed, have the opposite effect.

While we welcome the suggestion in the discussion paper of continuing quotas after 1992 for banana imports from our traditional trading partners—for us, Jamaica and the Windward Islands, and for France and the southern European countries, west Africa, Somalia, the Canaries; by and large, former colonies—the problem is that under the price mechanism proposed in the discussion document, it will have precisely the opposite effect. The British Government are saying that they will give equal access to Caribbean countries to the existing dollar fruit share of the market—the 50 per cent. to which I referred —which goes largely to northern European countries and Germany. We must consider the implications of that and we should bear in mind the fact that the Germans are far and away the single largest consumers of bananas.

If those Caribbean countries are forced to compete on an equal basis, there is no question but that dollar bananas from central and southern America will swamp not only other European markets, but Britain. The reasons for that are fairly well established. The banana plantations in central and southern America are vast and situated on plains. They are run by large, multinational corporations and survive on extremely cheap, exploited labour. The House will be horrified to hear that in the last wage negotiations in Colombia between the plantation labourers and owners, no fewer than 200 plantation labourers were murdered during the process of negotiating their wages. That sort of incident, as well as other disturbing events, happens in that part of the world, compared to the Caribbean, where a collection of small producers produce bananas in difficult circumstances—the plantations tend to be on hillsides.

The banana is an attractive crop. It is the mainstay crop for most of the Windward Islands and represents 70 per cent. of St. Lucia's entire exports. It is a useful crop because, if it is destroyed by the weather, particularly the hurricanes that are experienced in that part of the world, it can be replanted and grown within nine months—a relatively short period.

The process for negotiating prices and payment with the Geest company in the Windward Islands—St. Lucia, St. Vincent, Dominica and Grenada—is democratic. The growers from those islands meet Geest to discuss the rates and reach a settlement on payment in that district. The opposite applies to central and southern America. It is clear that the Caribbean will find it difficult to compete equally with Colombia and other countries. We should take steps either to continue to protect those markets or —and this is possibly the best course—to ensure a lengthy transitional period to allow those countries to adapt to other products, and to allow industries in this country to diversify production; as I have explained, I have a clear constituency interest. If we do not do that, the consequences may be devastating.

I am delighted by the effort being made by the British retailer Marks and Spencer. It has an experimental station in the Windward Islands to examine the development of tropical fruit, which has become a much more popular food lately. I know of an example dear to your heart, Mr. Deputy Speaker: the kiwi fruit, which a few years ago was hardly available in this country, is now a regular part of our diet and can be bought from most supermarket shelves.

If we were swamped with dollar fruit, the consequences would be devastating. In the port of Barry in my constituency, which imports over 70 per cent. of all the bananas that come into this country from the Caribbean, the undermining or even loss of that trade would result in huge job losses. That would be a tragedy for the local work force and the local economy and would affect the

long-standing relationship between Geest and Barry. I know from the comments made by the Lord President of the Council on Monday that that relationship is also dear to his heart. He spoke of his recollections of seeing the banana boats sailing out of the port of Barry when he was a child. I am sure that the Government do not want such a tragedy to happen, and will be prepared to do something to prevent it from happening.

We should praise the dock workers in the port of Barry, who have had a tremendous relationship with the Geest company for many years, and also have a tremendous industrial relations record. They are some of the most skilled dock workers in the country. Since the abolition of the dock labour scheme earlier this year, they have formed a successful co-operative—Barry Stevedores Ltd.—which is now handling the banana cargoes. The Geest company has a contract with Associated British Ports, which lasts until 1994. Then it must renegotiate the leases and the contracts to bring the bananas in, which of course involves the stevedores.

The danger is that, in the run-up to the renegotiation of that contract, the Government are not able to guarantee the market in the Caribbean. We could lose Geest once again. We lost it for a short time a few years ago, when it was attracted by better port facilities and better deals across the channel in Avon. However, I am delighted to say that did not last long, and it was soon back in Barry, because it knew that it was on to a good thing relying on our dock workers and the Barry community.

There could also be an effect in other constituencies from which the two major companies—Geest and Fyffe—operate, which could substantially diminish their operations and have consequences for jobs and the local economics. However, that is nothing compared with the effect that it would have on the Caribbean. Those countries are almost totally dependent on the one product—bananas. That is partly because of the devastating effect on their sugar industry some years ago, which also arose from our trading relationship with the rest of the European Community. In some cases that forced them to rely on bananas. If they lost that their economies could be devastated.

The Geest company provides vital communication and social links with the islands and those links would be lost if the company were forced to look elsewhere in central southern America for its products. My local Vale of Glamorgan borough council elected to sell to St. Lucia at a nominal price two second-hand dust carts. That may not mean much to hon. Members, but to the people of St. Lucia the dust carts were vital in keeping their island clean. The skilled dock workers in Barry packed the trucks into the hold of a ship that normally carried bananas. A range of items are shipped in that way at low cost to support those island communities. That facility could be lost.

It is in our own interests to support the industry, but we also have a moral obligation to our former colonies from whom we have done so well over the years. It would be a tragedy if the people in those former colonies were allowed to suffer. The end of the trade would also have an impact on the British shipbuilding industry, because some companies may be reluctant to order new ships if they are uncertain about the situation in 1993. That could affect other parts of the country. The drastic cut in British shipping over the past 10 years has worried all hon. Members.

If we remove the sole source of income of these islands, there is a danger of illicit drugs being produced. Such drugs could be grown in that part of the world and their production might attract the relatively poor banana growers. My hon. Friend the Member for Newport, West (Mr. Flynn) is worried about any substantial increase in banana boats coming to Britain from Colombia, a country which is notorious for drugs and drug barons. My hon. Friend tells me that some Colombian banana boats docking at his port have carried substantial quantities of cocaine. In some cases the cocaine was more valuable than the banana cargoes. The drugs can be seized and taken away, but the ships cannot be impounded because the Government could be held liable for the value of the cargo. That is a separate issue, but I am sure that it worries hon. Members.

What are our responsibilities and what should we do? We have produced a discussion paper and, in line with the traditional British character, we have said that we should play by the rules and head towards an open market. As long as it serves the interests of the consumers and meets our international obligations, we all agree in principle with the open market. The Government's proposals are ideal for the Germans. They are the biggest consumers of bananas and their primary source is dollar fruit. They would be happy to see the ACP share of the market collapse. France and other southern European countries are already taking steps to protect their interests.

It is incumbent upon the Government to be in the game of protecting our great British companies and our existing trade. I do not suggest that that can be done indefinitely, but transitional arrangements should be made. The countries affected and our industries should have an opportunity to diversify into other products and activities. We must ensure that in the short term we do not suffer again because we are not prepared to take the action that the Germans and French are prepared to pursue in Europe, to ensure that their industries, employers, historic trading links and commitments are protected. I ask for no more, and for no less, for the British.

1.45 pm

The Minister for Overseas Development (Mrs. Lynda Chalker): I congratulate the hon. Member for the Vale of Glamorgan (Mr. Smith) on managing to debate the banana situation for the second time in a week, which must be a record. That shows how concerned the hon. Gentleman is about the trade in the West Indies and about his own port and workers.

Nineteen ninety-two and the single market process will bring widespread benefits, and perhaps the hon. Gentleman was a little unfair not to point that out. Not only the Community stands to gain from an open market. The door of opportunity will open further for our trading partners. That includes our partners in the African, Caribbean and Pacific countries of the Lomé convention. Freer and increased trade will mean more prosperity and more freedom. The removal of internal barriers and greater economic dynamism within the Community will provide greater access for developing country exporters—not less.

Nineteen ninety-two does not mean that Europe has in any way turned its back on the developing countries, but the very opposite. We stand by our commitment to the developing world. It will march side by side with changes

[Mrs. Lynda Chalker]

in the Community and with the events in eastern and central Europe, which will also provide new markets for the specific Caribbean products in question. Nineteen ninety-two represents an opportunity, not a threat.

There is no fortress Europe, and there will not be one. Such a thing would be in no one's interest. We are committed to making 1992 a force for liberalisation. The strength of our commitment to our Lomé partners is reflected in the fourth Lomé convention, which we expect to come into force early next year, and in whose final negotiations I played a large part. The new European development fund is nearly 50 per cent. larger than its predecessor, and the United Kingdom's contribution to it, at about £1·3 billion, is our largest ever single aid commitment.

The new convention provides further improvements to what were already liberal trade and access provisions in respect of both the industrial and agricultural products of the ACP countries. For example, further concessions have been made on the few agricultural products that are still subject to some form of restriction, by a combination of reducing or dismantling tariffs while increasing or abolishing quotas. Improvements have also been made in the important area of rules of origin.

All that means that the Lomé convention is already providing for 1992 in a number of respects, allowing our Lomé partners to take advantage of faster economic growth and the increased demand anticipated within the Community as a consequence of the single market. It will be far easier for importers to meet the single standard, with one almost certainly in place in one or more member states, than to address to a whole range of diverse requirements, which was the situation until we really made progress with the single market. So that in turn will mean economies of scale for producers, whether of industrial or of agricultural products.

I shall mention some of the single market initiatives before I come to bananas, about which the hon. Gentleman is so rightly concerned. To ensure that the developing world benefits fully from single market initiatives, Britain will continue to press our Community partners for greater openness in trading. In particular we are encouraging a constructive Community contribution to ensure the success of the GATT Uruguay round, which will be of great benefit to the developing countries.

Obviously, the move towards the single market will bring changes, but, where these are in sensitive areas, they must be carefully managed. We realise—and have always realised—that this is particularly true of bananas.

I am grateful for the opportunity to explain to the House in a little more detail than the Lord President did on Monday this week what we are doing to protect our traditional Caribbean suppliers of bananas. The latest Lomé convention again contains a protocol on bananas which enshrines the EC's commitment to traditional African, Caribbean and Pacific suppliers of bananas. We fought hard and successfully to renew the protection which that protocol provided to our traditional suppliers. Annexed to the convention we now have a joint declaration between Community and the ACP states which recognises the fact that the Community will try to establish common rules for bananas post-1992 but in full consultation with the ACP—which is the matter about which the hon. Gentleman is so concerned.

The United Kingdom remains committed to fighting to maintain effective preferential access arrangements for Caribbean bananas to the Community market, which are consistent with our Lomé obligations. As the hon. Gentleman has rightly pointed out, the Prime Minister has made this undertaking many times. As recently as the end of April this year, my right hon. Friend wrote to the Prime Ministers of our Caribbean banana growers:

"We defended your interests resolutely in the Lomé renegotiations and shall continue to fight hard to make sure that you go on enjoying the preferential arrangements for bananas under the Lomé Convention."

I acknowledge the hon. Gentleman's particular interest and concern in this issue but it arises from the fact that all our Windward's bananas come into the United Kingdom through the port of Barry in his constituency.

At present, the United Kingdom market is kept separate from the remainder of the European Community. ACP and EC bananas have free access to the United Kingdom. Other bananas, such as those from Latin America, are subject to import licensing.

A single market in bananas, which the ACP has accepted in principle in the Lomé convention, is necessary essentially because such internal Community barriers have to be removed from 1993 onwards. The current national arrangements will therefore no longer be enforceable. We have to devise common arrangements for bananas, and we have to strike a balance between a number of priorities in doing so. They are commitments to Community and ACP producers—the preferential suppliers; consumer interests; trade and competition policy: objectives in the GATT round; and, budgetary restraint.

The difficulties of reconciling the various objectives cannot be underestimated. After all, the Commission has been trying for about three years to come up with a proposal to bridge that gap, and has not yet done so. That was why we felt it worth while to get the debate going. So we circulated a discussion document, but it was only a contribution to the debate in the Community, because it is for the Commission to table a proposal.

As the hon. Gentleman well understands, it will take us some time to resolve this issue. The United Kingdom idea for a dollar quota would meet conflicting objectives better than any other suggestion so far, and would protect our traditional suppliers, whom we are pledged to protect. I do not think that we shall have the problems about which the hon. Gentleman has been worrying, although I respect his right to refer to those concerns in the House, as he has done twice this week. We shall provide for possible aid over a transitional period. That may be the way to proceed, but it has not yet been decided and all suggestions are therefore welcome.

At this point, perhaps I could reassure the hon. Gentleman about the position on tariffs. The current arrangements for EC trade in bananas include a GATT-bound 20 per cent. tariff on imports from what is known as the dollar area—central and south America—but not on imports from Lomé countries, which come in tariff-free. The way in which other countries will view the mechanisms that might be erected to ensure protection is not yet clear. However, we envisage that a tariff advantage will be maintained. We are not likely to be facing the prospect of a uniform tariff on ACP and dollar bananas.

The hon. Gentleman was right to say that the United Kingdom is not alone in the Community in having its own traditional suppliers to protect. It is true that other countries will seek to protect their traditional suppliers. Cameroon and the Ivory Coast supply France, while Spain imports from the Canary islands and Madeira supplies Portugal. All those sources of bananas face considerably higher production costs than the producers of dollar fruit.

In contrast, the Commission has to cater also for the needs of Germany and the Netherlands, the first of which the hon. Gentleman mentioned. Their customers are used to paying lower retail prices than those in countries with protected, higher-priced markets. The common arrangements for post-1992 trade in bananas will have to offer something to everyone if they are to command the support of a majority of member states.

We await the Commission's proposals, which should be tabled in the autumn. We shall then consider the proposals against the need to balance out the different and important objectives.

Our objective is to safeguard continuing preferential access for the Windwards and Jamaican suppliers after 1992. We want to build a framework within which they can assure the long-term futures of their banana industry. We remain in close touch with the Caribbean Governments and representatives of producers and importers about ways of achieving this.

Undoubtedly, the single market will bring with it many challenges, but it also provides tremendous opportunities. I have talked with some of the Caribbean producers and their leaders about the way in which they may benefit from the single market and enjoy the benefits of the wider market with easier access and a lack of barriers. I believe that, if they continue to work at the problems that they currently face in terms of quality and productivity, great gains can be made.

Although the Government will continue to support the Caribbean producers in the way that I have described, their success post-1992 in trade in bananas depends in no small measure on the producers' own efforts to overcome the severe quality problems at certain times of the year, which can make their bananas difficult to market. We understand that, and are seeking to help.

However, it is right that they should be encouraged —I have been encouraging them in my meetings with them —to diversify and to rely on products other than bananas. The Government have a long-standing programme to assist diversification into other edible crops in the Caribbean. We would hate to see any country start to produce coca or any other drug substance. That is not what we are in business for—we are in business to ensure that such countries have viable produce to sell on the open market as well as to offer access to our markets.

The hon. Gentleman might like to know that over the past 15 years or so we have committed over £4 million of our bilateral aid to assist in diversification with around £2 million committed to current projects. That is a measure of how seriously the need we are addressing the issue of diversification from bananas in the region.

In conclusion, it is too early to predict in detail the precise benefits that 1992 will bring individual countries. Although two thirds of the single market measures have now been agreed by the Council, many decisions have yet to be taken. Many measures will not come into force before the end of 1992. I assure the hon. Gentleman that we shall continue to encourage progress towards completion of a market and we shall maintain our vigilance to ensure that it remains open and liberal and has the right solutions for the banana producers. It is an opportunity, not a threat. I urge our Lomé partners to rise to the challenge because those who grasp the opportunity will reap the rewards.

Eastern Europe

2 pm

Dr. Mike Woodcock (Ellesmere Port and Neston): I am grateful to you, Mr. Deputy Speaker, for calling me to speak in one of the last debates in the parliamentary Session. I am equally grateful to my right hon. Friend the Minister for Overseas Development for being here with so few of us to see the sun set on the Session.

Perhaps it is fitting that one of the last debates should be about the momentous events that have unfolded in eastern Europe. I wish to speak on the methods by which we can assist enterprises in the emerging democracies in eastern Europe and to suggest how some initiatives, particularly on the know-how funds, can be geared to management training, especially that which is concerned with the values of free enterprise. Those values are not easy to define, but a definition is possible.

My personal interest in eastern Europe was aroused some three years ago when a book that I had co-authored was published in Hungary. It was essentially about management in western economies. It seemed to me that if a book written by a Conservative Member of Parliament —and a fairly dry one at that—was being used to train managers in a communist country, something fairly fundamental was happening.

I do not know whether anyone could have predicted the pace of change since then in eastern Europe, but by the late 1980s it was becoming apparent that the Soviet bloc could never really compete with the west. At last, fundamental Marxism was being seen as illogical when viewed against the facts of human behaviour and organisational success. Change was becoming irreversible and was spilling over from one country to another. People were no longer willing to accept the low standards of living that they had had to endure; they were no longer willing for their economies to be geared to meeting the needs of the Soviet Union. The rosy dream of state socialism had turned into a real-life disaster.

Thankfully, pragmatism is now replacing ideology. The transition to free-market economies will be painful in eastern Europe, but there is no alternative. The sooner that people in eastern Europe accept that pain, the sooner they will be able to reap the benefits. The degree of pain will differ from country to country.

Hungary is now trying to model its economy on western lines. It has a per capita income of only 55 per cent. of the EC average; it has an immense foreign debt. But it is well on the way to democracy. It is well placed to achieve commercial success.

Czechoslovakia has an average per capita income of 70 per cent. of the EC average. The recent elections there assure moves towards a free market. Czechoslovakia was once one of the world's leading industrial countries, and one of the world's richest countries with a long entrepreneurial tradition. It now has few products that can compete in world markets. It was the first country to manufacture motor cars, but now its industry is a shadow of its former self. In true socialist tradition, industry in that country has been bled to provide short-term production at the expense of long-term investment. But Czechoslovakia is also reasonably well placed to achieve success.

Perhaps the best chance of success is held by East Germany because of its links with the Federal Republic. It already has a per capita income of 75 per cent. of the EC average. It has the advantages of a pool of well-trained workers and massive investment from West Germany.

By contrast, Romania has a per capita income of only 35 per cent. of the EC average. It was once one of the richest agricultural countries in the world, but it is now dependent on food aid from the west. However, the problems there were not so much the problems of Communism but the problems of a feudal tyranny where truth simply did not exist and where the economy was based on lies and pretences. It now has a massive foreign debt, and the task that lies ahead is daunting.

Bulgaria has an income of 45 per cent. of the EEC average. Foreign trade there is still dominated by the Soviet Union, but it is taking tentative steps towards a free market economy.

Poland has an income of 40 per cent. of the EEC average. There, as we all know, the Communist party has been disbanded. There are bold moves towards a free market. Unprofitable enterprises are being closed, job security is being abandoned, monopolies are being abolished and privatisation is being vigorously pursued. Shock therapy in Poland is being applied to the results of state socialism. It is perhaps the bravest of all east European countries.

By contrast, Yugoslavia has an income of 45 per cent. of the EC average. It has traditionally had a much more liberal political regime. Over the years it has tried to pursue a halfway house. It has had free competition based on joint ownership of the means of production. However, it has been no more successful than its neighbours. Socialism in yet another form has failed and great changes are needed.

It is probably within the Soviet Union that the greatest problem lies. President Gorbachev knows that, in reality, there is no alternative but to introduce a free-market economy. His problem is in persuading the Soviet people of the short-term sacrifices that will be necessary. He was rightly credited with creating many of the opportunities for change in eastern Europe, but they came from a realisation on his part that the Soviet Union had no alternative but to withdraw from eastern Europe. He has a massive job to do. He said that even after many years of tried reforms Soviet workers continue to pretend to work and the state continues to pretend to pay them.

We hear a great deal about the level of financial support that will be needed from the west for eastern European countries. It is clear that private sector investment, particularly in newly emerging private companies, will be essential. However, money alone is not the answer, and nor is the straightforward transfer of technology. As Abraham Lincoln said, one cannot help people permanently by doing for them those things which they ought best to do for themselves. We in the west have to help them to facilitate change.

My hon. Friend the Member for Wokingham (Mr. Redwood) is well known for his views on eastern Europe. He has listed some of the things that he believes that east European countries have to do. He said that they must be serious about private property, reform the food supply system, achieve stable banking and monetary control, and institute massive privatisation. I agree with all those things. However, none of them will be possible without the right management skills.

The privatisation process in those countries is a colossal task compared with the privatisation programme carried

out by this Government over the past decade. It needs a new breed of manager. Managers must understand free-market systems. It needs individuals and organisations which are free to take their own financial decisions; and, above all, it needs entrepreneurial attitudes and activity. The transition from command economies to demand economies will not be possible without the right attitudes, and that must mean management training on a gigantic scale.

I want to suggest seven preconditions for management training to be successful. First, it must be easily understood. Most managers in eastern Europe lack the depth of education and training that most western managers have. Secondly, it has to be non-bureaucratic. Managers in the eastern bloc have had bureaucracy and they want no more of it. Thirdly, it must be practical. It must be in a form that can be readily applied in organisations in eastern Europe.

Fourthly, it must be experiential. There is not the time or resources available to train managers in a formal sense. The training has to be largely on the job. In any event, experiential learning is much more cost-effective and achieves a much better transfer between learning and organisational change than formal education and training. Fifthly, it must impact on as many levels of organisations as possible. Seeding will be vital at all levels of organisations.

Sixthly, it must be geared to market economics. History shows that free-market systems usually bring freedom and prosperity while planned economies generally fail. Finally, it must be based on entrepreneurial values. Eastern Europe needs managers who are risk taking, pioneering and have the capacity to seize opportunities. The fundamental task is to develop managers who hold values consistent with the free market and who have the competence to steer organisations through the turbulent waters that lie ahead.

The values of capitalism are different from the values of communism and socialism. What are the values of capitalism, and what values will managers in the east need if they are to be successful? I believe that four major and fundamental tasks lie ahead of them. First, they must re-establish the proper role of management, and in doing so they must address three issues. They must address the issue of power, because in demand economies only managers can manage. The state must let go of the management process and managers must take charge of the destiny of their organisations They must address the issue of elitism.

In successful economies, management's role must be seen as vital. Organisations in the east need to understand the importance of getting the most able people into management and of continuously developing their competence. As they rid themselves of political elites, it may be hard for them to understand that, in some senses, they must create managerial elites. They must address the issue of awards. Organisations succeed because they identify what constitutes success and rewards it. Successful managers must earn more than unsuccessful managers. There is an old saying that organisations that pay peanuts get monkeys, and there is no room for monkeys in management.

The second major consideration of organisations in the east is taking charge of the task. In any organisation, results count, and in eastern Europe the system has often overshadowed the task. Bureaucracy and false assumptions have generally inhibited accomplishment. They must address issues such as effectiveness. Market-led organisations must set their own objectives and focus on the right issues. They must also address the issue of efficiency. It is not enough to focus effort on the right things; resources must be used efficiently.

Eastern European organisations have been characterised by an inefficient use of resources and they must address the issue of accountability. The principle of the profit and loss account gives commercial organisations their ultimate measure of success. Everything costs money and someone somewhere must pay. As Milton Friedman says, there is

"no such thing as a free lunch."

The third major task that organisations in the east must undertake is to establish effective relationships within their organisations. Organisations are essentially about people, and without commitment no task gets done. They must address the issue of concern. Management, by its actions, greatly affects people's lives inside and outside the workplace. Experienced managers in the east need to use power with compassion and to build trust and commitment. They must address the issue of synergy, because well organised and motivated groups can achieve much more than the sum of the individuals who comprise them. Successful organisations must derive the benefits of team work, and they must address the issue of justice. Every community must have a framework of laws that regulate conduct, and successful organisations must develop such a system. That will not be easy in countries that do not yet have justice at national level.

The fourth major task they must address is external relationships, by which I mean relationships with the free market. Organisations in eastern Europe, which have lived in command rather than demand economies, have not yet faced up to the real world. They must address the issue of threat because in every commercial organisation talented people are planning how to expand their business at the expense of the competition. They must address the issue of competitiveness because that is the only sure-fire recipe for survival. In the world of free markets, the fittest survive and the weakest go to the wall. They must address the issue of opportunity, because, despite the most brilliant planning, it is inevitable that the unexpected threat and the unexpected opportunity will occur. As most Ministers and Governments will be able to testify, no one can afford to ignore the unexpected. Successful organisations are committed opportunists.

That is the agenda for management in eastern Europe—four principal tasks and 12 key issues. Let me suggest 12 golden rules that need to be applied in management in eastern Europe if management is to be successful. Managers must manage. The cream in organisations must be at the top. Rewards must relate to performance. Objectives must be clear. Enterprises must be efficient. Financial reality must be established. Enterprises must care. All must play as a team. Justice must prevail. Enterprises must defend themselves. They must strive to be the best. They must be committed opportunists.

These are essentially the values of the free market. In my view, the emergence of re-emergence of those beliefs will determine the economic success of eastern Europe and the Soviet Union, but we in Britain can and should play a part. Much has already been done, and I commend the Government for what they have done, but if we focus on financial help, there is a danger that those systems that

[Dr. Mike Woodcock]

need to go will be shored up by it. We need to gear our help much more towards management training that is concerned with the values and beliefs which I outlined.

As we all know, Britain has a long entrepreneurial tradition. In the past decade, we have gone through some of the change processes that eastern Europe will have to go through. We in this country have re-established the dominant role of the free market and have cut bureaucracy and carried forward our privatisation programmes. Our industry is much leaner and fitter. Our managers have regained the right to manage. Our products are now competing again in world markets.

But the task in eastern Europe is massive compared with the task that the Government faced in 1979. The opposition that people in those countries will face will be a good deal stiffer than the opposition that the Government have faced since 1979. I want the Government to give them all the help that they can, but it must be of the right kind. The emergence or re-emergence of free market values is the key to success. It is the process of re-establishing the values of the free market that we in this country should, above all, encourage.

2.17 pm

The Minister for Overseas Development (Mrs. Lynda Chalker) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Does the right hon. Lady have the leave of the House to speak again? That being so, she may proceed.

Mrs. Chalker: Thank you, Mr. Deputy Speaker.

I am delighted that my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) has secured this debate, and I congratulate him particularly on the seven preconditions for the establishment of economic success which he posed.

Much of central and eastern Europe is now settling down to parliamentary democracy after the elections, but those newly installed democratic Governments have to tackle the most daunting economic problems in the world, or they will face further drift, decline and, at worst, even explosions of disappointed expectations. Their success will depend principally on their efforts, but it is very much in our interests that they should succeed, thus consolidating democracy, building up prosperity, expanding the potential for trade and ultimately enhancing our security. Conversely, a failure of economic reform in eastern Europe could lead to political and possibly military instability. We and other western Governments are therefore absolutely determined to do what we can to encourage reform and to strengthen democracy.

What, then, is the role of western Governments? Private sector companies from the west can provide much-needed investment, management and know-how and multilateral bodies can provide the necessary capital flows. The role of western Governments is to provide short-term assistance and technical co-operation and to help the new Governments to set up their own systems and institutions. We are concerned with not only economic but constitutional and civil institutions to ensure good government. But all of those need good management. That is why my hon. Friend's stress on management is so important.

We are concerned to provide a liberal trade regime, which will help eastern European countries to integrate into the world economy. That will help them to reduce their crippling dependence on the old communist barter trade system.

It is an essential part of our approach that there should be the most effective possible international co-ordination of the various national efforts to help central and eastern Europe. We have therefore played a full part in the work of the G24—that is to say, the group of 24 OECD donor countries under the chairmanship of the European Commission which is now responsible for co-ordinating national assistance programmes for Poland, Hungary, the German Democratic Republic, Czechoslovakia, Bulgaria and Yugoslavia.

We should not do this in an indiscriminate way, regardless of how committed the Governments of eastern Europe are to real political and economic reform. Differentiation—that is, matching the help that we give to the reality of reform in the country concerned—is a key element of our policy in the region. Following the disgraceful events in Bucharest on 13 and 14 June, we vigorously supported the decisions not to proceed with the EC's proposed trade and co-operation agreement with Romania and not to invite Romania to the meeting of the G24 Foreign Ministers on 4 July. I believe that to be absolutely right. But if we see evidence of moves towards genuine democracy and reform, including full rights for opposition parties and movements, we shall, of course, be prepared to reconsider.

What can we do to help? My hon. Friend recommends much stronger management training. But let us look at what we are doing already. Our multilateral assistance focuses on four institutions. First, the European Community has taken various far-reaching decisions, but, most crucially, it intends to give reforming central and eastern European countries improved access to the Community market. That must be the single most important means of integrating the countries into the liberal western trading system and thereby underpinning their economic and political reforms. The EC will soon begin talks on more advanced association agreements with the most reformed eastern European countries—Poland, Czechoslovakia and Hungary.

Secondly, the European Training Foundation and the TEMPUS scheme will forge closer links between universities in Poland and Hungary on the one hand and those in Community countries on the other.

The third institution is the European Bank for Reconstruction and Development, which we discussed on Tuesday. The new bank will play a vital role in developing the private sector in eastern Europe. We are delighted with the decision to site the EBRD in London. We shall ratify the agreement shortly, and I hope that the bank will soon be ready to start effective operation—always insisting that the projects in which it becomes involved are, indeed, well managed.

Finally, we have the IMF and the International Bank for Reconstruction and Development. All the eastern European countries are either members of both bodies or are working towards membership. The IBRD will be the biggest single source of capital assistance for central and eastern Europe.

Our bilateral assistance programme, on which my hon. Friend focused, is aimed at helping the countries to build up their democratic institutions and giving them technical

assistance and training, especially in areas such as financial services but also in law, in which Britain has something special to offer. All those things are necessary, in addition to the matters of which my hon. Friend spoke.

Our main effort is channelled through the know-how fund. The know-how strategy has been to make sure that the fund provides British advice, skills and training. We concentrate on the sectors in which we have particular expertise and take account of the specific Governments' expressed priorities. The strategy is also aimed to push investment by United Kingdom companies which, with their experience, can work alongside people from central and eastern European countries, for so long denied not only democracy but a market-led economy. Our companies can teach them and help them to find ways of realising how to be successful.

The know-how fund has some priorities which will please my hon. Friend—the banking and financial services; the generation of new jobs for those who lose their jobs as the industrial restructuring gathers pace; advice on setting up small businesses and entrepreneurial activity; help for the energy sector, particularly in Poland and Czechoslovakia; establishing permanent links between Britain and central and eastern European institutions, particularly in management education and training. That is going on apace, but we cannot stop there. We have to do other things as well.

We shall be giving considerable help to combat the serious environmental problems faced by central and eastern Europe. For example, British electric utilities are co-operating with Poland and Czechoslovakia on ways of conserving energy and reducing the environmental damage caused by burning brown coal. I am sure that there will be many other such instances where the management and technology developed in the west is shared with those countries as they emerge into a new situation.

My hon. Friend mentioned the Soviet Union, and I want to make special mention of that country before I conclude. It is not the Government's intention to shore up any country in eastern Europe by giving it money. My right hon. Friend the Foreign Secretary described it exactly when he said that one does not give money to a man who has a pocket which is not sewn up, but rather a needle and thread and show him how to sew it up first and think about investing the money afterwards.

It is important that we see real economic reform coming first in the Soviet Union and elsewhere, but particularly in the Soviet Union where the need is so desperate, before we become involved in any question of investing money. We shall be extremely careful how we proceed. We are considering know-how funds for the Soviet Union in future, but at present we want to see economic reform. Then we can add to that.

In the English language we have an unrivalled means of extending British teaching and influence in eastern Europe. Our aim in each country is to replace Russian by English as the natural second language. We shall take full advantage of every opportunity to widen our cultural contact with eastern Europe. We plan to spend almost three times more this year than we did last year on awards for students for eastern Europe and the Soviet Union.

We have also enabled the British Council to spend an extra £2·25 million in central and eastern Europe. It will now be able to pursue its plans to set up cultural centres outside embassy premises. We are negotiating cultural agreements, which are just as important as the training and the financial know-how on which the development of the industries and the market economy in those countries will fall.

The British Council is developing a major initiative for a network of teachers in eastern European countries who have had British training and use British methods which they can pass on to others. The scope for expansion of British cultural activity and teaching is enormous. Given the resources, I am sure that the British Council will rise to meet the challenge.

Our bilateral help to central and eastern Europe is separate from and additional to our overseas aid budget for the developing countries, which is growing in real terms. No existing aid recipient will be penalised by the new activities that we are undertaking in eastern Europe. It is critical to underpin what they are seeking to do for themselves.

My hon. Friend spoke clearly from his wide experience in developing management education skills. Wherever there are opportunties to share our skills, business should seek to take them because that is a sound investment for business, not just for Government. We have said throughout that we want to stimulate the private sector in every way. That is why we are firm supporters of the European Bank for Reconstruction and Development. We want to stimulate the private sector, not just with investment but with know-how. That is why we have called our funds the know-how funds and why our response to events in eastern and central Europe was the first in the field. Our aid to eastern Europe this year alone could exceed £250 million, including debt rescheduling.

We have played an energetic and generous role in multilateral activities. We shall do that also in our bilateral activities. I assure my hon. Friend that management training and sound management methodology will be to the fore among all we do with the know-how funds.

Anglo-German Relations

2.29 pm

Mr. Brian Sedgemore (Hackney, South and Shoreditch): I begin by expressing my genuine delight to see the hon. Member for Watford (Mr. Garel-Jones) at the Dispatch Box for the first time in his new job at the Foreign Office. Not only does he have an exquisite taste in art, but he is a true internationalist. Should I, in unaccustomed fashion, make any criticisms of the Government during my speech, I wish to make it clear that I absolve the hon. Gentleman from all blame, for he is a good man.

Adolph Hitler looked for scapegoats and found the Jews. Enoch Powell looked for scapegoats and found the blacks. Our Prime Minister and her advisers looked for scapegoats and found the Germans. Thus does the carousel of history go round in a frightening circle.

History will record that 1990 was the year when "the German question" returned to Britain and when a Cabinet Minister and Prime Minister, in dealing with it, were found to be cruelly lacking in judgment and statesmanship. The former Cabinet Minister and Prime Minister for the time being demonstrated that the British establishment at the highest levels could be spiteful and vindictive and capable of pursuing a vendetta against an ally not for decades but for generations.

The Prime Minister and former Cabinet Minister showed that they were prepared to let their own sclerotic psychological hang-ups damage Britain's national interest and the future of European co-operation, and no amount of smiling through clenched teeth by European diplomats and Foreign Ministers, anxious to put on a brave face on the crisis in Anglo-German relations, can hide that.

Even so, I congratulate Chancellor Kohl and Germany's deputy Foreign Minister, Frau Irmgurd Adam-Schwaetzer, on the cool and sensitive way in which they handled the matter. Their behaviour was a credit to the new democratic Europe in which Germany plays a leading role. To be fair, our Foreign Secretary did not do badly, either, in trying to minimise the damage caused by the Prime Minister.

Civilised leaders around the globe, from President Bush down, have looked on open-mouthed as Britain has made itself look ridiculous. At home, the only people to benefit from the debacle are the anti-European rumps in both major political parties. Temporarily they have been provided with oxygen. Fortunately, in the parliamentary Labour party we have managed to marginalise our Dad's Army anti-European rump by demonstrating that there is more sound and fury than argument and substance in what they say.

But what of the Government and the Prime Minister? She seems intent on building up the strength of her Dad's Army anti-European rump. One of the tragedies of modern politics is that she would like to be the leader of the Bruges group of Tory dinosaurs. As such, she is clearly out of tune and out of place in the modern world. While she obviously thinks that she comes to these matters with the unconscious realisation of effortless British superiority, we all know that in fact she is the mad Queen.

What exactly is it that Britain wants Germany and the Germans to do to become equal partners in a modern, free Europe? Are we driven by the politics of envy, angry that the Germans should be able to handle the democratic process better than the British? Surely we do not want the Germans to copy us by debauching their currency and achieving British levels of inflation. Do we really want to see the streets of Cologne and Frankfurt strewn with rubbish, like Westminster and Tower Hamlets? Do we want the people of Dresden to be as uncultured and uncivilised as the people of Worthing? Do we really expect schoolchildren in Hamburg to be taught mathematics as badly as children are in Barnet? Surely we cannot expect German citizens to reduce their standard of living to ours.

I believe that Anglo-German relations should be based on five principles. First, Britain should wholeheartedly support German economic and monetary union. Secondly, we should applaud German unification and think about it in positive terms as a stabilising force in a new enlarged, democratic Europe, east and west. Thirdly, we should back Chancellor Kohl in his plan to help buy time for perestroika by providing aid and credit to Russia. Fourthly, we should commit ourselves at the intergovernmental conference in November to joining Germany and Europe in the drive for European monetary union and the creation of a single European currency. That means that we should give up our own batty proposals for a hard ecu. Fifthly, we should work together with Germany and our European partners on a policy of collective security. I hope that, by the time the 21st century arrives, the Warsaw pact and NATO will have disappeared and have been replaced by a pan-European defence and security system.

As regards German economic and monetary union—yes, it is going too fast; yes, it has caught up with West German domestic politics; and yes, there will be a short-term price to pay in higher unemployment in East Germany. But it will succeed and so will German unification. My own view is that GEMU will succeed with only a small rise in inflation in Germany and with little adverse effect on interest rates in the rest of Europe. I am reinforced in that view by having the agreement of the formidable Frau Schneider-Lenne of the Deutschebank. Ironically, the Prime Minister was in favour of German reunification right up the point when it became a practical proposition—when, sick with fear, she backed off as her anti-German phobia came to the surface.

Hovering over Britain's relations with Germany are Germany's relations with Russia, where the psychological traumas run even deeper. Chancellor Kohl wants to help President Gorbachev to buy time with aid and credit for perestroika. The Leader of the Labour party, my right hon. Friend the Member for Islwyn (Mr. Kinnock) discussed a Marshall plan with President Bush recently to help Russia. The EC, the International Monetary Fund and the World bank have been asked to help at two recent summits—one in Dublin, one in Houston. It is the British Government who have been dragging their feet. We should now recognise the need to help both Russia and Germany in this sphere. It is surely in our own self-interest and in the interest of peace in Europe to do so.

As regards European monetary union, I have no doubt that the next Labour Government will find it easier than the present Government to move forward with Germany and France and our other European partners. Labour's Back Benchers reaffirmed this week their wholehearted support for European monetary union in a report from the Select Committee on the Treasury and Civil Service. Our Front Bench spokesmen and women are moving carefully and intelligently in the right direction. In my view, nothing would do more to repair the damage in British-German

relations than a commitment by our Government to support European monetary union at the inter-governmental conference in November. EMU makes much more sense than simply joining the exchange rate mechanism.

The Government should drop their half-baked, hard ecu policy, which has been described by the president of the Bundesbank, Karl Otto Pohl, as too complicated and likely to create uncertainty. As Pohl has said:

"When the problem that bedevils the Economic Community is the existence of 12 currencies, a British proposal for the creation of a 13th currency is unhelpful".

Mr. Pohl also said:

"The Europe central bankers considered and rejected a proposal similar to that of the hard ECU some time ago."

He added that perhaps a country like Britain, with 9·8 per cent. inflation can learn a lot from a country like Germany, with 2·3 per cent. inflation.

Yesterday, as I listened to the Chancellor unfold his hard ecu plan in the Grand Committee Room to the Select Committee on the Treasury and Civil Service of which I am a member, I realised that it was literally touched with lunacy and would create chaos in the money markets of Europe if it were put into effect. The Germans, the French, the Italians and others would have to be barmy to adopt the hard ecu proposal.

My personal life seems to have been bound up, at critical moments, with the life of Germany. As I told the House a few weeks ago, my father died in 1939, when I was two years old and the German battleship Scharnhorst sank HMS Rawalpindi. My mother was six months pregnant with my sister then, so times were difficult; but neither my sister nor I was brought up to dislike Germany, let alone to hold grudges down the decades.

When I left school I lived in Germany for two years, and I have fond memories of both the country and the people. When the Treasury Select Committee recently visited Frankfurt and East Berlin, it was impossible not to be caught up in the excitement, the apprehension and—yes, perhaps the hysteria of German economic and monetary union and German reunification. Next week, a friend is coming from Berlin to stay with me for a while. I ask the Minister: what message do I give her? Is she coming to a friendly country with a friendly Government—a trustworthy ally—or is she making a visit to perfidious Albion?

Let me conclude—thus giving the Minister five minutes more than he expected—by asking the Government and the Prime Minister, in whom so much animosity has been stirred up, to heed the words of the 1662 Book of Common Prayer:

"from envy, hatred, and malice, and from all uncharitableness, Good Lord, deliver us."

I ask that in the name of Britain, in the name of Germany and in the name of Europe.

2.41 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Tristan Garel-Jones): The House will be aware that I have led a rather sheltered life for the past eight and a half years, and, if there is nothing else for which I can thank the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore), I can at least say that his remarks, which are always on the one hand characteristically urbane and on the other characteristically thuggish, have today brought me back rather abruptly to the seamier side of political life. I am also grateful for the personal comments with which he began his speech—although I must add that he had better not go on like that, or my stay at the Foreign Office is likely to be brief as that of Mr. Patrick Gordon Walker.

As the whole House knows, the hon. Gentleman is far too intelligent to believe a great deal of what he said at the beginning of his speech—and, for that matter, a great deal of what he said at the end. Accordingly, I propose to do him the courtesy of addressing the subject that he tabled on the Order Paper: the current state of Anglo-German relations.

The relationship between British and the Federal Republic of Germany is of the utmost importance to Her Majesty's Government. It has helped to ensure security and stability in Europe for 40 years. My right hon. Friend the Prime Minister, addressing the Königswinter conference in Cambridge on 29 March this year, described the close Anglo-German partnership at the heart of NATO and Europe as essential to the success of both; she recalled the considerable part that Britain had played over the past 40 years in creating the conditions in which German unity could be achieved in freedom—for example, in Berlin and through the British forces in Germany. But, as she said on that occasion, our relations with our German friends have not been a one-way process. The federal republic has been the staunchest of allies in NATO, and we shall always be grateful for the strong support that we have received from successive German Governments for our membership of the European Economic Community. The Anglo-German summit on 30 March was also highly successful, and our relations with the federal republic have continued to be close and warm. This is the culmination of work that has taken place over many years.

Neither country will forget the tragedy of the two wars that have devastated our continent during this century, but, through the common desire of our two countries to make a new start and to create a new stable and democratic Germany, we have built a strong friendship.

The federal republic is a democratic state of over 40 years' standing. This will not change after unification. We are proud of the part that Britain has played in helping to build a prosperous and democratic German state. We have constantly advocated the right of self-determination by the German people. We have long believed that a united Germany was of profound importance to Europe as a whole. Anthony Eden spelled this out even more specifically in 1955 in Geneva when he said:

"as long as Germany is divided, Europe will be divided. Until the unity of Germany is restored there can be neither confidence nor security in this continent."

Mr. Sedgemore *indicated assent.*

Mr. Garel-Jones: I am glad to see that the hon. Gentleman assents to that proposition.

In common with other western countries, we have worked to create the conditions in which German unity could be achieved in freedom.

The strength of Anglo-German co-operation is well shown in the current discussions on unification. We have been working energetically within the two plus four framework to achieve an early resolution of the external aspects of unity—the termination of four—power rights and responsibilities and an overall settlement; Berlin; borders; and discussion of certain politico-military issues. Good progress has been made in all these areas.

[Mr. Garel-Jones]

On borders—in particular the issue of the Polish-German border—the foundations for a satisfactory outcome have been laid. Both German states have said that they will respect the existing Oder-Neisse border, and it has been agreed that there should be a legally binding treaty between Poland and a united Germany that confirms that border.

On politico-military issues, there have been differences of opinion between the west and the Soviet Union on Germany's membership of NATO. We, in common with our NATO allies, argued for a united Germany belonging to NATO. Germany had the right under the Helsinki Final Act to decide whether to belong to an alliance, and has chosen to remain a member of NATO.

The breakthrough registered between Chancellor Kohl and President Gorbachev at Stavropol on 16 July was a remarkable achievement for both men and for good sense. President Gorbachev has accepted the prospect of a united Germany in NATO. That is a great personal success for Chancellor Helmut Kohl. The outcome can be attributed in part to NATO's lead in adjusting to the changing face of Europe, as the NATO summit conference in London on 5 and 6 July and the London declaration showed.

It shows also that in President Gorbachev we are dealing with a very different kind of leader of the Soviet Union than those we have known hitherto. The changes made possible through his vision and courage have enabled the alliance to extend the hand of friendship to eastern Europe in the way in which the hon. Member for Hackney, South and Shoreditch referred. The London declaration helped to persuade the Russians that a united Germany in NATO poses no threat.

As for the EC aspects of unification, Britain supports the German Democratic Republic's fullest integration in the shortest time. It will not be a simple matter to agree on which derogations from EC law will be needed for the ex-GDR after unification or on how long they should last. There is much detailed work to be done within a short time, but we believe that the integration of the GDR will bring real advantages to the EC as a whole.

In all these areas, we are working closely with the Germans towards the fulfilment of a common goal—the establishment of a sovereign, democratic and united Germany. We are confident that we shall soon see a single unified Germany taking its place in the family of nations.

We work closely with the FRG on European Community issues. We have fought hard and successfully together to keep the Community open to its world trading partners in avoiding a fortress Europe, and have co-operated on many specific pieces of single market legislation—for example, last year's important second banking directive. The records of the United Kingdom and Germany on implementing EC legislation are at the top of the Community league table.

There is much else in our continuing relationship. Bilateral trade between our two countries has long been of great importance to us both. Germany is Britain's main European trading partner. The opening up of East Germany provides an opportunity not only for all Germany but for British business. We hope that British business men will seize those opportunities and take maximum advantage of them.

Trade flows are not the only form of interdependence. Overseas investment flows between our two economies have drawn them even closer together. According to the federal Ministry of Finance, German companies had more than £3 billion of direct investment assets in the United Kingdom at year-end 1987, and direct investment assets by United Kingdom firms in Germany were more than £4 billion.

A vast range of non-governmental contact between our two countries enhance the fabric of Anglo-German relations. I mention trade, but there are in addition family ties and friendship, mentioned by the hon. Member for Hackney, South and Shoreditch, tourism, art and culture. I am particularly pleased to inform the House that my own constituency of Watford formed a twinning link with the German town of Mainz as long ago as 1956.

The hon. Member for Hackney, South and Shoreditch made derogatory remarks about the inhabitants of Worthing, but I assure him that neither they nor the residents of Watford consider themselves uncultured or uncivilised. I recognise that it is part of the arrogance of socialist intellectuals such as the hon. Gentleman that he will look over his shoulder at my constituents and those of my right hon. Friend the Member for Worthing (Mr. Higgins). In any event, over the past 35 years, my constituents have travelled to and from Mainz, building up their networks of friendship and understanding with the people of that town—which, as the hon. Gentleman will know, happens to be in the Rhineland Pfalz, that is, in the constituency od which Chancellor——

Mr. Michael Brown (Brigg and Cleethorpes): My hon. Friend will be strengthened in his argument to know that Cleethorpes is twinned with the town of Königswinter, and that only six weeks ago, Glandford, which I am also privileged to represent, was twinned with Landkreis Gifhorn. That emphasises my hon. Friend's contention.

Mr. Garel-Jones: I am grateful for my hon. Friend's intervention. Königswinter symbolises the efforts made not just at constituency-to-constituency and town-to-town level, but at governmental level—and even at the level of intellectuals, such as the hon. Member for Hackney, South and Shoreditch—through the Königswinter conference. My constituency is a precursor in establishing such links, which have helped to build up the friendship and trust that now exist between our two countries.

My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has met his German colleague Herr Genscher no fewer than 27 times since the beginning of this year, and Herr Genscher will be his guest at Chevening this weekend. My hon. Friend the Prime Minister will receive Herr Genscher on 30 July, and she hopes to see Chancellor Kohl again in the near future.

I hope that my remarks have shown the hon. Gentleman and the House the variety and importance of British-German relations, and the significance that the Government attach to them. Our friendship is durable and our partnership with the German republic is broad and deep. Britain and the federal republic are important to each other in four significant areas of policy. With the approach of unification, there is potential for an even closer co-operation, and the Government certainly look to the future with confidence and enthusiasm.

The hon. Member for Hackney, South and Shoreditch, as I said in my opening remarks, has two modes: at times,

he poses as a revolutionary thug, and at others he is a thoughtful, but sometimes rather excitable, contributor to our debates. I prefer the latter mode. Today we have had a flavour of both. The House had the opportunity to see him in the more thoughtful mode on 15 June, when he initiated an interesting debate on the European Community, in which he announced his Pauline conversion to the European cause. This came as something of a shock to his hon. Friends who normally accompany him on the Bench below the Gangway—the hon. Members for Bolsover (Mr. Skinner), and for Bradford, South (Mr. Cryer), who, alas, are not in their places today.

Conservative Members would simply say, "Welcome to the club," to the hon. Gentleman. Although we note that, with a characteristic excess of zeal, which would have made Talleyrand turn in his grave, he has gone over the top because—if I understand him correctly, and I read his speech on 15 June with care—he wants a single currency tomorrow.

Mr. Brian Sedgemore: 1997, actually.

Mr. Garel-Jones: The hon. Gentleman believes that Mr. Delors is the greatest living European—greater even than the right hon. Member for Islwyn (Mr. Kinnock), the Leader of the Opposition. I suspect, having become a convert to the European cause, the hon. Gentleman regards the Leader of the Opposition and his other comrades on the Opposition Front Bench as belonging to that Dad's Army which he referred to, and from which he is such a recent, but distinguished deserter.

When the hon. Gentleman opened the debate on economic and political developments in the Community, he again made a reference to his father, which both touched the House and did credit to him. I suspect that those who suffered during the last war or who, like the hon. Gentleman's father, gave their lives in that war, would welcome the new Europe to which Anglo-German friendship and co-operation have made and continue to make such a notable contribution.

I am exceedingly grateful to the hon. Gentleman for having brought me back from the quiet, rather spiritual world to the hurly-burly of the House. We are delighted that, after a lifetime of campaigning with the Labour party against British membership of the European Economic Community, he has come to us—and he is very welcome.

We do not agree with him about a single currency. The British Government are advancing their own proposals for the hard ecu, but, without being patronising, I think that the hon. Gentleman will be listened to with greater respect if he manages to eliminate the element of thuggery from his interventions in European debates. I was especially sorry that the hon. Gentleman felt it necessary to begin his speech by speaking as he did about my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley) whose contribution to public life, to the House and to the European cause is both distinguished and long-standing in a way in which, I am afraid, the hon. Gentleman's is not.

British Coal (Cannock Site)

2.59 pm

Mr. Gerald Howarth (Cannock and Burntwood): It is said that the finest wines are always left until the end. Approaching the end of the Session, we have been privileged to listen to the vintage port contribution of my hon. Friend the Member for Watford (Mr. Garel-Jones). It was wonderful to see the ease with which my hon. Friend made his "maiden" speech for the first time in eight years, and how he has translated himself with such dignity and simplicity from the centre of the spider's web to the centre stage. As he is a member of the distinguished Watford football club, perhaps I can say that he has moved from goalkeeper to centre forward.

As one of the few hon. Members who can genuinely say, "Ich bin ein Hamburger"—that is a reference not to McDonald's, but to my childhood which was spent in Hamburg—I took great interest in what my hon. Friend has just said, as, I am sure, did the whole House. Just as he has been watching us over the past eight years, so we shall now have great pleasure in watching him and making sure that he does not swallow too fully some of the Foreign Office briefs. On this, his first outing, he has clearly shown the characteristic independence of spirit that we have come to associate with him.

To enable my hon. Friends to depart on holiday, I now turn to my Adjournment debate. It is a privilege to have the opportunity of being the tail-end Charlie of the parliamentary Session and to initiate our final debate before the summer recess. However, I fear that it is a corresponding duty for my hon. Friend the Under-Secretary of State, upon whose shoulders the response falls. I apologise if I have detained him from travelling to his delightful constituency of Banbury, where I was at school I am delighted to see him on the Front Bench and hope that he will take some of my points on board.

I begin by setting the debate in context. I represent the constituency of Cannock and Burntwood, which measures approximately 10 miles by five. In 1945 there were no fewer than 22 coal mines in my constituency, whereas today there is not one. There are two deep mines just outside, at Littleton in the constituency of my hon. Friend the Member for Staffordshire, South (Mr. Cormack), and at Lea Hall, in the Mid-Staffordshire constituency. There has been some opencast work in my constituency and British Coal has submitted an application for a further substantial opencast site.

Although there is no mining activity in my constituency at the moment, there is nevertheless a strong mining culture. Many of my constituents have either worked in the coal industry or have come from families which, for generations, have contributed to the winning of coal, which is often a difficult and dangerous task. As I have said, there is therefore a strong mining culture in the area. I have repeated that because it is important for what I shall say later.

I have sought to detain the House on this matter because British Coal owns a substantial amount of land in the area and, in 1984, sought planning permission for a substantial private residential development, which would ultimately lead to the construction of about 2,400 houses. The site is to the east of Cannock—my hon. Friend has a map so that he might better identify the area—and to the west of Heath Hayes. It is a substantial development. In

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recognition of the size of the development, the local authority entered into what is known as a section 52 agreement on 17 January 1985.

One of the essential features of that section 52 agreement is the safeguarding of a site called the school site. It imposed a restrictive covenant on the site prohibiting non-school development and gave Staffordshire county council an option to purchase the site after 700 houses had been built. After 1,500 houses have been built, the developers may require the county council to choose between purchasing the site and cancelling the option and restrictive covenant. That agreement applied when British Coal sought planning permission for the development that is now taking place.

There are two schools in the area—the Fiveways school and Gorsemoor primary school. I shall concentrate on the Gorsemoor primary school, which is more important to my argument. It has 508 pupils and accommodation for about 390 places, plus temporary accommodation for another 180 pupils. The school is grossly overcrowded. There are two large classes of 35 children each. The headmaster and the teachers would prefer to divide the pupils in those classes into three classes of a more manageable size. There are two Portakabins, with no running water and no computer facilities, and pupils have to brave the elements and sometimes walk through rain and snow to reach the main school buildings. My constituents find that unacceptable. They are up in arms because the school is overcrowded.

Many of the people buying houses on the new estate on Hawks Green have young families. The houses are not cheap—about £90,000 to £100,000 for a three or four-bedroomed house. People have moved there from other parts of Staffordshire and from other parts of the country to that very fine estate. Many of them have moved there taking into account the fact that when they go around the estate they can see a large site behind the supermarket which they have been told by their legal advisers has been earmarked for a school.

When parents move house, they consider what school facilities will be available for their children.

What has happened since that section 52 agreement in 1985? There have been no negotiations whatsoever with British Coal. Although 700 houses have been built and the county council has informed British Coal that it wishes to negotiate about using that site for a school, British Coal has not negotiated in earnest.

No real progress has been made because British Coal has claimed a value for the site based on commercial or residential alternatives. On that basis, British Coal is claiming that the land is worth about £1·5 million. Clearly the county council cannot pay £1·5 million for the site. British Coal entered into an agreement which is headed quite simply, "The School Site"—it could not be less equivocal than that—and it is quite clear that that site has been earmarked and reserved for a school.

It is scandalous that British Coal is arguing that the valuation of the site should be based on its residential land value. Clearly, if it was unable to sell the site for the development of houses, it would be worth only a matter of thousands of pounds. We are talking about £10,000 at most for the value of open space land or £1·5 million which, it is correct to say, would probably be the valuation if it were to be developed for housing.

The point is that it was never intended that the site should be developed for housing. It should be developed in that way only if the county council decided not to exercise its option which was built into the agreement by which planning permission was given to develop the site for a school.

It is outrageous that British Coal is dragging its feet in this way. Clearly Staffordshire county council is not in a position to pay £1·5 million, and the district auditor would think that it was off its rocker if it did so.

When my constituents raised this issue with me, I sought some satisfaction from the county council. It told me that the negotiations had run into the sand. I wrote to the chairman of British Coal, Sir Robert Haslam, and received a reply from the deputy chairman, Robert Kendall. The letter said:

> "As you know, the difficult financial position facing the Industry at the moment means that it is necessary for us to achieve the best possible proceeds from the sale of our assets. The financial reconstruction to which you refer"—

I referred to the £6·5 billion that the Government have contributed to British Coal for its capital reconstruction—

> "does not lessen this responsibility—indeed, it makes it all the more incumbent on British Coal to behave in a responsible, commercial fashion and justify, through our results, the faith the Government is showing in the coal industry through this important and welcome step . . . we appreciate the need for appropriate services to be provided, including the need for education facilities to be made available for the new residents moving into the development. However, this does not lessen our need to ensure that a realistic price is agreed for the land in question."

I understand that British Coal has an obligation to ensure proper stewardship of the public funds paid to it —it is taxpayers' money. However, since the coal industry has been under the auspices of the Government, it has improved its profitability and productivity and my constituents, no less than others around the country, have made their contribution to its improved success.

I find the attitude of British Coal's deputy chairman contemptible. I do not say that lightly. Only an industry that is completely unaccountable and had no shareholders could behave in that way. However, nominally, Mr. Speaker, you and I are shareholders, as is my hon. Friend the Minister and everyone else in the country. The truth of nationalisation is that nobody owns the industry and those who run it are, effectively, a law unto themselves. In my view, no private sector business could conduct its affairs in the way that British Coal does. My constituents on the Hawks Green estate at Heath Hayes feel aggrieved about the way in which they have been treated.

I recognise that my hon. Friend the Minister can do nothing about this for the time being because, under the nationalisation legislation, the coal industry is solely responsible for determining the national interest. I know that he will tell me that he does not have day-to-day responsibility for British Coal. By raising this matter today, I am seeking to impress upon the management of British Coal that it cannot go on behaving as if it is a law unto itself. It has responsibilities, and it is time that it faced up to them. I do not believe that a private sector company would ride roughshod over people in the way that British Coal has. It would consider it extremely disadvantageous to its commercial and trading prospects so to upset a large

section of the community in which it worked and would ensure that it avoided the situation in which British Coal has got itself.

Despite the undertaking given by the deputy chairman of British Coal that he would ask his officials to enter into negotiations with Staffordshire county council in good faith, I am sorry to say that those negotiations again appear to have run into the sand.

I mentioned the context in which I wished to set my remarks—the strong association of my constituency with the coal mining industry, the lives of my constituents and their forebears that have been lost in the winning of coal and the strong coal culture that remains. I find it astonishing that British Coal, whose heavy lorries trundle through my constituency to the aggravation of many of my constituents, whose work undermines the houses in which my constituents live—then it quibbles about compensation for coal mining subsidence—which wanted to mine about 1,300 acres of open field to win coal by opencast methods and which rely on the good will and work of my constituents to win its coal can so slap them in the face over a matter as important to them as the education of their children.

Even if my hon. Friend the Minister is unable to say that he can resolve the problem to my satisfaction, I hope that he will be in no doubt, and that he will convey the feeling to British Coal, that my constituents are fed up to the back teeth with its cavalier treatment and want the industry and its senior management to respond to their concerns.

It will be no good saying that Staffordshire county council is making contingency plans to expand the Fiveways school. That is plan B; plan A was stymied by British Coal. The county council had to do something in the meantime, so it proposed to expand the Fiveways school. That alternative is not acceptable to my constituents, because that school is further away and it involves primary school age children crossing a fairly busy road. They bought their houses in the firm expectation that a site marked "The School Site" in the agreement with the county council would indeed become the school site. They had not reckoned on the prevarication and duplicity of British Coal.

It will not be a sufficient get-out for British Coal to say that the county council has made alternative plans. The county council has indicated to me its desire is to build a school on that site and that it will be needed. About 800 or more houses have been built on the estate, and the total number planned is 2,400. It will be an enormous estate. The downturn in the property market elsewhere is not affecting sales and the likelihood is that there will be increasing pressure on scholl places.

That site is therefore needed, and I hope that by raising the matter this afternoon on the final day of the Session before my hon. Friend the Minister departs to take a well-earned holiday—indeed, after all your endeavours in the Chamber, before you, Mr. Deputy Speaker, take a well-earned break—and before British Coal's directors gather their buckets and spades to go to the seaside, they will note that some of us are extremely angry with British Coal's performance.

When I tried to telephone the deputy chairman at 5.50 pm last night, neither he nor the chairman was available and I was able to obtain only the press department. By contrast, I was able to telephone the Department of Energy at seven o'clock, and the Minister's team were on hand and able to assist a Member of Parliament. I was most impressed by that, and my hon. Friend could give a clear lesson to British Coal on how to manage its affairs.

The final lesson that I hope my hon. Friend the Minister will take on board is that there is only one answer for British Coal: the sooner it gets into the private sector and is exposed to all the rigours of free enterprise and the need to satisfy customers and live at peace with its neighbours, the better the country will be served and the more likely we are to win coal competitively.

3.19 pm

The Parliamentary Under-Secretary of State for Energy (Mr. Tony Baldry): I congratulate my hon. Friend the Member for Cannock and Burntwood (Mr. Howarth) on his success in the ballot today. This subject is of understandable concern to him and to his constituents, and he put his case with characteristic clarity and in his own way.

I should like at the outset to make a couple of general points. First, my Department does not have a role in matters of this type. As my hon. Friend knows, the Government take the view that it is not their function to tell industry how to run its business. Even with the remaining nationalised industries, we believe that, wherever possible, they should be allowed to get on with their business, make their own decisions and stand by the consequences. In the case of British Coal, decisions on the disposal of property are quite rightly one of the matters that we leave to the judgment of British Coal's management. Only the management understand British Coal's operational needs and consequently how best to make use of the property that it owns.

The second general point which I should like to make, and which I hope my hon. Friend will appreciate, is that the Goverment must expect the corporation as a general rule to maximise the proceeds from the sale of its assets. A private sector company is obliged to get the best deal on behalf of its shareholders. British Coal, whose shareholders are effectively the taxpaying public, cannot behave any less responsibly in these matters, as my hon. Friend fairly acknowledged.

My hon. Friend was right to point out that British Coal is a large organisation and, moreover, an organisation which has just recently undergone a substantial restructuring of its finances with the passage of the Coal Industry Act 1990. However, British Coal is expected to record a substantial loss in the last financial year. It was operating in a difficult and increasingly competitive market; it had its third mild winter in succession; and it has been undergoing an extensive programme of restructuring over the past five years. Restructuring is essential for the long-term well-being of the corporation, but it does have considerable short-term costs.

It is also important to be clear that the new Coal Industry Act does not simply represent a largesse of cash on the part of Government and taxpayers which will allow the corporation to spend freely. The purpose of the Act was to eliminate the bulk of the corporation's accumulated deficit, hence reducing the burden of interest payments it previously had to carry. It was not our intention to insulate the corporation from the realities of the marketplace, hence encouraging it to act in an uncommercial or uneconomic way. Our intention was rather to give British Coal the chance to compete and

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succeed in a difficult market, as I believe it will. It is up to British Coal to honour the trust that the Government have put in it.

I hope that my hon. Friend does not assume from the stress I have laid on these general principles that I do not appreciate his concern on this matter. As he acknowledged, I will not be able to resolve the question here today, nor would my hon. Friend expect me to do so. However, I do believe that the parties involved should be able to reach a solution in time.

I understand that the point at issue is that British Coal sold the land in question to a developer at the rate for agricultural land and subject to an agreement under section 52 of the Town and Country Planning Act 1971 reserving the land for educational purposes. British Coal would at a later stage receive from the developer the difference between what it had already received and the price that the developer received from the local education authority. The dispute is about whether the section 52 agreement has reduced the value of the land, and hence the amount of the payment still due to British Coal, and, if so, whether the developer and British Coal are entitled to compensation.

A very similar case is currently before the Lands Tribunal. The outcome of that case will clarify the current legal position, and permit negotiations between Staffordshire county council, the developer and British Coal to take place on a much firmer basis than before.

Mr. Howarth: My hon. Friend has referred to the outstanding Lands Tribunal case. Is he aware that in that case the council—Nottinghamshire county council, I belive—has been in litigation since 1984? Frankly, my constituents are not prepared to wait yet another six years while British Coal drags its feet and tries to misrepresent what was a clear agreement, to try to screw more money out of the county council.

Mr. Baldry: I understand that both parties—Staffordshire county council and British Coal—accept the need to await the outcome of the other case and are content to let matters rest in the meantime. Knowing of this debate today, I asked officials in my Department to investigate and, as far as I am aware, neither side is accusing the other of delay or procrastination.

Against that background, I hope that my hon. Friend will agree that the most sensible course—which appears to be the course being adopted and advocated by the parties concerned—is to await the outcome of the case before the Lands Tribunal. However, as I have said, I appreciate the strength of my hon. Friend's feeling on this matter and his understandable desire that it should be resolved speedily and equitably. I will therefore ensure that the points that he has raised in his speech are brought without delay to the attention of the chairman of British Coal and I will ask the chairman to ensure that when the Lands Tribunal has reached its decision on the other case the matter is resolved as quickly as possible.

On a lighter note, may I say that I am aware that mine will be the last speech from the Dispatch Box before the House rises for the summer recess. For Government Departments and Ministers, it will be business as usual, but to those who have some spare time during the recess, may I recommend the third edition of British Coal's "A Guide to Steam Trains in the British Isles", compiled for the Association of Railway Preservation Societies with sponsorship from British Coal. In it, one will find the details of more than

> "120 Steam Railways, Steam Centres and Museums where you can see on operating days steam locomotives of all sizes from the narrow guage to main line express types. In addition for the first time this year there are details of regular steam trains operating over the main lines of British Rail."

From Bangor to the Bluebell line, there are some excellent excursions to be had, and I hope that those of my hon. Friends—and perhaps you, Mr. Deputy Speaker—who may have some free time will be able to take advantage of an enjoyable day out looking at some of Britain's great industrial heritage.

Mr. Deputy Speaker (Mr. Harold Walker): May I add to what the Minister has just said by wishing all hon. Members and all those who serve us a happy and enjoyable recess? I hope that every one of them gets a holiday, including Ministers.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Three o'clock till Monday 15 October, pursuant to the Resolution of the House [23 July].

House of Commons

Thursday 6 September 1990

The House met at half-past Two o'clock, notice having been given by MR. SPEAKER, *pursuant to Standing Order No. 12 (Earlier meeting of the House in certain circumstances).*

PRAYERS

[MR. SPEAKER *in the Chair*]

DEATHS OF MEMBERS

Mr. Speaker: I regret to have to inform the House of the deaths of Ian Reginald Edward Gow, TD., Member for Eastbourne, of Charles Patrick Wall, esquire, Member for Bradford, North, and of Allender Steele Adams, esquire, Member for Paisley, North, and I desire on behalf of the House to express our sense of the loss we have sustained and our sympathy with the relatives of the hon. Members.

NEW WRIT

For Knowsley, South, in the room of Sean Francis Hughes, esquire, deceased.—*[Mr. Foster.]*

BUSINESS OF THE HOUSE

Resolved,

That this House at its rising to-morrow, do adjourn until Monday 15th October; that at this day's sitting, Mr. Speaker do adjourn the House at Ten o'clock, without putting any Question; and that, at to-morrow's sitting, Mr. Speaker shall at half-past Two o'clock put the Question already proposed from the Chair.—*[Sir Geoffrey Howe.]*

Mr. Speaker: No fewer than 98 right hon. and hon. Members wish to take part in this important two-day debate. Therefore, I think that the House will understand if I put a limit of 10 minutes on the speeches between 6 and 8 o'clock this evening. I ask right hon. and hon. Members who may be called before or after that time to bear that limit in mind.

The Gulf

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Renton.]*

2.37 pm

The Prime Minister (Mrs. Margaret Thatcher): May I first express our deep sorrow at the loss of a greatly loved colleague, Ian Gow, and our sympathy to his family; and also express our sadness at the loss of the two other hon. Members to whom Mr. Speaker referred, Mr. Adams and Mr. Wall, who were taken from us so suddenly, and extend our sympathy to their families, too.

The Government have asked for Parliament to be recalled to discuss the grave developments in the Gulf over the last few weeks.

In the early hours of 2 August, Iraq invaded and occupied Kuwait, a peaceful, independent country and a member of the United Nations since 1963. It was a flagrant and blatant case of aggression.

The United Nations Security Council responded promptly, demanding first Iraq's immediate and unconditional withdrawal, and subsequently restoration of the legitimate Government of Kuwait. When after a few days Iraq had failed to respond, the Security Council imposed comprehensive sanctions and later authorised the use of force to implement them.

Meanwhile, in response to requests from King Fahd of Saudia Arabia and other Gulf rulers, the United States, closely followed by Britain, immediately deployed ground, air and naval forces to deter further aggression by Saddam Hussein, and in support of the Security Council's decisions. More than 20 other countries, including several Arab nations, have now sent or committed themselves to sending forces.

British and other foreign citizens in Iraq and Kuwait have been caught up in the crisis, and are being used by Iraq as hostages in a way which has caused revulsion throughout the world. Embassies in Kuwait have been forcibly prevented from carrying out their duty of looking after their citizens.

The Government have responded to this extremely serious situation vigorously and in close co-operation with our allies and friends. Our resolute response has received wide support in this country and elsewhere and the gratitude and appreciation of many Arab Governments.

Hon. Members naturally wished to debate these matters at a convenient moment, and I welcome the opportunity to give the House a fuller account of events and of the Government's actions. Both my right hon. Friends the Secretaries of State for Foreign and Commonwealth Affairs and Defence have just returned from visiting the area and are in a position to give first-hand reports to the House.

I shall first say a word about the origins of the present crisis. In July, Iraq and Kuwait became involved in a dispute over oil pricing and production levels, and over Iraqi debts to Kuwait. Iraq's principal demand was that Kuwait and the United Arab Emirates should cut oil production in order to maintain prices. Iraq also demanded it should not have to repay the loans of many billions of dollars received from Kuwait during the Iran-Iraq war. As the dispute developed, Iraq deployed substantial numbers of troops to positions near the border with Kuwait.

[The Prime Minister]

Active diplomatic efforts, notably by President Mubarak of Egypt, were made to defuse the situation. As a result, Iraq and Kuwait agreed to bilateral talks in Jedda on 1 August, with the prospect of a further round of discussions in Baghdad. The Iraqi Government gave explicit and categorical assurances to the Governments of Egypt and Saudi Arabia that they had no intention of invading Kuwait.

Saddam Hussein introduced into this dispute the further question of Iraqi territorial claims on Kuwait. These claims are without legal foundation. The Al-Sabah family has ruled Kuwait since the 18th century, long before Iraq itself was created in the break-up of the Ottoman empire following the first world war.

Kuwait's borders with the newly created Iraq were drawn in 1923. They were accepted by Iraq when it became an independent state in 1932. None the less, Iraq resuscitated its territorial claim against Kuwait in 1961, when British protection of Kuwait came to an end. British forces were despatched at the request of the ruler to protect Kuwait's independence and sovereignty. They were subsequently replaced by an Arab League force. The existing border was then finally reaffirmed between Iraq and Kuwait in 1963.

That is the history. To return to recent events, despite having assured other Arab Governments and leaders that he had no aggressive intent, Saddam Hussein ordered Iraqi forces to invade Kuwait in the early hours of 2 August. They did so under the pretext of responding to a request for assistance from a non-existent revolutionary government, which they alleged had overthrown the Government of Kuwait.

Saddam Hussein then established a puppet regime consisting of Iraqi officers. That so-called government have now disappeared without trace, and Saddam Hussein claims to have annexed Kuwait, which he now describes as a province of Iraq. History has many examples of perfidy and deceit. This ranks high among them and shows that nothing Saddam Hussein says can be trusted. Moreover, it is an outrageous breach of international law.

Iraqi's actions raise very important issues of principle as well as of law. There can be no conceivable justification for one country to march in and seize another, simply because it covets its neighbour's wealth and resources. If Iraq's aggression were allowed to succeed, no small state could ever feel safe again. At the very time when at last we can see the prospect of a world governed by the rule of law, a world in which the United Nations and the Security Council can play the role envisaged for them when they were founded, Iraq's actions go back to the law of the jungle.

The issue is one of importance to the whole world. It affects world security, world oil supplies and world economic stability. It affects the confidence of all small states, not only those in the middle east. We have bitter memories of the consequences of failing to challenge annexation of small states in the 1930s. We have learned the lesson that the time to stop the aggressor is at once.

The international response has been swift and resolute and for that we owe much to the United States and to the co-operation of the Soviet Union.

On 2 August, the very day of the invasion, the Security Council adopted resolution 660 condemning the invasion and calling for Iraq's immediate and unconditional withdrawal.

On 4 August, the European Community and its member states took measures to protect Kuwaiti assets, to freeze Iraqi assets, to embargo oil and to stop arms sales to Iraq. It also agreed to work for comprehensive economic sanctions in the Security Council.

Two days later, as Iraq had failed to comply with the original resolution 660, the Security Council adopted a further resolution—661—which demanded the restoration of the legitimate Government of Kuwait and imposed comprehensive mandatory sanctions on Iraq under chapter VII. A committee of the Security Council was also set up to monitor and report on the implementation of sanctions.

Subsequently, the Security Council has adopted three further resolutions. They declare Iraq's annexation of Kuwait null and void; condemn Iraq's actions against foreign nationals in Kuwait and Iraq, and demand that they be allowed to leave; and resolution 665 calls upon United Nations member states to take necessary measures against shipping to ensure the strict implementation of sanctions. As was pointed out at the time, that includes the use of minimum force.

Not a single country voted against any of those resolutions, although the Yemen and Cuba abstained on some of them.

Let me stress: our objectives are those set out in those resolutions—unconditional Iraqi withdrawal from Kuwait and restoration of the legitimate Kuwaiti Government. The preferred method is comprehensive economic sanctions, collectively and effectively implemented.

Iraq is vulnerable to sanctions. Its economy is based almost totally on the export of a single commodity, oil, through a limited number of identifiable outlets. That is why the action of Turkey and Saudi Arabia in preventing the export of Iraqi oil through the pipelines was of such critical importance. Other outlets are being effectively blockaded, and the embargo on the sale of oil from Iraq and Kuwait is so far working well.

Iraq is also heavily dependent on imports of food and other commodities; and it has limited currency reserves following the war with Iran. That is why it was so important to freeze Kuwait accounts and assets abroad on the very first day, and so prevent Iraq from exploiting them. Rigorous implementation of sanctions by the whole world is vital to make the policy work.

The leaders of Saudi Arabia, Egypt and Turkey have shown great steadfastness, as have the Gulf Co-operation Council and many members of the Arab League. Saudi Arabia and other members of OPEC have helpfully agreed to increase oil production substantially to compensate for the loss of Iraqi and Kuwaiti oil on the world market.

For a number of countries, backing sanctions will bring serious economic hardship. An international initiative to find financial and other ways to help them is already under way. I saw Secretary Brady yesterday to discuss that, and said that Britain would play its part; and while we must all contribute, it is only fitting that a special effort should be made by those who, for one reason or another, are not contributing to the multinational force in the Gulf.

I have been dealing with sanctions and their enforcement. The question has arisen whether further

authority would need to be obtained from the Security Council for military action beyond that required to enforce sanctions.

We have acted throughout in accordance with international law, and we shall continue to do so. Resolution 661, which called for comprehensive economic sanctions, expressly affirms the inherent right of individual or collective self-defence, in response to the armed attack by Iraq against Kuwait, in accordance with article 51 of the United Nations charter. We hope that economic sanctions will prove to be sufficient. That is why they must be strictly enforced. But we are not precluded by reason of any of the Security Council resolutions from exercising the inherent right of collective self-defence in accordance with the rules of international law.

Mr. Tony Benn (Chesterfield): This is the nub of the whole debate. As I understand it, what the right hon. Lady has said is that the United Nations charter, and the resolutions that have been passed, have already, here and now, given her legal authority, if it comes to it and it is decided, to take military action against Iraq. I take it that, if we vote in the right hon. Lady's Lobby tomorrow night, she will claim that to be an endorsement of that view. Is that her view? She knows the real anxiety. People think that America may go to war and Britain, which is quite a minor part of the operation, will be dragged into it before the House resumes.

The Prime Minister: The nub of the debate is to secure the withdrawal of Iraq from Kuwait and the legitimate restoration of the Government of Kuwait. *[Interruption.]* If the right hon. Gentleman will wait a moment, he will hear my view when I have finished this section of my speech.

May I repeat what I have said? We have acted throughout in accordance with international law and we shall continue to do so. I pointed out that resolution 661, which called for comprehensive economic sanctions, expressly affirms the inherent right of individual or collective self-defence in response to the armed attack by Iraq against Kuwait. *[Interruption.]* This is from the resolution, in accordance with article 51 of the United Nations charter.

We hope that economic sanctions will prove to be sufficient. That is why they must be strictly enforced. But we are not precluded, by reason of any of the Security Council resolutions, from exercising the inherent right of collective self-defence in accordance with the rules of international law.

To undertake now to use no military force without the further authority of the Security Council would be to deprive ourselves of a right in international law expressly affirmed by Security Council resolution 661; it would be to do injustice to the people of Kuwait, who are unable to use effective force themselves; it would be to hand an advantage to Saddam Hussein; and it could put our own forces in greater peril. For these reasons, I am not prepared to limit our legitimate freedom of action.

Mr. Tam Dalyell (Linlithgow): If the Prime Minister is so sure about the rightness of her cause, why the reluctance to seek United Nations authority?

The Prime Minister: I have made my position absolutely clear. May I repeat it? To undertake now to use no military force without the further authority of the Security Council would be to deprive ourselves of a right in international law expressly affirmed by resolution 661; it would be to do injustice to the people of Kuwait, who are unable to use effective force themselves; it would be to hand an advantage to Saddam Hussein; and it could put our own forces in greater peril.

I have full legal authority for everything that I say on these matters, and for those reasons I am not willing to limit our legitimate freedom of action. I have made the position clear, and there is nothing further that I can add. For the reasons that I have given, I am not prepared to limit our legitimate freedom of action. If right hon. or hon. Members think to the contrary, I am sure that they will have time to put their views. My views have been approved by the topmost legal opinions that we can get.

Our first objective has been to make sanctions effective as a means of bringing pressure on Saddam Hussein to withdraw from Kuwait. Our second but no less urgent objective was to deter further Iraqi aggression. Saddam Hussein could have gone on to invade the north-eastern territories of Saudi Arabia and seize its oilfields. Had he succeeded in that, he could have taken the smaller Gulf states too. It is thanks to rapid action by the United States in sending forces to the area, and prompt support by Britain and France, that the aggressor has been halted.

We have worked throughout in the closest possible co-operation with the United States. I have been in frequent contact with President Bush, and my right hon. Friends the Secretary of State for Foreign and Commonwealth Affairs and the Secretary of State for Defence have remained in the closest touch with their American colleagues. That pattern has been repeated at every diplomatic and military level. The President of the United States has given a lead that deserves the widest support; and the commitment of American forces has been on a tremendous scale.

The House will be familiar with Britain's response, which of course is on a much smaller scale—and I will summarise it briefly. We have deployed a squadron of Tornado F3 air defence aircraft, a squadron of Tornado ground attack aircraft, and a squadron of Jaguar aircraft for ground support. They are stationed in Saudi Arabia, Bahrain and Oman. They are backed up by VC10 tanker aircraft and Nimrod maritime patrol aircraft.

One Royal Navy destroyer and two frigates are in the Gulf. A second destroyer is on its way, as are three mine clearance vessels. There are also a number of support ships in attendance. A limited number of ground forces are deployed to defend airfields and to provide security generally.

That is already a valuable contribution to the defence of Saudi Arabia and the Gulf, but we believe some additional forces will be needed, and their composition is under consideration.

I wish to stress three points about our armed forces. First, they have been deployed in the area at the request of the Governments of Saudi Arabia, Kuwait and other Gulf states—and, in the case of Bahrain, that Government have invoked our treaty of friendship.

Secondly, they arrived quickly—a factor that contributed enormously to their effect, because the greatest need to deter was in the very early days of the crisis. That is a tribute to the efficiency, skill, and dedication of our service men and service women.

Thirdly, our forces are part of a much wider international effort, including not only United States

[The Prime Minister]

forces but those of our European allies, of many Arab countries and others, including members of the Commonwealth. It is a truly multinational force.

The plight of British and other foreign nationals in Iraq and Kuwait has shocked everyone. Every norm of law, of diplomatic convention and of civilised behaviour has been offended by the way in which those citizens have been rounded up, treated as hostages, and used as a human shield. It is strange for someone who claims to be the leader of the Arab world, a latter-day Saladin, to hide behind women and children. Through the United Nations and bilaterally, we have done everything possible to press Iraq to let our people go, just as theirs are free to go from Britain. There has been particularly good co-operation with other European countries on this matter. The International Committee of the Red Cross is seeking but has not yet obtained the right of access to all hostages held in Iraq and Kuwait, which they are entitled to under the Geneva convention.

The recent release of some women and children is very welcome, and more are expected in the next few days. But they should never have been detained in the first place; and their release does not make the detention of their husbands, fathers and sons any less evil and reprehensible.

Mr. Tony Banks (Newham-West): Has the Prime Minister seen the complaint in a letter to *The Times* today from one of the released hostages, which said that the British presence in Kuwait—the embassy—was not giving sufficient and proper advice to those people who remained? Secondly, it said that there has been no debriefing of those people who have come back from Kuwait. Will the Prime Minister tell us what action is being taken to debrief those who have fortunately been released? Thirdly, will she tell us why the British Airways flight was allowed to land in Kuwait five hours after the invasion had taken place? Why was it not warned and allowed to be diverted?

The Prime Minister: I shall answer the hon. Gentleman's questions in reverse order. The British Airways flight landed, its passengers disembarked, and the crew handed over to a successor crew and went to their hotels. All that took place before the invasion: the invasion was later. I think that there will be a letter setting out the full facts—a legal letter, so I cannot go further into the matter. Some people would most strenuously argue against some of the misinformation which has unfortunately occurred.

Secondly, with hindsight, people expected us to be able to give advice on things that we could not possibly foresee. Our embassy deserves praise. When it was suggested that our people should go to hotels, volunteers immediately went to those hotels to look after them. We did not know what would occur. There was no one there to meet them, so they returned to their homes. It is suggested that people should have been advised to try to escape. I do not know how the hon. Gentleman can think that we could possibly have given such advice. Will he recall that one of our citizens who tried to do that was shot dead? We have not even been able to recover his body.

The third matter that the hon. Gentleman raised was debriefing. These people arrived back at 4.45 in the morning, having suffered terrible experiences. I and all my right hon. Friends were concerned that somebody from the Department of Social Security should be at the airport to give immediate help if required, also doctors in case medical attention was needed, and that there should be someone there to get accommodation should that be needed. That was at 4.45 am. Had we attempted to debrief them then, we should have been extremely culpable. It would have been said that we were hard and unthinking. Many of those people have already reported, voluntarily, every single thing that they knew. Of course, we shall do everything that we can to ensure that we obtain as much information as possible because it may be helpful to others.

The hon. Gentleman's criticisms are not well-founded, and I should like to thank our people in Kuwait.

The recent release, as I said, is welcome, but these people should not have been detained. Their release does not make the detention of their husbands, fathers and sons any less evil and reprehensible.

Our ambassador and his staff in Baghdad are doing their utmost to help and protect our people. In Kuwait, we and nearly 30 other countries have refused to comply with Iraq's utterly illegal attempt to close foreign embassies.

Although our embassy is surrounded by armed soldiers, and its water and electricity cut off, our ambassador and his small staff of volunteers continue to offer what help they can to the beleaguered British community. The House —most of it—will join me in paying tribute to their work, and, even more so, to the courage and fortitude of all the British people in both countries who are living through this terrible time. Our thoughts go also to their families. We are all very grateful to the work done by the helpline run by my hon. Friend the Member for Kingswood (Mr. Hayward) and others. It is splendid work, and we thank the many volunteers who have given their time and effort.

Mr. Ronnie Campbell (Blyth Valley): The Prime Minister just mentioned the helpline. We all agree that it has been marvellous and has helped in all our constituencies. Does the Prime Minister agree, however, that the families of the people affected should be able to use "Freefone", so that obtaining the information that they need does not cause their telephone bills to build up?

The Prime Minister: As well as the helpline—which, I believe, is turning itself into a charity so that we are better able to supply it with money voluntarily—there is a 24-hour emergency unit at the Foreign Office which I believe people can telephone without expense.

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): Not yet.

The Prime Minister: They cannot telephone without expense yet; however, they are telephoning. People are on duty there for 24 hours a day, and are receiving many calls. We are doing everything possible in that regard.

Mr. Robert Hayward (Kingswood) *rose*——

The Prime Minister: I shall give way to my hon. Friend; I hope that then I can get on with the rest of my speech.

Mr. Hayward: May I thank my right hon. Friend for her comments about the efforts of the helpline and all its helpers? May I also clarify the position in relation to charitable trusts? We are in the process of forming such a

trust, and, if we have enough money we shall give assistance to those who face financial difficulties as a result of the actions taken in Iraq and Kuwait.

The Prime Minister: I believe that I am right in saying that the Foreign Office is also giving some money to help the helpline in its very valuable work.

We shall do our utmost to obtain the freedom of the hostages, keeping their plight constantly before the world. We shall not give in to threats and blackmail. We have made it known that we shall hold Saddam Hussein and Iraqi officials individually responsible at law under the Geneva conventions—to which Iraq is a party—for any harm that befalls them.

I believe that the House will agree that we cannot be deflected from the determined course of action on which we have embarked, and which alone will ensure that the aggressor is not allowed to benefit from his crime. Indeed, by taking hostages, and by his treatment of them, Saddam Hussein only increases the world's abhorrence and stiffens its determination not to let aggression succeed.

Our resolve, and that of our partners and allies, to bring about Iraq's withdrawal from Kuwait and the restoration of the legitimate Government is absolute. There can be no compromise solutions which limit or diminish that objective, and attempts to devise them only postpone the moment when Iraq realises that there is no option but to withdraw.

Mr. Dave Nellist (Coventry, South-East): Will the Prime Minister give way?

The Prime Minister: I would prefer to go on, because I am now biting into other Members' time.

There are also some wider lessons to be drawn from these events. First, I believe that the whole House will welcome the prompt and effective manner in which the United Nations has responded to this crisis. At last we are seeing the United Nations act with the determination and purpose that its founders envisaged. I cannot remember a time when we had the whole world so strongly together against an action as now.

Secondly, I would make particular mention of the part played by the five permanent members of the United Nations Security Council. They have worked together to an unprecedented degree to ensure that United Nations action is effective. I believe that in this we are seeing the first results of post-cold war diplomacy: confrontation has been replaced by a new atmosphere of co-operation. We would never have succeeded in getting this response three or four years ago. We hope that the forthcoming meeting between President Bush and President Gorbachev will further strengthen this new accord.

Thirdly, some of the countries bordering Iraq are facing severe difficulties from the flood of refugees—Egyptians, Indians, Pakistanis and Bangladeshis, already numbering hundreds of thousands—all fleeing from Saddam Hussein. Those countries, and the refugees themselves, need help until their passage home can be arranged. I can announce today an immediate contribution of a further £2 million to the relevant international organisations. That brings our refugee relief from this crisis so far to £5·4 million.

Fourthly, we must not lose sight of other fundamental issues in the region, above all the need for a just solution to the Palestinian problem. Unfortunately, the Palestinians' support for Iraq's action in seizing the territory of another state has grievously damaged their cause, but nevertheless these events must not stop us from trying to find a solution to this long-standing issue. Peace and security will not come to the region until it is solved.

Ms. Clare Short (Birmingham, Ladywood): Will the Prime Minister give way?

The Prime Minister: I should like to get on and finish my speech now.

Fifthly, we will need to look to the future, the time when Iraq has withdrawn from Kuwait, as it must, and the legitimate Government have been restored. There will then need to be arrangements to ensure Kuwait's security and that of other countries in the region. I believe that this will need to involve the United Nations, and it is not too early to plan for this situation now.

Sixthly, while east-west relations have improved enormously, these events remind us that dangers can arise elsewhere in the world, and we must always have a strong defence and the capability to operate beyond the borders of NATO, for threats to our security can arise there just as much as in Europe.

Seventhly, we must renew our efforts to outlaw not only the use of chemical weapons but their possession, and no effort must be spared to prevent Iraq from obtaining the materials or technology to manufacture nuclear weapons.

Mr. Jeremy Corbyn (Islington, North): Will the Prime Minister give way?

The Prime Minister: No. I am not far from the end of my speech and I intend to go straight through to the end of it.

The crisis also underlines the importance of continuing international efforts to prevent the spread of ballistic missiles.

Mr. Eric S. Heffer (Liverpool, Walton): Will the right hon. Lady give way?

The Prime Minister: I shall give way to the hon. Gentleman, very specially.

Mr. Heffer: Will the right hon. Lady explain why it was that, when the Kurds were gassed and chemical weapons were used against them—I know that this Government made protests—the United States, for example, ensured that that was not discussed in the Security Council at the time, when there should have been a great movement by the entire world against that terrible thing which Saddam Hussein did?

The Prime Minister: There should, and we were one of the countries. Indeed, I think that we were the country that made the most vigorous protests in every forum where we were. That was quite right. I am grateful to the hon. Gentleman for bringing out the point that it was we who made the most vigorous protests.

In the coming weeks we must persist in the determination that we have shown hitherto. There will be those who say that the international effort is costing too much and is not worth it. Some people will forget the awfulness of what Saddam Hussein has done. There will be calls for compromise, attempts to fudge the issues and blur the principles, attempts to undermine the virtually unanimous opposition of the world to what Iraq has done. Of course we prefer a peaceful solution, but that must involve Iraq's total and unconditional withdrawal from Kuwait and the restoration of the lawful Government.

[The Prime Minister]

Let us not forget that in Saddam Hussein we are dealing with a person who, without warning, has gone into the territory of another state with tanks, guns and aircraft, has fought and taken that state against international law and against the will of its people. A person who will take such action against one state will take it against another if he is not stopped and his invasion reversed.

We are dealing with a person who has rejected the efforts of the Secretary-General of the United Nations to achieve a peaceful solution on the basis of the United Nations' resolutions.

We are dealing with a person who plunged his country into eight years of war against Iran, costing the lives of countless thousands of Iraq's young men—and many hundreds of thousands more casualties—without achieving anything other than destruction and desolation.

We are dealing with a man who has used chemical weapons even against his own people. Such a man must be stopped; and we shall persevere until he is.

3.14 pm

Mr. Neil Kinnock (Islwyn): May I, first, join the Prime Minister in her tribute to the late Ian Gow? Clearly he was not a political soulmate of mine, but from the earliest time that I met him—indeed, before he came to the House—I recognised him as a very likeable man and a man of considerable integrity. By killing him, his murderers showed not their strength in the face of democracy but their weakness.

I and my right hon. and hon. Friends have, as the Prime Minister said, suffered two very severe blows in recent weeks with the death of Pat Wall, after a long and very painful illness, and the tragic death yesterday of Allen Adams.

Pat was a man of courage and great humour and his ability to show both, even at a time of terrible illness, was an enormous tribute to him.

Allen Adams was a young man who was well liked and well respected in the House, in his constituency and elsewhere. The suddenness of his death has left myself and my colleagues numb. We send our deepest sympathy and our great sorrow to his wife and, indeed, to Pat's wife and to Ian's wife.

I thank you, Mr. Speaker, and the Prime Minister for agreeing to my request that Parliament be recalled to discuss the situation in the Gulf and its implications. This two-day debate will, I am sure, be wide ranging, as Members on both sides will want to raise a multiplicity of genuine and important concerns ranging from the most global to the most personal and local.

For me, in my contribution, the main focus of the debate must be on the most effective ways of depriving the Iraqi dictator and his regime of any military, economic, political or other gain from their aggression and of preventing him from posing any future threat to the stability and security of the region.

Our unrelenting purposes must be to ensure that Saddam Hussein gets out of Kuwait and legitimate government is restored in that country, that the hostages—all the hostages—are released, that our diplomatic staff, who have shown such great fortitude, be allowed to go about their normal business, and that the United Nations resolutions are unconditionally fulfilled and commitments to stability and security in the region are put into effect. There can be no possibilities of concessions on any of those objectives.

The aggression of Saddam Hussein, his treatment of innocents, the record of his regime and his oppression of the Iraqi and Kurdish people over many years forbid anything but that implacable attitude from this side of the House.

As both I and my right hon. Friends have made clear, we consider that in the circumstances arising from the invasion of Kuwait the action taken in the United Nations and in the commitment of forces was right. In the very nature of Saddam Hussein's aggression, slowness or modesty in response would have been an invitation to him to continue over other borders and into greater excesses. If that had occurred, the task of achieving the purposes of the United Nations resolutions would have been even more complex, even more arduous and even more dangerous than it is now.

If the only response of the world community had been economic sanctions and political condemnation, those actions and words, no matter how strong, would not have had the necessary effect in halting Saddam Hussein's military adventure. All that, to us, is self-evident. Cumulatively, it is the reason for the unprecedented firmness and solidarity of the actions of the United Nations and for the equally strong and equally common reaction of the British people.

There is, of course, natural and justifiable anxiety about the crisis. It is felt most deeply—indeed, desperately—by those poor people whose loved ones have been or still are the hostages of Saddam Hussein. The feelings of those people cannot fail to have an effect on the thinking of all of us in the House. I am sure that Ministers and other hon. Members take the fullest account of the requests that we have had from the hostages and from their families that we should all be measured in our approach, careful in our use of language and persistent in efforts to restore the freedom of those people now held by Saddam Hussein.

The feelings of concern among the people very directly caught up in the events, and in the wider public, are deep and realistic, as well they may be when the possibility of war remains and when it is widely understood that such a war could cause horrific devastation—at its worst, devastation on a scale and of a nature that the world has scarcely ever seen before.

There are other pronounced feelings. They are not simplistic, nor are they bellicose, but they are feelings of great determination. First, there is the very deep-seated conviction that aggression must not pay. All personal encounters with the general public and all measures of opinion testify to that. Both the generation that experienced the 1930s and the 1940s and later generations like my own that did not witness appeasement and war are agreed, across the age barriers, on that.

Secondly, there is a feeling that, while no advantages of any description arise from the action of Saddam Hussein, the co-operation between powers that were, until a short time ago, deadlocked in cold war offers a new prospect for international security. I believe that we in the House should not simply recognise these growing feelings—we should lead them by playing a full part in developing a new and practical design for international peace and order.

Thirdly, Mr. Speaker, it is clear that, in response to Saddam Hussein's aggression, the British people—like the world community in general—share the overwhelming

conviction that intense pressure must be rigorously sustained against Saddam Hussein and his regime. Iraq's isolation must be complete. That course is supported not only as a way of avoiding or reducing bloodshed but as the best means of securing an acceptable and enduring outcome to the crisis. The widespread and, in our view, entirely correct approach is that sanctions should be given the fullest possible opportunity of working in order to make Saddam Hussein completely fulfil the requirements of the United Nations resolutions.

There is a widespread and deeply held understanding that the support for securing the objectives, and the action needed to secure those objectives, involve a long haul. Strong sanctions can, of course, have a particular effect against the Saddam regime. Iraq has to rely on imports for well over 80 per cent. of its basic materials. It is dependent for well over 95 per cent. of its export earnings upon the sale of oil, 88 per cent. of which flows through just two pipelines, one through Turkey, the other through Saudi Arabia. In pursuit of the United Nations policy, we have to ensure, with the rest of the world community, that, for the duration, Iraq cannot sell anything to anyone, buy anything from anyone or raise credit from anywhere.

That latter point has not, thus far, had the attention that it properly deserves. The fact is that Iraq, because of its oil wealth, is naturally regarded as a good credit risk. Indeed, so good is it that it is conceivable that—if effective action is not taken—Iraq could have access to substantial credit for a year or even more. That financial tap must be completely turned off. There must be no exceptions.

Clearly, the besieging of Iraq has had and will have grave effects on other economies—most especially on its poorer neighbours and on those who have to rely for a significant part of their income on remittances of their citizens who have been working in Iraq and Kuwait. Substantial and speedy aid must be given to such economies, both for the relief of suffering and to ensure that the force of economic circumstances does not impel them into relaxing the embargo. I hope that, even before that form of support is fully installed, Governments will quickly and generously give help to refugees and private citizens will support Oxfam, the Catholic Fund for Overseas Development and other aid charities in their efforts in the emergency refugee programmes.

I was gratified to note in what the Prime Minister said this afternoon that additional sums are to be made available. I hope that the matter will be kept continually under review because the prospects of mass starvation and of disease as refugees go to the border must horrify us all.

The need to help the poorer economies cope with the economic effects of the Gulf crisis is clearly an obligation on all the richer countries of the world. Mr. Brady's mission is welcome as a reminder to a variety of economies. I must also say that it is the particular duty of the strongest economies in the world—Japan and the Federal Republic of Germany.

Everyone will naturally understand the increasing pressures in the German economy as unification approaches. Everyone will also appreciate the desire of the Japanese people not to compromise their constitution. But as both countries are most certainly part of the world democratic community, as both have very direct interests in achieving the fulfilment of the United Nations resolutions and as both can take economic action without transgressing their constitutions, that action of support must be taken on a generous scale, and I trust that every opportunity will be used by our Government and by other Governments to press that case and to achieve a constructive response.

In the course of the weeks since the invasion of Kuwait, the issue of the extent of the mandate under article 51 of the United Nations charter has naturally attracted attention and raised important questions. The Prime Minister addressed herself to that question. Clearly it must be right for us to consider those questions in this Parliament. Even as we do so, there will, in the process of discussion, be absolutely no reassurance for Saddam Hussein. On the contrary, as far as I am concerned, the issue of this aspect of the debate is how his aggression can be dealt with most completely and conclusively. It is success that we are after.

In the public discussion that has taken place thus far on this issue, two opinions have had greatest prominence. Some assert that there is no essential need for a further specific resolution of the Security Council because, they say, the

"inherent right of individual or collective self-defence",

specified in article 51 of the UN charter, gives all necessary authority for any future military action. Others say that there can be absolutely no further military action without an additional specific resolution.

I believe that in the current circumstances, it is not wise to approach the matter from either of those two absolutes. Neither by itself fully addresses both the legal and the political issues at stake. It is those political issues which must unavoidably be taken into account by anyone who wants to ensure that the objectives of the United Nations and, I believe, of just about everyone in this House, are fully realised.

Mr. John Butterfill (Bournemouth, West): I am rather puzzled, the right hon. Gentleman having admitted that he requested the recall of the House, why there is nothing on the Order Paper in his name or in that of his right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman)—*[Interruption.]* I put it to him that on the specific point with which he is dealing, he does not wish a vote to take place because he is uncertain that he would get the support of the majority of his hon. Friends—*[Interruption.]*—because they would be no more prepared to defy Saddam Hussein than they have been prepared in the past to defy the tyrants in the trade union movement.

Mr. Kinnock: Because of the noise, I did not hear much of what the hon. Gentleman said in that intervention, but I do not think that I missed anything. I do not know what form of leadership in life in general he is used to, but I must tell him that if there is a Division tomorrow on the motion before the House, I shall most certainly be voting for the Adjournment. I have made that clear all along and there is absolutely no reason for me to change my view. If the hon. Gentleman will listen to the further development of my case, who knows, he may not only be in the same lobby as I, but be there for the same reasons as I shall be there.

I was drawing the attention of the House to what I believe are essential political considerations. The first political consideration of great significance is that the forceful action of the world community, as the Prime Minister said, has resulted from the unprecedented agreement in the Security Council of the United Nations. I do not think that anyone underestimates either the

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powerful effect or the great possibilities arising from that. The idea of a new world order is shifting from the realms of idealism into the realms of realism.

But it must be said that if military action were taken when sanctions had been in force for only a matter of weeks or months, or when there had been no further provocation, or when there had been no further effort to achieve agreement to a mandate to attack, either in the Security Council or in the military staff committee, that military action could shatter the consensus that has been built.

The new concept of international security would be jeopardised when it was scarcely more than a prototype. The prospects for gaining a new "security structure", which Secretary James Baker has advocated with strong and compelling conviction in his testimony before the Congressional Committee this week, would be greatly dimmed.

In the Soviet Union and China, those forces that are most resistant to co-operation would gleefully enjoy and fully exploit the breakdown, to the disadvantage of leaderships that have come this far in the wake of the cold war. I believe that those crucial considerations and understood in the United States and here and among other countries. I believe that the scale of the risk of political and other losses is recognised.

I do not believe that those considerations forbid all possibility of a strike being made at some time. There are, without question, other pressures present in these conditions, and it would be foolish to ignore them. Even the patent desire of the American leaders to achieve peaceful resolution could not and should not give us a false sense of security, especially in conditions of such speed of movement and considerable danger.

All I do say is that, as we are the first generation ever to have been presented with what Secretary Baker has called the

"opportunity to solidify the ground rules of the new order", of

"enduring peace that is global in its scope",

we had better appreciate the potential for progress in full. We had therefore better think very hard and politically before risking that potential on the basis of even the most distinguished and technically correct legal advice about the extent of article 51.

Saddam Hussein throughout his life—since, we understand, his youngest days as a party functionary, before he discovered or invented a uniform to put on—has been a terrible force for destruction. He must be defeated, but everything possible must be done to try to ensure that in the course of defeating him we do not allow him to be the cause of destroying the beginnings of a new and better world order.

The second political consideration relates to the implications in the region—the middle east and the Gulf area—of taking further military action without further United Nations authority. The fact that legitimacy, the standing of international law, is, in itself, not just a legal issue but an important political one, must not be neglected. With regard to the legalities, it is clear that military action under article 51 is lawful if the now exiled but "legitimate" Government of Kuwait call for it.

Such action is lawful if Saddam Hussein launches further military aggression against any state or armed forces. It is lawful if, at some time, the United Nations judges that the action taken thus far has been "inadequate" for the purpose of fulfilling its resolutions, in which case military action under article 42 of the charter could be taken, either by reference to the Security Council or the military staff committee, or both.

Those who say that there cannot be a public declaration of the possibility of a strike do not take into full account the reason for the existence of the military staff committee. Given the military realities, if it were acceptable that a strike took place against an aggressive enemy, the process would be much more likely to go through the MSC than the Security Council.

The lawful opportunities are without contention. In addition, there are those who say that, on the basis of legal advice, it could be successfully—"technically" is the word the Prime Minister has used—argued that the fact that armed attack has already taken place enables those who have come to the aid of Kuwait to undertake armed attack themselves whenever they deem it necessary. I ask those who hold that view—I know that many hold it sincerely, as a result of their professional experience of the law, and are taken seriously—to consider their position further. I ask them to recognise that, for the purpose not just of getting Saddam Hussein out of Kuwait, but, vitally, of ensuring durable security, it may not be enough to be able to argue, on the basis of legal advice, that a mandate already exists for an attack.

Such legal advice that an inherent right of self defence exists may well be convincing to a Government, Parliament, a court of law or a newspaper in a democracy. It may be possible for calm consideration to take place and the pros and cons of interpretation to be put. That is one, among many, of the immense advantages of democracy by comparison with any other form of government. However, it is not only such bodies of opinion and judgment that have to be convinced in the current conditions. That is not a semantic point or a nicety, but a fact which, realistically, could determine the nature of the outcome of the crisis.

The outcome that we seek—I think that this is a widespread ambition—and the outcome that is necessary for security in the Gulf and stability in the world, cannot be limited only to the liberation of Kuwait, the freeing of the hostages and the removal of Saddam Hussein's ability to mount further military aggression. The outcome that is necessary extends to completely depriving Saddam Hussein of any extra status or any gain to his reputation in the eyes of other Arabs, including those who, for reasons we understand, have long imbibed distrust of the western powers and those who associate with us.

We should all like to be able to help to achieve conditions in which the judgment made by many Arab people was different. But we have to recognise the current reality that the potential consequences of taking action that does not have complete and unarguable United Nations authority include further turmoil, terrorism, an increase in nationalism and fundamentalism, and possibly the destabilising of strategic allies. These are the reasons why it is important strategically, and not because of an intractable dispute between both sides of the House over the precise legalities, that everything possible is done to ensure that, if further military action is necesssary, it should be taken under the full authority of the United Nations.

The only existing but recent precedent must encourage consideration of that view. In the weeks following the

invasion of Kuwait the Labour party, through my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), repeatedly said that the powers of naval interdiction necessary to enforce a maritime blockade of Iraq would best be exercised through a specific resolution of the Security Council. The view was advanced by others, both in the Government and elsewhere, that it could be argued with sufficient legal authority that there was an adequate resolution already in place.

On reflection, the Government wisely decided, to their credit, that an explicit resolution would give greater legitimacy and force to any necessary naval intervention. They rightly co-operated in securing resolution 665. That resolution was adopted on 25 August. Only two days later, on 27 August, Saddam Hussein ordered Iraqi tanker skippers to submit to the naval blockade. As I said earlier, the case that we make on appropriate United Nations authority is related not to any abstraction but directly to the effectiveness of action against the aggressor, Saddam Hussein.

Mr. Bowen Wells (Hertford and Stortford): Does the right hon. Gentleman agree that the strengthening of United Nations authority in the way in which we are proceeding offers Saddam Hussein an advantage if he were to comply with the United Nations resolutions? The United Nations, so strengthened, could begin to settle some of the other middle eastern disputes, especially that with Israel, which are long outstanding. It would be in Saddam Hussein's interests as well to reinforce United Nations peacekeeping operations.

Mr. Kinnock: That is a good point, tellingly made. It is one which we hope will have a wider impact, and it is interesting that in the House there is an even more general understanding of the validity of the argument that the hon. Member for Hertford and Stortford (Mr. Wells) advances that there was only a few weeks ago. That atmosphere and that sense of strength of the international community are rightly being encouraged in the current circumstances.

Mr. Nigel Spearing (Newham, South): My right hon. Friend is making an extremely powerful case for a new world political order for the 21st century after the east-west conflicts have been removed. Does he recall that the Prime Minister tells us consistently and persistently about the failure of appeasement before the second world war? Does the right hon. Lady recall that there was also a great failure in political collective security, which is what my right hon. Friend is advocating?

Mr. Kinnock: I am grateful to my hon. Friend for making that intervention. I think that everybody understands, including the Prime Minister—I mean no disrepect to the right hon. Lady, but the period to which my hon. Friend has referred was a formative one for her, as it would have been for anyone of that age at that time —that in thinking—*[Interruption.]* It is extraordinary that we still cannot refer to a woman's age, even in this place, without getting a laugh. At the same time we can say anything that we like about a man's age. Is not that strange?

The Prime Minister has drawn strongly on her abomination of appeasement—rightly, in my view—and her understanding of the failure of international resolve in the League of Nations before the second world war. As circumstances change, she may be among those who are more than ready to subscribe strength to the idea of an effective, workable and enforceable international order. I believe that the right hon. Lady can be sufficently forward looking to make that position common between both sides of the House as it is patently of such good sense in terms of the welfare of this country, every other country and all generations.

I am anxious to move on, as I do not want to take up the time of the House when so many hon. Members wish to speak. Many approaches have been postulated in the debate about the directions of policy and action that need to be followed in the conditions arising after the resolution of the immediate crisis. At this juncture, I simply say that, whatever happens after the immediate objectives of the United Nations resolutions have been achieved, it should be founded on the basic fact that the current crisis is a direct result of the invasion of Kuwait and of the wider threat posed to the region by Iraq. Consequently, our dual interrelated purposes must be to accomplish the clearance from Kuwait and to secure the dissolution of that threat.

It is essential, therefore, that, after the primary objectives of the United Nations resolutions have been attained, there must be, first, a complete and sustained embargo imposed both on arms sales and on the provision of arms manufacturing equipment to Iraq. Secondly, Iraq's chemical weapons and its chemical weapon manufacturing capacity must be destroyed. Thirdly, provision must be made for the thorough and continual monitoring of the nuclear plant and weapons-making capability of Iraq. Fourthly—this is not an exhaustive list —Iraq must make reparations, especially to the poor countries that have been further impoverished by its aggression.

I realise that there are those who, even though they want the United Nations objectives to be achieved, say that embargoes, weapon and plant destruction, and international monitoring and reparations are steps too far. To them I say that the nature and the scale of the actions to be taken following the achievement of the immediate UN objectives must relate to the nature and the scale not only of the proven aggression, but of the actual and potential threat in the region. Action to respond to and to prevent the extension of the aggression was and is justified. Action to prevent the continuation of the regional threat is also justified.

It will not be vindictiveness—it will be a basic requirement of justice, order and security. It will not be an unwarranted intervention in the internal affairs of a sovereign country—it will be the legitimate exercise of preventive power by an international community which has suffered, and could again experience, the results of the most unwarranted form of intervention—the armed invasion and occupation of one country by another.

The fate of Saddam Hussein may well—indeed, is most likely to—be affected by the implementation of such reprisals for his actions. There are many who would understandably include his downfall among their list of publicly stated objectives. I think that it would be far better for them to understand that, however much we long for the ending of tyranny, we cannot include that among our motives in the case of Iraq, as that would amount to a determination to impose a form of government on what is an offending but, nonetheless, sovereign country.

Saddam Hussein may well retain his position in his country in the wake of this crisis. However, he cannot be allowed to retain his power to jeopardise the region. The

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crisis has been inflicted upon the world by the ambition and aggression of Saddam Hussein. No one will be unaffected by the economic effects of what the Iraqi dictator has done. Millions of people in his country and elsewhere are experiencing and will experience great misery because of his actions. Some, including refugee children, have already died and thousands have lost their liberty. The world must now impose its will upon Saddam Hussein. His defeat must be a victory for the international community. I know that I, my party and, I am sure, the great majority of the British people want to assist in achieving that victory.

3.49 pm

Mr. Edward Heath (Old Bexley and Sidcup): It is natural, at a time of crisis, that the country as well as Members of the House should wish to see the House united in its view. I do not today, or tomorrow, see any difficulty about that.

The view that has been expressed in the House and in the country about the invasion of Kuwait is unanimous. The outstanding characteristic of the crisis is that it has been handled by, and is under the control of, the United Nations. That is something which has not happened for many years.

We may therefore forgive those who are somewhat sceptical or cynical at that event when they look back over the past decade and see the number of occasions when matters equally serious have occurred in which no leadership has been given by the United States or by Europe.

As a result, we see a situation in which the President of Iraq may well have made a false judgment about the invasion of Kuwait. If his attack on Iran produced no very great reaction from the western world, and if his use of poison gas in his own country and elsewhere produced no very great reaction, why should the occupation of a small country such as Kuwait produce any great reaction? The fact that it has produced a world reaction—as I say, under the control of the United Nations—cannot fail to make an impact, not only on the President of Iraq, but also on his generals and his supporters in his own country.

We therefore come to the question stated by the Leader of the Opposition to be at the heart of the matter—the use of articles 51 and 42. There is nothing new about that. There was argument about that at various legal levels, right up to the highest, at the time of the Suez crisis and there were those who always had doubts about some of the legal recommendations.

My point of view today is that for practical purposes we can agree. I do not see why we should differ on legal questions of this kind. As I have said, the characteristic is that this is under the control of the United Nations and, for practical purposes, it is there that we wish it to remain and where it must remain. For those practical purposes, therefore, the United Nations must be the governing force.

One must look at the practical questions. If, for example, Saddam Hussein were tonight to launch an attack on Saudi Arabia or on any other part of the Gulf, the response must be militarily immediate. There can be no question about it. We would be absolutely justified, with the Americans and our allies, in taking that action. What is more, I hope that we would, as far as we possibly could in a month, be prepared to take it. Let us not think for a moment that it would be very agreeable or that the results would be other than bloody, because they would be, from many points of view, but that surely is unanswerable as a position.

On the other hand, if there is no direct attack by the President of Iraq on any country, and he remains in his stationary position while sanctions go on, it is difficult to imagine a position in which we would launch a deliberate attack without at least having the authority of the United Nations. That seems to me, from the practical point of view, to be a perfectly clear situation and there is no need for the House to divide itself on that question when we are dealing with such practical matters.

With regard to the other issues, I would ask that the Government, who have acted speedily and efficiently with America and her allies, should be cautious—as, perhaps, should the Leader of the Opposition, too—about the commitments that they make at this stage.

One of the advantages of the House meeting a month after the start of this episode rather than when it began is that it is able to view the matter in better proportions and in perspective. No one can tell what the solution to the crisis will be. If Governments and Oppositions over-commit themselves, the possibility of reaching a solution that will be acceptable will be greatly diminished. I ask for caution in that respect.

I refer to the situation in Kuwait in 1961, which my right hon. Friend the Prime Minister also mentioned. As Lord Privy Seal at the Foreign Office, I was responsible for negotiating Kuwait's independence. We always had a private understanding that, if there were to be any serious threat from Iraq, which was the only likely quarter, we would be in a position immediately to reinforce Kuwait because we were still in Bahrain, Aden and Cyprus and could quickly take action. That was always understood. Therefore, when, in the summer of 1961, the Iraqis started massing forces along the Kuwaiti border, we, in close conjunction with the Emir, took immediate action. The result was that the Iraqis withdrew. However, that was not a permanent solution, in Kuwait's view or in ours.

The permanent solution was found by the Arab League—by the Arab countries themselves getting together and saying, "We must have a means of guaranteeing the security of Kuwait as well as that of other countries, and then we can ask the British to withdraw." Having reached such an agreement, the Arab League asked us to withdraw, and we did so. That was part of the understanding in respect of Kuwait's independence.

I ask that we be careful in making absolute commitments, because on this occasion it is possible that Arab countries themselves will work out a solution to the security of their own region. That will not be easy, but it has been done on previous occasions. I refer to the disputes between Abu Dhabi and Saudi Arabia. They were sorted out, as were the disputes between the emirates, and between Bahrain and Qatar. They have been sorted out in the past two decades, and I hope that it will be possible for the Arab countries themselves to find a permanent solution to their stability and security.

There is no doubt that that is what King Hussein of Jordan and many others want. I believe that such a development would be welcomed by the Saudi Government, who have themselves made plain—in a speech by the Saudi defence minister last weekend—that

they do not want to see an attack being made on Iraq unless those concerned are forced into taking such action because of an attack by Iraq itself.

I was glad that my right hon. Friend the Prime Minister raised the question of Israel and the Palestinians, because in my view it will not be possible to reach permanent stability and security in the middle east unless the question of the Palestinians and of Israel is first settled. I was pleased that the American Secretary of State said so himself in his speech to the congressional committee. He was quite clear and plain about the matter.

If the Americans are now prepared to use all their power and influence to make Israel observe the United Nations resolutions—and resolution 242 in particular—in the same way that we are saying that the resolutions concerning Iraq must be observed—that marks a major change in American policy, which can contribute to the peace and stability that both the American President and Secretary of State have said they want to see in the middle east. Again, it will not be easy to achieve that, but it is an essential part of the solution.

There are those who say that the two should not be connected—it is perfectly understandable that Israel is among them—but that does not alter the fact that many of the stresses and strains in the middle east are connected with the question of Israel and the Palestinians. Therefore, I strongly support the Government's action and I strongly urge them now to continue—as my right hon. Friend the Prime Minister said in her broadcast on Sunday—operating sanctions. My right hon. Friend said herself that it will take some time to make them as effective as possible

The one proviso that I have concerns Jordan. I personally feel that King Hussein has been badly treated by the American President and by some western countries. He is in no way responsible for the situation or for the crisis, yet his people and country are suffering above all at this particular time. It is not enough to say, "We'll give you some money." Jordan desperately needs food and equipment, but above all it needs an organisation to deal with refugees going into the country. It is not sufficient for us to say, "Well, the Red Cross can help or this or that organisation can do it."

The present situation demands two things. First, a major airlift is needed, which should be centrally organised and ceaseless, like the airlift we organised to Berlin, so that we can get all these people out—incidentally, we could try to increase our staff in Baghdad to help the excellent ambassador there. Secondly, we need to deal with the hundreds of thousands of refugees in Jordan and to get them satisfactorily dispersed. That will mean dealing with a large number of countries. Many refugees come from Indonesia, from other Arab countries and some are from Europe. It is a major operation to arrange their dispersal and it will not be met by contributions to individual charitable bodies but requires a centrally, and highly organised, operation of aircraft and personnel. I hope that the British Government will give a lead to bring that about.

4 pm

Mr. Paddy Ashdown (Yeovil): It always seems to be my lot to have to follow the right hon. Member for Old Bexley and Sidcup (Mr. Heath) in debates on events such as this. It is a difficult task, because he says so much with which I profoundly agree. I do not think that there was a word in his speech with which I would find fault. I hope that the Prime Minister will have listened carefully to the right hon. Gentleman's words about calling on the Government to provide a lead on the issue of refugees.

Having requested the recall of Parliament for the past two or three weeks, my colleagues and I are naturally delighted to have the opportunity to debate this important crisis. Anyone who has listened to the previous three speeches will recognise that this is a serious debate and that, so far, speeches have dealt with the issue with great seriousness and concern. I have a great deal to say which echoes the tone and much of the content of those speeches.

The invasion of Kuwait by Saddam Hussein was a brutal and tyrannous act which contravenes international law, threatens the stability of the Middle East and poses a potent and immediate threat to the peace of the world. My party joins all the other parties in the House in expressing an implacable determination to ensure that Saddam Hussein is defeated in this aggression. The Prime Minister is right: there can be no compromises on the terms of the United Nations resolutions that Hussein's troops must unconditionally withdraw from Kuwait, that Kuwait must be returned to its legitimate Government and that foreign hostages must all be freed.

The Prime Minister has said that the Government's aims in this crisis are, similarly, those and only those laid out in the United Nations resolutions. In that, they are also fully supported by hon. Members on these Benches. The Government also receive and have received our unequivocal support for the actions that they took with the United States and others to respond to Saudi Arabia's request for help, by sending troops to join the multinational forces five weeks ago today. In our view, the swift and decisive action taken then by Britain the United States and others to put deterrent forces in place to prevent further aggression by Saddam Hussein was necessary and right.

The fact that that action was later backed up by a United Nations resolution, which expressed international condemnation of Hussein and gave effect to the means by which sanctions should be enforced, has greatly strengthened the hands of those who now oppose Saddam Hussein and has given hope to those people who believe, as we do, in an enhanced role in the future for the United Nations in preserving world peace.

The Government are entitled to feel satisfaction with their handling of the first military phase of this crisis. We are now in the second, political phase. We have to win this phase as comprehensively as we won the military phase, because it is only by building the strongest international consensus now that we shall establish the strength to ensure that sanctions can be made to bite later.

I especially congratulate the Foreign Secretary on his recent visit to the Gulf, and on the care with which he has been concerned at all times to build up maximum international support for our position. He has remained calm and measured: the voice of reason on all occasions. He appears to understand the vital importance of this attitude in the more difficult political phase of the crisis. He has also been well aware that, however welcome, the close co-operation between this country and the United States, which has been necessary during this crisis, Britain's best interests are as a European power acting primarily in concert with our European partners in the long term.

[Mr. Paddy Ashdown]

I urge the Prime Minister to resist any temptation that she may feel to argue that this crisis is a reason for resurrecting a nostalgic illusion of a special relationship with the United States at the expense of fulfilling our destiny in a closely integrated Europe. In the political phase of this crisis, it is vital that we strengthen international—*[Interruption.]*

Mr. Speaker: Order. I ask the House to give the right hon. Member a fair hearing.

Mr. Ashdown: In this phase of the crisis, it is vital that we not only strengthen international consensus to provide a foundation for the actions that will be necessary over the next few months, but that we also effectively deny Saddam Hussein his most potent propaganda weapon. The world must know that this is not just a United States/British action. In our attitudes, we have perhaps done too little to stress the international nature of our operation. Frankly, we could be doing much more to emphasise the Arab components in the multinational force. It must be made clear that, if Saddam Hussein attacks, he will be fighting fellow Arabs as well as the western forces.

I hope that no one will underestimate the courage that many Arab states have shown in standing up to Saddam Hussein, often at great cost to themselves. In the west, we should demonstrate that we are sensitive to the views of moderate Arab states and especially to their concerns about the future of the holy places.

The United Nations has rightly chosen sanctions as the weapon to defeat Saddam Hussein. We are told, and the Prime Minister has just repeated it, that that is Government policy and United States policy. That is all very well, but sanctions must be given a chance to work. The Prime Minister has said that that may take a few months. Mr. Jim Baker, the United States Secretary of State, made it clear on Tuesday that it would take a considerable time, and that is what he asked of the American people. We must also provide a considerable time to allow sanctions to work. I doubt if they will really start to bite until perhaps the end of this year at the earliest, and will probably not develop their full effect until some time after that, but I repeat that they must be given the chance and the time to work.

I think that it is right for us to contemplate what action we should take to fulfil the terms of the UN resolutions if sanctions do not work. As all three of the previous speakers have already said, that is the nub and heart of today's debate, bringing us full face with the issue of whether and in what circumstances force ought to be used.

First, I agree with the right hon. Member for Old Bexley and Sidcup—that, if any further aggression is initiated by Saddam Hussein, it should be clear that the multinational forces will feel free immediately to respond against him with the full measure of our military capability in the area. If such a response to Hussein's further aggression should open a military possibility of freeing Kuwait, well and good—the Government can be sure of the support of my party in any such action—but what about the use of force initiated by the multinational forces if sanctions in the end are seen to fail?

Those who are not prepared to countenance the use of force in such circumstances must be prepared to countenance the possibility that Saddam Hussein will be allowed to hang on to the ill-gotten gains of his tyranny —and that is unacceptable to my hon. Friends. We accept, then, that the use of force may have to be an ultimate option, but it must be just that—the last option.

I have heard talk about pre-emptive strikes and surgical wars. I have learnt from bitter personal experience that when the armchair theorists and the Whitehall generals start talking of a surgical war, it is time to start running for cover. A war is never surgical for those who have to fight it—except in very specific terms, which I am sure are not encompassed in that phrase. It may just be possible to fight a contained war in the south Atlantic, but it is not possible elsewhere in the world, and I believe that it is specifically not possible in the middle east.

If there is a war, I believe that it will have unimaginable and incalculable consequences. We shall place in jeopardy not just the lives of many thousands of human beings, but our chance for stability in the middle east in the long term and, possibly, our hopes for a new world order as well. Force, therefore, must be the last option and when it is used, it must be used on behalf of the community of nations as a whole.

Mr. Dalyell: The right hon. Gentleman has military experience. Has he any clear idea—I ask this simply as a question—what the rules of engagement will be for someone holding the kind of rank that he held, who may have to make a vital decision in a very short time? Is there any clarity about those rules?

Mr. Ashdown: I know that the hon. Gentleman has a special interest in rules of engagement. Let me tell him, as one who was at the other end of the decision by the right hon. Member for Old Bexley and Sidcup to send the troops into Kuwait in 1961—I was among the first troops to land there—that I was perfectly clear about what my rules of engagement were: if someone attacked me, I would respond immediately. That seems to be so self-evident that we scarcely need a House of Commons debate to discuss it.

As I have said, if there is a war the consequences will be incalculable. That is why I say that war must be the last resort, and must be undertaken on behalf of the community of nations as a whole. Measured force of last resort, supported by moderate Arab nations, by the European Community and by the Soviet Union, is one thing; a rash Anglo-American military adventure, undertaken unilaterally, would be another. I believe that the Government would find it extremely difficult to carry public opinion in this country—and international opinion abroad—if they were to embark on such an adventure without the backing of the United Nations.

UN support is not of itself the main issue, although a UN Security Council resolution would be the most effective outward and visible sign that the world community shares a common resolve. To shatter that resolve through impatience would be foolish, and even a successful military outcome could nevertheless represent a serious political failure.

Let me say this to the Government: our joint cause, the defeat of Saddam Hussein, stands its best chance if the Foreign Secretary continues to build a common resolve for future action, rather than threatening unilateral action on whatever basis. Let me make it clear that I do not say that we should avoid unilateralism because this is safer; I say that we should preserve international co-operation

and support because it makes us stronger. The unanimous, worldwide condemnation of Hussein, and the international support that we have for our actions, should be our greatest weapon in his defeat, and it would be an act of folly to sacrifice such a priceless asset.

It is by ensuring that our actions remain the expression of the voice of the international community that we also provide the greatest degree of safety of our hostages. Saddam Hussein must be made to know that, for his treatment of our hostages, he will be held to account not just by Britain but by the entire world community.

We must also recognise—as the Prime Minister suggested in a very welcome statement—that the middle east will never be the same again after this is over. I do not believe that the resolution of this problem can be achieved except in the context of the resolution of other middle east problems. Jim Baker, the American Secretary of State, implied as much when he spoke earlier this week. The fulfilment of UN resolutions in one area will be bound to give rise to legitimate demands that they be fulfilled in others too.

We are not fighting for a re-establishment of the status quo in the middle east; rather, we should be aiming to establish a new structure for peace and stability in the region. The west may have a role in helping to bring such a structure into being, but our guiding principle must be that we leave the settlement of regional affairs to the nations in the region concerned.

I cannot end without touching on the plight of the refugees now haplessly caught in the demilitarised zone on the Jordan-Iraq border. These are the innocent flotsam and jetsam of this terrible crisis: they are as much the children of Hussein's tyranny as are our children. It would be terrible if, in fleeing death from the tyranny of Hussein, any one of them found death in the desert because of our neglect. The Prime Minister has announced a welcome extra £2 million. Let me say to her that, as this country has led in the process of preserving peace and security in Saudi Arabia, I hope that we shall now lead in preserving the lives of those in the desert. I hope that the Prime Minister will pick up the suggestion made by the right hon. Member for Old Bexley and Sidcup, and that we shall send a massive airlift out there now to provide rescue for those unfortunate people.

The outcome of this crisis will decide five things. It will decide the freedom of Kuwait, the future of Saddam Hussein, the long-term stability of the middle east, the means by which we provide for world peace in the future and how Britain will play its role in that effort. My hon. Friends and I believe that the most powerful weapon with which to free Kuwait, defeat Hussein, establish stability in the middle east and give the United Nations the role for which we all hope in the future is international action. If the Government act to ensure that Britain continues to play its part within that international framework, they will continue to receive our full support.

4.19 pm

Mr. David Howell (Guildford): The speech of my right hon. Friend the Prime Minister was both clear and fine—it fitted perfectly this sombre occasion; her leadership is one which we all recognise and admire. So, too, was the speech of the Leader of the Opposition. He spoke well. Although there may be some difference of emphasis, I see in practice no difference between the two Front Benches in their approach to this crisis. Both speeches suggested clearly what the objectives were, and are, of the world powers in this affair.

In recent weeks it has been suggested in the media that the objectives of the world powers and of the allies are blurred, but in all the world crises that I can think of the objective has never been clearer than in this one. It is as defined in resolution 660: the immediate and unconditional withdrawal of Iraqi troops from the state of Kuwait and the restoration of the legitimate Government. As my right hon. Friend the Prime Minister said, there can be no negotiation about that, because there is nothing to negotiate. That should be the limited and measured, but very clear and unquestioned, aim of all our efforts and endeavours and of all the material and financial resources mobilised worldwide—not just by the west, not just by the Americans—to force Saddam Hussein to shed his spoils and retreat to where he stood on 1 August.

Should one go beyond that, as many would like, and insist on the overthrow of this monstrous man? My belief is that as far as the immediate United Nations objective is concerned; it is wrong to think in terms of higher and further missions and goals. Both my right hon. Friend the Prime Minister and the Leader of the Opposition confirmed that belief.

We may not like this most unpleasant man. He has the most repulsive habits. He is evil; he takes hostages; he is cruel; he has waded to power through a sea of blood. He has, if I may make a personal reflection, the rather unfortunate habit, when he makes a Cabinet reshuffle, of shooting or strangling the outgoing Ministers. He is not, of course, the only despot in the world who does that, so that in itself would be no reason for the United Nations or the world powers invading his country. We must keep clear the immediate aim that was laid down by the United Nations. The nations of the earth came together and defined that clear aim. That is what has to be achieved.

Ahead lie matters for consideration. It is not too soon for the House to turn its mind to considering the issues raised by my right hon. Friend concerning the new security structure for the Gulf and the middle east. How do we cope with the chemical weapons capacity, and perhaps the emerging nuclear capacity, even of a defeated Iraq—even of an Iraq without Saddam Hussein but with some new gang or despot in Baghdad? There will be nobody except a despot in that area. These issues will be raised in setting up the new security structure. They were the kind of issues to which Mr. Secretary Baker turned his mind in his constructive and valuable comments to Congress yesterday and the day before.

They open up the opportunity to confer again on and address the other problems of the middle east, of which the right hon. Member for Manchester, Gorton (Mr. Kaufman) has constantly reminded us. These issues existed before the invasion of Kuwait and they will exist long after that issue has been resolved. The problems of the west bank and of the Palestinians in Israel will have to be addressed in the future, but I counsel against confusing those essential problems, which will have to be resolved, with the immediate and limited task set by the nations of the earth, through the United Nations, of getting the Iraqi dictator out of Kuwait.

Mr. Bob Cryer (Bradford, South): On the question of limiting the spread of nuclear weapons, is it not important that the Government should express their strong and

[Mr. Bob Cryer]

continuing support of the United Nations nuclear non-proliferation treaty and the implementation of all its articles, including article 6, which means that the nuclear powers must themselves set an example by diminishing and removing their dependence on nuclear weapons?

Mr. Howell: Certainly the diminishing of nuclear weapons and the pursuit of disarmament and weapons control has been a major objective of western Governments, with some success. The hon. Gentleman is quite right to say that, after the present crisis is over, the new security order ought to be one that mobilises renewed pressure—possibly with the backing of the permanent members of the United Nations Security Council—to insist on even more rigorous control not only of nuclear weapons but of the filthy and revolting chemical weapons —the so-called poor man's nuclear weapons—that are present in the middle east and threaten not only the middle east but all of us. These are matters to which we shall have to turn our minds in intense detail in the weeks and months ahead. At the moment, however, it is a question of uniting totally around the single objective of getting this man out of Kuwait.

The second point that I want to make is simple. Again, it was emphasised in the clear speech of my right hon. Friend the Prime Minister. This is not now, nor has it been from day one—the beginning of all this—anything other than an international effort. It has been the aim of Arab propaganda, and of many of those with a deep and instinctive bias against the United States—saying that whatever it does is wrong—to depict the whole exercise as either an American, or an American-British, or an American-British-Zionist imperialist operation which is not supported by the wider international world. I believe that what is taking place is not just an American effort —although undoubtedly the Americans have had to shoulder the logistical burden and probably will have to continue to do so—and not just a western effort.

We have seen the Soviet Union, after a slightly shaky start—understandably, because it is in a very weak state —beginning to give increasingly clear support for the task set out and the methods needed to get Saddam Hussein out of Kuwait. We have seen the Arab nations themselves first combine together and secondly call strongly for the support of the western allies in both defending Saudi Arabia and in due course driving Saddam Hussein out of Kuwait.

President Mubarak—one should not underestimate the difficulties that such a man faces, due to domestic internal pressures—has put possibly his life, certainly his political life, on the line. He, King Fahd and the other emirs, who, in a sense, are no more or less democratic in their positions than the despot in Baghdad—although he talks about it in other terms—have put their political lives on the line. They must see—and rightly would feel totally betrayed if they did not see—the fulfilment of the United Nations mission, with America and Britain playing their part in achieving that ambition.

This is a totally international effort. Those who feel that they cannot send logistical support should be pressed, as they are being pressed—rightly so, as my right hon. Friend the Prime Minister said—to make massive resource contributions. As the Leader of the Opposition reminded us, that most definitely includes the Japanese and the Federal Republic of Germany, although the federal republic has huge extra imposts on its budget as the cost of unification grows and grows.

This is the time for everyone to do more than put their hands in their pockets and make fine speeches. They must contribute to the international effort—approved and supported, we hope, at each stage by the United Nations. It must be an international effort at every level. I feel that this is the time not to make accusations against some of the backsliders, although there has been backsliding, but to encourage them and to insist that they should play a growing part in the joint international, world-based task of driving Saddam Hussein out of Kuwait. Any alternative, any bickering in our own ranks, any turning round and saying that people are not playing their part carries the danger of sending signals to Baghdad that the west is divided and of giving this wretched man more of an opportunity to continue on his way by trying to expose and expand those divisions.

As to the means of fulfilling the objective on which we are all agreed, Saddam Hussein has excluded the prospect, if it ever existed, of voluntary withdrawal from Kuwait. He has annexed Kuwait, changed the Administration and dug in. He has indicated that he understands only one language —pressure and force. Short of the right pressures and forces being applied, within whatever time scale, he will not budge.

The embargo on the high seas, vigorously applied by the world powers, may do the trick in the months ahead, but the long haul—this is why it is appropriate for the House to gather—may be an empty haul. As the months pass, it may not be possible, through the sea blockade alone, to achieve what the United Nations, the free nations and the other nations of the world have decreed—Hussein's ejection and eviction from Kuwait.

That is why it seems to me that, although today we may believe so far so good, a grim crossroads lies somewhere ahead. I cannot see whether it will be months or even half a year away, but there will come a time when we must ask whether the sanctions embargo by sea has worked, what leakage there has been by the vast fleets of jumbo aircraft, which cannot carry oil but can certainly carry in supplies, and whether other subterranean networks are continuing to supply oxygen to the Iraqi regime. I suspect that more pressure than the embargo and the blockade will be needed.

That amounts to the clear and obvious injunction that we must do nothing in the House, nor should the legislatures of other nations involved, to tie the hands of our Executives and Governments in dealing with and mobilising the necessary pressures in the months ahead.

If this man is left in possession of Kuwait, the message is quite simple: violence will have won. All Arabs—and all despots around the world—will draw their own conclusions. The moderate Arab leaders whom I mentioned will fall and be destroyed and we shall open the way to a decade of endless violence, endless terror and endless world instability. In a few months' time, should Saddam Hussein still be in place, we would find ourselves walking around the rim of the volcano of nuclear and chemical holocaust.

Someone said—perhaps I should be better educated historically—that all the great political decisions are a choice between the disagreeable and the intolerable. If the Governments here in London, Washington and elsewhere now have the courage, as I believe they have, to take

disagreeable risks—things cannot be done without some risks—to avoid the much darker and intolerable conditions that would ensue for years ahead, I for one will give them my wholehearted support.

4.32 pm

Mr. Denis Healey (Leeds, East): The House will agree that Saddam Hussein will go down in history for at least one unique achievement: he has united all parties in the House of Commons, all permanent members of the Security Council and the overwhelming majority of members of the United Nations both on the objective of getting him out of Kuwait and on the best method of doing so—a blockade supported, if necessary, by appropriate force. I think that those are the words of the resolution.

I believe that the blockade will be effective and will lead to Saddam's withdrawal, even if it is applied to oil alone, because 90 per cent. of Iraq's hard currency has been derived from the sale of oil, and 80 per cent. comes from the sale of oil carried by two pipelines, through Turkey and Saudi Arabia. Even without the naval blockade, the closure of the pipelines is likely to be effective, provided, as my right hon. Friend the Member for Islwyn (Mr. Kinnock) pointed out, countries do not give Iraq credit when it has no currency to offer.

I hope that all Governments, including our own, have learnt something from their experience. Iraq owes about $80 billion to Arab and western Governments, divided roughly equally. It owes an enormous sum to the Soviet Union, although I do not think that figures are yet available, and the west has lost over $10 billion in recent export credits to Iraq. That includes the United Kingdom, which in recent years has given Iraq £900 million in export credits. In the main, that was for civilian goods, but it freed Iraq's hard currency for the buying of arms from various parts of the world.

The combination of the blockade and the denial of credit is likely to work. Indeed, I gather that Iraq has already lost $3 billion of revenue in the short period during which the pipelines have been closed.

The blockade is bound to take time to be economically effective. Most people believe that the minimum period will be four or five months. It might be politically effective in a shorter time, or it might take longer to be politically effective than to be economically effective.

The most heartening feature of the past week is that the American and British Governments have accepted that it will be a long haul—that the blockade can work, but it cannot work within weeks and is much more likely to take months.

Fortunately, because oil-producing countries, particularly Saudi Arabia, have agreed to make good the oil lost to the world because of the unavailability of oil from Iraq and Kuwait, although there will be temporary difficulties with refining the right grades of oil from the crude available from Saudi Arabia and other countries, the direct economic effect of the crisis is likely to be very much less than the oil crisis in 1973—the first OPEC price increase—or the oil crisis in 1979 which was made worse by the Gulf war.

In real terms, yesterday's price levels are still two fifths lower than in 1985, and it is worth bearing that in mind before we panic about the economic effects on the world as a whole. The economic effects for certain countries, however, are catastrophic, particularly Iraq's neighbours, Turkey and Jordan, and for countries that previously relied for much of their revenue on remittances from people working in the Gulf who are now getting out as fast as they can, mainly through Jordan.

I agree with all that has been said about the need to provide help to cushion the shock, and in particular to get the refugees through Jordan back home as fast as is practically possible.

The success of the blockade and the whole operation depends on maintaining unity inside and between the countries concerned. That has been a remarkable and an unprecedented feature of the operation over the past five weeks, but it depends on Governments, singly or jointly, not carrying out a unilateral first strike against Iraq. I fully agree that we cannot rule out the use of force in certain circumstances, such as if we are or our allies are attacked, and possibly in certain other circumstances, but it is important for the House and for the public to recognise that the use of force against Iraq to get it out of Kuwait would be immensely dangerous both politically and economically in any other circumstances than as a response to attack. It could be absolutely disastrous if it did not take place within the framework of the authority of the United Nations.

During my somewhat turbulent holiday over the past few weeks, which I enjoyed as much as I hope that other hon. Members enjoyed their holidays, I was able to read the views of military analysts in the *International Herald Tribune*, the *Financial Times* and *The Times* about what a war against Iraq would involve. I was happy to see that they all disagreed with one another. I share the view of the right hon. Member for Yeovil (Mr. Ashdown) that nobody who has not fought in a war has much right to talk about what will happen if a war takes place. The one thing that one learns if one has been in a war—there are still a number of venerable gentleman present who were—is that sod rules. One never knows at the beginning how things will turn out at the end. Nothing ever happens as one expects.

However, some general considerations should be borne in mind. First of all, in the desert, neither side should rely too much on the advantages of advanced technology. The right hon. Member for Yeovil will recall that our intervention to help Kuwait in 1961 was successful because we did not have to fight. The right hon. Member for Old Bexley and Sidcup (Mr. Heath) will recall, because he was involved, that our troops were not acclimatised and that if they had been called upon to fight, there could have been a disaster. It is impossible to predict the consequences of fighting in those conditions, particularly if one has to meet the possibility of chemical attack.

The idea of a surgical strike is a fantasy. Mr. Gerasimov, that master of our English language, mixed his metaphors to good effect when he said a couple of days ago that if we tried a surgical strike, our scalpel would turn into a club and have a boomerang effect. That was an entertaining mixture of images, but the House will see the justice of his point.

The record of the United States in making surgical strikes is, frankly, not encouraging. We had the fiasco of the attempted surgical strike against Tehran to rescue the hostages, which ended hundreds of miles short of Tehran in the desert, when sand got into the engines of the helicopters. The Stealth aircraft was used first for a surgical strike in Panama and all the reports from Washington are that it was most inaccurate—about as

[Mr. Denis Healey]

accurate, the Secretary of State for Defence will not mind me reminding him, as the V-bombers in their attempts to crater the airstrip in the Falklands.

The surgical strike on Colonel Gaddafi was not terribly successful, although that was also carried out by F111 aircraft, which have also been deployed in the Gulf. It killed a lot of civilians, but did not kill Colonel Gaddafi and the intelligence, on which the raid was based was wrong, because Gaddafi was not in Tripoli but in his camp in the desert. A surgical strike requires not only extraordinarily accurate weapons but extraordinarily accurate intelligence, and I doubt whether we have that sort of intelligence on Iraq.

It is said that the objective of the surgical strike should be to get rid of Saddam Hussein. My old friend Henry Kissinger suggested this in a recent article, but he might recall that he carried out a surgical strike on Cambodia. It was not particularly surgical, because he used a lot of aircraft without the authority of Congress to do so. The main result of the strike was to replace Sihanouk with Pol Pot, and the consequences of that disastrous blunder are still being felt, as the Foreign Secretary will know.

Iran has already chosen the Iraqi Shi'ite Muslim fundamentalist whom it will promote to lead Iraq if Hussein is toppled. We must not assume that Hussein, horrible though he is, is the most horrible thing that could ever happen in the middle east. A few years ago, we were saying that Khomeini was so much more horrible that we would escort all tankers going to Iraq so as to protect them againt attacks by Iran. The attacks against ships going to Iran were just as numerous after the patrolling of the Gulf as they were before it, but at least we kept Saddam alive to fight another day. The most worrying factors about the idea of defeating Iraq in war are that it would leave Iran once again the dominant military power in the Gulf, and that could be a terminal setback for the present unsteady movement towards a more pragmatic regime in Tehran.

Worse than that, the destruction of Iraq in war would inevitably unleash a large number of other conflicts. Quite apart from the risk of Iran trying to take the Kurdish areas, there are already signs that Turkey is again considering occupying the oilfields that it lost in 1923. One of the reasons for the current Turkish proposal to allow, for the first time, its troops to fight abroad is to free them for that purpose. There is an interesting article in the *Financial Times* today on that possibility. The possibility that Syria would turn east is also a real one.

To destroy Iraq or to bring down the Iraqi regime could not be guaranteed to be in the interests of stability in the middle east. Moreover, a war largely conducted by the British and our American and NATO allies would produce a situation in which the monarchical regimes in the Gulf might find it difficult to survive. There would be a wave of Arab nationalism combined with a wave of Muslim fundamentalism.

Most of the Gulf states rely on foreign labour and Arab labour from other countries not only for getting oil out of the ground—there are 350,000 Palestinians in Kuwait alone—but, in the lower Gulf, for a large part of their armed forces. In my day, that included some British forces —I am not sure that it still does. That is why Prince Sultan, who is the Minister for Defence in Saudi Arabia, told the press the other day that he did not believe that it was in Saudi Arabia's interest to carry out a military strike against Iraq and that no such strike should be carried out without Saudi Arabia's agreement. That is why the Saudi Government did not allow the United States to base B52s in Saudi Arabia, although, according to the Arab press, it had asked permission to do so.

I hope that the Foreign Secretary will talk to us frankly about his recent trip round the middle east. Oman is the one country which is comparatively independent and still a good friend of Britain. In Oman, the Foreign Secretary was advised to rely on diplomacy and on economic sanctions, rather than on military force, to achieve his objective. Surely that is wisdom, not just for Oman, but for the other Gulf states and, indeed, for Britain and for the United States. I was glad to see that, in Amman yesterday, the Foreign Secretary—if he was rightly reported—did not rule out negotiations with Saddam Hussein, once Saddam Hussein leaves Kuwait.

The right hon. Member for Old Bexley and Sidcup was quite right to say that, if it was possible to produce more stability in the Gulf and in the rest of the middle east through the initiative of the Arab countries, that would be far better—even if they reached agreements of which we should not wholly approve—than trying to impose it by western force.

I must raise another consideration. One cannot be sure what would happen if there were full-scale war between Iraq and its opponents in the Gulf. However, it is at least possible that a large part of the oil facilities on which the whole world depends would be put out of action for a long period by one side or the other. In that case, the world would face the prospect of $50 oil lasting for years, not for weeks or for months.

In the present world economic situation, that would certainly produce a world recession and could produce the collapse of the fragile American financial system, as the hon. Member for East Lindsey (Sir P. Tapsell) will know. It is not an option to be considered lightly and if, in the end, we have to consider it at all, my right hon. Friend the Member for Islwyn and the right hon. Member for Yeovil, the leader of the Liberal Democrats—I do not know whether, as an old man, I keep up with the changes of nomenclature—were right to say that it must be done under the auspices of the United Nations. If China imposes a veto in the Security Council, we could find a way of doing it through article 42, which deals with regional security.

No action should be taken without the full public support of all our NATO allies, of all our partners in the European Community, of the Soviet Government and of many Arab Governments. I know that that is a lot for which to ask, but nothing less would suffice.

We must remember that the Sovier Union is far closer to the Arab world than we are. It is about 300 miles from the Iraqi frontier to the frontier of the southern Soviet Union. The Soviet Union has a perfectly legitimate interest in the stability of that part of the world, and it must be involved in any decision regarding the pursuit of the United Nations resolutions. For that reason, it is important that the summit meeting between President Bush and President Gorbachev reaches a reliable and clear agreement this weekend on some of those matters.

I want to turn to the up side of what has hitherto been a rather gloomy story. If we can keep Soviet co-operation in defeating aggression in the Gulf and in increasing stability in the middle east, the way is open for a whole new

world of opportunities. As Gorbachev predicted in his first speech to the Communist party congress, the ending of the cold war enables us all to move, groping in the dark as it were, to an interdependent and integral world. We now have, for the first time in history, the opportunity to give the United Nations—a world organisation—the role envisaged for it by its founders. We may need it to develop that role not only in other parts of the middle east, but in Africa and in many parts of Asia, where the tension between Pakistan and India currently threatens to explode into war at any moment.

Thank God we now have the opportunity to learn a lesson from a long concatenation of blunders by all the external powers in their policies towards the middle east. Not only the United States and Britain, but France and, equally, the Soviet Union have made blunder after blunder, from all of which they have gained nothing and lost much. Some of the blunders reflected the strains created by the cold war, such as the "Northern Tier" experiment, which led to the downfall of a moderate Government in Iraq, and the Russian support of Nasser and later of Syria. That factor is no longer there.

However, there is one constant factor to which I must refer—the blind determination of all Governments in arms-producing countries to stuff arms down the throats of all the regimes of the middle east, regardless of their external or domestic policies and, above all, regardless of their stability. The result is that the arms we loaded on to the Shah of Iran in the belief that he would dominate the middle east and the Indian ocean fell, just like that, into the hands of a religious maniac. We found ourselves involved in trying to defeat the Khomeini regime with the help of Iraq. Incidentally, when Iraq invaded Iran, the matter was not raised at the Security Council and sanctions were not imposed.

I hope that Iraq has learnt something from that invasion. Saddam Hussein has killed 1·5 million of his own people for absolutely nothing. In the agreement that he made with Tehran a few weeks ago, the last gain that he could claim from the war disappeared into thin air.

Surely we can learn something from that history. There was no effective protest from Britain when the Syrian Government murdered between 10,000 and 30,000 people at Hama in 1982. There was only the mildest slap on the wrist for Saddam Hussein when he killed 4,000 Kurds inside his own country with poison gas in March 1988. The United Kingdom immediately doubled its export credits to Iraq.

Mr. Waldegrave *indicated dissent.*

Mr. Healey: It is no good for the Minister of State, Foreign and Commonwealth Office, to wag his head. If he consults his friends in the Box, they will be able to confirm what I have said. At the Baghdad arms fair which followed in April 1989—just over a year ago—there were 17 British companies, 35 French companies and three Italian companies. None of us has very much to be proud of over that.

When some Labour Members protested against those arms sales in the defence debate last October, we were told by the hon. Member for Plymouth, Sutton (Mr. Clark), who is a Minister of State, that we were talking claptrap. It was the same fatuous philistine who was chosen by the Prime Minister to tour the Gulf as a sort of John the Baptist to the Foreign Secretary.

There is not, and cannot be, any guarantee that arms which are sold to such regimes will not be used for aggression and will not be used against us. It has happened too often in the past.

Mr. Jonathan Sayeed (Bristol, East): Am I not correct in believing that the right hon. Gentleman was Secretary of State for Defence at the time when, in his words, we were stuffing arms down Iran's throat, when the Shah was in power, and that those arms later fell into the hands of Khomeini?

Mr. Healey: It was a great mistake, and I have the sense to admit it. I did it because I was assured by the Foreign Office—*[Interruption.]*—that the Shah would be there for ever.

I appeal to the Government to take up the suggestion made recently by Mr. Shevardnadze, the Soviet Foreign Secretary, to ask the General Secretary of the United Nations to organise talks between the major arms suppliers, the overwhelming majority of which were in one or other of the cold war alliances, to see whether we cannot now control the supply of weapons, at least to the third world.

I refer not just to the weapons that we are particularly proud of possessing—nuclear and chemical weapons and missiles—but to conventional weapons generally. The bulk of the 20 million people who have died in wars in the third world since 1945 have not been killed by weapons of mass destruction. Enormous numbers have been and are still being killed, particularly in places such as Beirut, by small arms and hand-portable weapons. If there are to be more wars in the middle east as a result of instability, much of the killing will result from the use of such arms.

We need international control of arms supplies, not just in the middle east but in Africa and Asia. Overwhelming evidence is now coming from United Nations organisations that arms imports are ruining the prospects of economic development in many of those countries.

We must also try to deal with other local problems in the middle east, and I am glad that Secretary Baker, the Prime Minister, my right hon. Friend the Leader of the Opposition and all who have spoken in the debate have asked for that to be done.

There is no question but that one of the most urgent problems there is that of the Palestinians. Because the world, when it set up the state of Israel, made no provision for the Palestinians who were expelled initially into Jordan, that has been a source of continuing and increasing trouble. That trouble could reach crisis point again in the next year or so if the emigration of up to 1 million Jews from the Soviet Union leads to the expulsion of the Arabs from the occupied territories of Israel. It is an urgent and dangerous problem and I hope that we shall take advantage of the weather window which Secretary Baker seemed to open in his speech to get down to tackling that issue immediately.

Mr. Tony Marlow (Northampton, North): I have enjoyed the right hon. Gentleman's speech. Does he agree that a strength that Saddam Hussein gains throughout the Arab world is the perception that he, and perhaps he alone, can deliver a Palestinian state? If, as a main plank of western policy, of United Nations policy, we were now to commit ourselves to resolving that problem, would not that undermine some of the strength of Saddam Hussein?

Mr. Healey: Yes, and one reason why Saddam Hussein is playing that card is that 350,000 Palestinians are living and working in Kuwait, largely involved in producing oil. Indeed, Palestinians of stature are engaged all over the middle east in important managerial roles.

A clear lesson resulting from this affair is that there is no answer to the problem—or to any of the multifarious problems which will torment the world with the end of the cold war—other than a multinational answer under the auspices of the United Nations. I was immensely encouraged by one sentence—there were many others—in the speech of the Prime Minister, when she said that she thought that the future security structure in the Gulf must be under the United Nations. I am glad that she seems to have dropped the ridiculous idea, made in a recent speech, that NATO should take it on.

Like a diminishing band of colleagues in the House, I am getting on in years. I was born in 1917. My boyhood and youth were tormented by the failure of governments after the first world war to turn the League of Nations into an effective instrument of international security. When I left the Army in 1945 after the second world war, I believed, like many young men and women, that we really had a chance to do it under the United Nations. But Stalin destroyed that opportunity, and the last 40 years have been dominated by the cold war between the communist and western blocs.

That war is over. The world now faces its third opportunity to create a world society. It has the instrument to hand. All the great powers have said that they want to use it. I pray to God that we do not fail this third time.

5.6 pm

Mr. Jonathan Aitken (Thanet, South): I am grateful to have been called to speak, albeit unexpectedly. We have had an outstanding debate so far, in which the unity between the two Front Benches has been a most encouraging feature of the solidarity that we all feel at this time of considerable history and anxiety for the world.

I have been a visitor to the Gulf for over 20 years, first as a young private secretary to our former colleague Selwyn Lloyd, latterly as a journalist, business man and Member of Parliament. I feel deeply for the peace-loving people of those Gulf countries who in this hour face the possible agony of war. We must be aware of the great anxieties that they feel.

Two scenarios have been outlined in the debate, the first being the policy of patience—the patient long haul by which sanctions are applied—backed up by a blockade. We all hope that that policy of patience will bring down the monster who is dominating the world's headlines, Saddam Hussein.

The problem with playing it long is that it might also mean that we do not win in the end, because there are many worries over the long haul. Its obvious disadvantage is that there could be gaps in the blockade. I am not full of admiration for the course that King Hussein has played in the crisis so far in his apparent reluctance to enforce sanctions.

By playing it long there will be military problems. The American service men now in the desert, in that hostile environment, need their R and R—their rest and recreation—or after a few months troop morale will go stale and the American service men will not be able to perform key functions. However, there are no R and R facilities in Saudi Arabia. There are no Budweiser beers, red light districts or worlds of Suzie Wong in downtown Dhahran.

Therefore, there are anxieties that playing it long will place all sorts of pressures, not just on American service men, but on American political opinion. We are told by the media anchormen that American public opinion cannot stand the problem of many months of waiting for a result. I think that the anchormen may have underestimated the American public's resolve, but, nevertheless, playing it long, being patient, has worrying problems.

Even more worrying are the difficulties involved in being impatient. I entirely agreed with the Leader of the Opposition when he said that there was enormous peril in a first strike policy. I do not believe that the American Government are contemplating such a policy, which would certainly lose that most precious of all assets at present, the international consensus and backing. It must be politically right to have the world united, as it is today. To throw that ace card away would be a foolish mistake.

At the same time, we must recognise that, although there is political wisdom and desirability in keeping the international world united, with the United Nations totally on side and approving—the desirable first prize—should that option be available to us, we should not shrink from using the legal backing of article 51 of the United Nations. I am not sure that the Leader of the Opposition made that distinction in his speech. Article 51 enables this Government, the United States Government or any other Government to act with due legal sanction.

I wonder how the scenario will evolve. One topic that has not yet been mentioned in today's debate is what is happening inside Kuwait at present. I believe that the resistance inside it is more formidable and forceful than generally reported. What the Iraqis are doing in Kuwait has all sorts of sinister signs and portents, and includes mining all the oilfields with high explosives. In what could be going on in Kuwait lie the perfectly justifiable seeds of a request from the Emir of Kuwait, under article 51, for military intervention—somewhere between the patient and the impatient scenario.

Mr. Patrick Cormack (Staffordshire, South): Is it not clear from what we have heard from the Kuwaiti ambassador and others that the country is being devastated and laid waste by the Iraqis, even as we debate?

Mr. Aitken: There is no doubt that the position in Kuwait is more horrific than has generally been recognised. It is not surprising that Saddam Hussein, who has been so accommodating to the international television networks, has in no way helped them to gain admission to Kuwait to tell the true story of what is going on there.

The central theme of the debate is what I think the Leader of the Opposition called being interested in success. What is success, and what does it mean? We know the United Nations list of priorities and demands, and I think that we all agree with them. As a House, we should discuss whether those requirements should also mean the fall of Saddam Hussein, which is immensely desirable. However, that is the business of the Iraqi people and not directly ours, which is to ensure that, at the end of the crisis, Saddam Hussein, or his successor, is so politically humiliated and militarily castrated that we cannot be faced

with this dangerous volcano once again, fearing that chemical weapons, perhaps even nuclear weapons in two years' time, could be used.

The prize is great; it is not just ending the reign of a monster in Iraq or cooling the highly tense and volatile situation that exists today, but what several speakers have called maintaining the wider new world order. There is a glittering opportunity that out of this terrible act of aggression could come the chance to get justice for the Palestinian people and a settlement that would guarantee stability through a multinational force and a United Nations umbrella. Those are great prizes.

If we stick to the solid and united front that we have shown in the House today, continue to back our allies in the Gulf as we have done, do not lose our nerve and show either too much impatience or go too slowly because we have become too legalistic and keen on the United Nations rubber stamping everything in every eventuality—which would simply be impossible—but strike a firm but middle line, there may yet be a good and sensible outcome to this terrible tragedy.

5.15 pm

Mr. Ernie Ross (Dundee, West): Having worked for so long on one case of occupation and annexation, I am heartened by aspects of the Government's public response in the face of the current crisis. They have consistently cited the requirements of international law and insisted on the need for that law to be given teeth by the international community in order that the occupying power, in this case Iraq, should understand that no state may tear up the international order and expect to pay no price. They have given proper prominence to the authority of the United Nations and the need for consensus in the international community as a basis for action.

The Government have insisted that their nationals and all civilians in occupied Kuwait are protected persons and have fundamental rights that must be protected. They have reminded Iraq that some acts against those protected persons give rise to individual criminal liability and that those committing such violations may be subject to the equivalent of war crimes trials.

A position based on international law is not only the correct one in respose to violation by a state, in this case Iraq, but the only one holding any hope for a proper resolution of the conflict. Retaliatory measures or unilateral interventions that violate the law will do nothing to resolve the crisis. We must always remember, when citing the law, that illegal measures by states are illegal no matter what the reason for which they were undertaken, whether in pursuit of aggression or in pursuit of confronting aggression. There is no need to resort to measures outside the mandate that already exist for states to react to violations of international law. Despite the frequent bewailing of the inadequacy of the mechanisms of enforcing the basic rules of international law, we have found that there are a variety of structural mechanisms for dealing with states that violate international law and refuse to comply with United Nations resolutions.

I welcome the imposition of stringent sanctions on Iraq and firmly support the role of the United Nations in directing the international community of states in the implementation of those sanctions. Other legal mechanisms of conflict, control and resolution that can be achieved through the forum of the United Nations include various forms of negotiation, arbitration and litigation and, perhaps most appropriately on this occasion, the presence of United Nations forces. I hope that the crisis can be resolved peacefully, through the enforcement of the sanctions imposed through the United Nations, and that all those involved will confine themselves to actions that are unequivocally based on international law and consensus.

All these points are familiar to me. I have frequently addressed them to the Foreign Office in the context of a different conflict in the middle east. For the past 18 months, I and others have been addressing the Government on the issue of the consistent and objective enforcement of the provisions of international humanitarian law, or the laws of war, as a means of providing protection for the civilian population of the Israeli-occupied territories and as a contribution to the search for a just, durable and peaceful resolution of the Israel-Palestine conflict.

We have always stressed the universality and the absoluteness of the minimum standards of behaviour of states laid down in major instruments of international humanitarian law—the Hague convention of 1907 and the Geneva convention of 1949. It has been our contention that the rules contained in international humanitarian law, if properly enforced, are sufficient to dissuade and prohibit states from carrying out an illegal agenda of occupation and annexation of the type that the international community now confronts in the form of Iraq.

I have heard the view expressed that it is erroneous to make such a comparison because the circumstances in which Israel invaded and occupied the Palestinian territories in 1967 differ from those in which Iraq invaded and occupied Kuwait this summer. I cannot agree with that view, but to argue it through now would be a distraction from a consideration of the fundamental functioning of the law between states.

As I understand it, the purpose of the law is to lay down minimum standards of conduct for all states and to provide means of insisting upon those standards being applied, regardless of which state is breaking the law.

Mr. Peter Archer (Warley, West): Does my hon. Friend agree that there is a distinction between the Israeli position and the position that we are debating? It takes two to make peace in the Israeli position, whereas in the circumstances that we are debating, one side wants peace and the other does not.

Mr. Ross: I shall deal in a minute specifically with what my right hon. and learned Friend has said.

The Prime Minister has made it clear that if the other side in the Israeli conflict accepted certain resolutions and renounced violence and terrorism, she would try to ensure that a peace conference would be held. That has been done; at least the other side has played its part.

The situations in occupied and annexed Kuwait and in the Israeli-occupied territories are governed by international law and are quite properly the concern of the international community from a legal point of view. Both occupations have given rise to unanimous resolutions of the United Nations for the occupying power to withdraw, and these resolutions have been flouted by both nations. Indeed, Israel has flouted them for over 23 years.

In both instances, the fourth Geneva convention applies. It confers certain fundamental protections on

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civilians in the occupied territories. I have no doubt that, if the occupation of Kuwait continues, we shall have resolutions similar to the almost countless number that now exist, and which call upon Israel to respect the convention and to condemn its violations. Palestinian civilians who are under occupation are entitled to the protection that is provided by minimum standards of behaviour.

In Kuwait, those minimum standards apply to the Kuwaiti population and nationals of many other states, including those of Great Britain. These protected persons are dependent for their welfare upon the firm resolve of the international community to ensure that legal provisions are enforced and implemented until the occupying power complies with the United Nations commands to withdraw.

The major difference in legal terms between the Israeli and Iraqi occupations lies in the reaction of the international community, and especially that of the United States and Britain and its European partners. The difference lies in the willingness and determination of the international community, and especially of the states to which I have referred, to enforce the law against the perpetrator of the offence.

In the middle east, failure by the international community to apply the principles and the rule of international law neutrally and consistently has led to the law falling into disrepute, at least to a certain extent. It may be said that the breakdown of these principles led the Arab regime into believing that it could break the law with impunity. We have discovered to our cost, and to the cost of many of our nationals, the ultimate implication of allowing any state to break the law that applies to states generally without paying the price of illegal actions.

Had the west not tolerated other illegal actions in the middle east, by failing to act upon its frequent but only verbal condemnations, and had instead reacted routinely to violations of international law and United Nations resolutions in the way which we are now seeing, the stakes would have been raised. It would have been much more difficult for any other political leader in the area to contemplate and carry out such actions. States—especially those with vulnerable economies—would have known that they would face economic collapse if they contemplated going beyond the legitimate constraints of state action.

The enforcement of international law thus has an exceedingly practical effect, as well as a humanitarian value, but only if it is implemented consistently and without regard to the identity of the violating state. International law is assailable only if it is selectively enforced and implemented to coincide with political expediency. Past weakness, with the consequent devaluation of the law, is one factor in the context of the current crisis.

We have before us a problem and an opportunity. We have shown resolve to seek compliance with the only standards that all states have in common beyond language, culture and religion, and that is the minimum provisions of the law of war and the binding resolutions of the United Nations. We have seen the consequences of the wilful ignoring or idiosyncratic interpretation of international law. Regional instability, threats to national interests and threats even to world security arise when we permit departures from minimal rules.

Having cited the rules in the context of the dispute that we are debating, and acted upon them within the context of international consensus, we must show a firm commitment to the rules and not one that is based merely upon who is breaking them. If that commitment is not maintained in future, the future for international law and order will be at stake. If we do not provide the law with necessary and legitimate teeth in other contexts, we may never again cite it as a basis for action. Instead, it will be merely an excuse in the terms of a political agenda, and effectively there will be no law.

I am not suggesting that two wrongs make a right—that, unless the international community takes action to restrain Israel from its violations, it has no right to restrain Saddam Hussein from his. I firmly support all efforts made within the terms of international law to restrain Saddam Hussein, but in future we must fulfil the same legal obligations without a hint of selectivity. If we fail to do so, and there is, in effect, only one right, there will be a great many wrongs. That will injure those in the middle east who have suffered most already—civilians suffering in time of war and belligerent occupation. These wrongs will necessarily have a fundamental effect on our own interests in future.

In 1990, Britain and its European partners, and even the United States, have recognised the importance of international law. There was that recognition in 1945, which led to the framing of the United Nations charter. Similarly, in 1949, agreement was reached on the text of the Geneva conventions. They were seen as major instruments to govern the conduct of states in time of war and belligerent occupation. It is a pity that we have had to wait until certain more visible interests were involved to remember the importance of these principles and the utility of enforcing their contents. When the crisis is resolved in accordance with fundamental rules, we must not allow them to be forgotten again. Selectivity in enforcing the law, as we have seen in the middle east, can lead only to its devaluation and inevitable violation.

5.27 pm

Sir Peter Blaker (Blackpool, South): Some Opposition Members seem to be hypnotised by the concept of a surgical strike. I do not know to whom they are referring, as they have not been specific. There is one body from which I do not hear talk about a surgical strike, however, and that is Her Majesty's Government. It is time that someone paid tribute to the Government for the great skill with which they have handled what I regard as the most dangerous international crisis since 1945.

The Government have not put a foot wrong. In particular, they have acted with great skill in the United Nations. Suggestions have been made by Opposition Members that the Government may not have paid much attention to the United Nations and the five resolutions of the Security Council. I have no doubt that the Government played an important role in securing those resolutions, and not least resolution 665, which was the most difficult to secure of them all.

Several hon. Members have said that we are in a new phase at the United Nations. I have observed the United Nations for nearly 40 years, including two complete General Assembly sessions some time ago. We all know

that, until now, it has been bedevilled by being used as a forum for one nation to make points against another rather than as a forum for securing results.

With the end of the cold war, we all agree that there is now a real possibily that we can make the United Nations a more useful place. However, it would be a great error to argue, as some have done, that the allied forces ranged against Saddam Hussein should take further military action only if authorised by the Security Council. The right hon. Member for Leeds, East (Mr. Healey)—who, I regret, is no longer in his place—said that the use of force must be within the framework of the United Nations. We can all agree with that, because article 51 is within the framework, of the United Nations. The point is not whether the use of force, if it became necessary, should be within or without the United Nations; it is whether it requires a further Security Council resolution.

I welcome what the right hon. Member for Islwyn (Mr. Kinnock) said on that point. He referred to a number of examples where force could be used legitimately without a further Security Council resolution such as, a request by Kuwait or further aggression. There could be other examples. To deny ourselves the ability to take further military action without another Security Council resolution would delight Saddam Hussein. It would certainly make him more stubborn and it would reduce the chances of achieving what we all want to achieve, which is the evacuation of Kuwait by peaceful means. That would be the perverse result of such self-denial.

If, as I believe, the right hon. Member for Islwyn is saying that it is desirable that further military action has the backing of the United Nations, I can only agree with him. However, I emphatically disagree with the right hon. Member for Yeovil (Mr. Ashdown), who said recently that further military action must have a further Security Council resolution.

The House should be aware of why article 51 is part of the charter. It is not an unimportant article. It was greatly debated during the three years between 1942 and 1945 when the United Nations charter was in the process of gestation. The founders of the United Nations—who, in general, were the victors of world war two—believed it necessary to include such an article because they were not prepared, especially the major powers, to deny themselves the right to take military action against aggression or against a threat to peace simply because it might not be possible, because of the veto, to obtain the sanction of a Security Council resolution. Article 51 is essential to chapter VII, which deals with threats to the peace and with acts of aggression, and it was central in the minds of the founders of the United Nations.

Mr. Archer: The right hon. Gentleman is accurate about the reason for article 51 being included in the charter. It was because there could be no certainty that there would be a general agreement among the United Nations. However, where a consensus is attainable, would it not be a step back to rely on the right of self-redress?

Sir Peter Blaker: I agree with what the right hon. Member for Islwyn said—that it is desirable to have the clear backing of the United Nations if that is attainable. However, we should not deny ourselves the opportunity to act even if it is not possible to obtain a Security Council resolution. As the House will recall, we relied on article 51 for our action in the Falklands.

The Soviet Union recently suggested that there should be a comprehensive conference dealing with both Iraq's aggression and the question of Palestine. I do not know why it made that suggestion, which I believe is unwise. It would risk obscuring the main issue, which is to ensure that Saddam Hussein does not profit from his aggression. We must obtain his withdrawal and ensure that there is no possibility of further Iraqi aggression against Kuwait or its small neighbouring countries. Measures must be taken to deal with Iraq's nuclear and chemical weapons capability, and a security regime must be established in the Gulf.

Mr. David Winnick (Walsall, North): Is there not a danger that in agreeing to an international conference—which I hope will not be the case—it would give the dictator of a criminal regime the status to say, in effect, that what he has done in Kuwait has led to an international conference to deal with all sorts of other issues? Those of us on the Labour Benches who were strenuously opposed to the Suez aggression in 1956 made it clear that we did not want an international conference, but an end to the aggression—which was supported at the time by France and Israel. Our view remains the same. The aggression that began on 2 August must be ended before there is an international conference to deal with all the other issues, including the position of the Palestinians which, at some early stage, must also be discussed and resolved.

Sir Peter Blaker: The hon. Gentleman made a number of valid points. An international conference would enhance the status of Saddam Hussein. An additional, important point which was implicit in what the hon. Gentleman said is that it would enable Saddam Hussein to divert world attention to the question of Palestine and unite the Arabs behind him in opposition to Israel, which would be highly undesirable.

The world faces enough problems over the Gulf without adding the question of Palestine in the same forum. Of course we must not lose sight of the Palestine problem, but if we attempt to treat both those issues in the same forum at the same time, we are in danger of failing on both. We must first concentrate on solving the problem of Iraq's aggression. If we are successful, we may then find the further momentum to tackle, as we should, the question of Palestine.

5.38 pm

Mr. Tony Benn (Chesterfield): Many hon. Members have said that this is the gravest crisis that we have faced since 1945, and I share that view. In the light of that, can anyone doubt that it was right to recall the House of Commons so that we could debate the matter outside the television and radio studios and without relying upon the mass media? There has also been a demand—quite properly in a crisis—for a degree of unity, and that unity has been present in a number of important respects. No hon. Member supports the act of aggression by Saddam Hussein against Kuwait. So far as I know, no hon. Member is other than strongly supportive of the sanctions taken by the United Nations against Saddam Hussein and the resolution for their enforcement. We also have something else in common—none of us will be killed if a war breaks out.

But as Members of Parliament, we have responsibilities which cannot simply be subordinated to the role of the

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Government. This is not the place to deal with it, but under our constitution, military deployments, acts of war and treaties of peace come under the Crown prerogative. Parliament has no legal or constitutional right whatever to decide the matters that are before us for debate.

But we have a duty to represent people. We have a duty to represent—as far as I can make out, some Conservative Members have done it with tremendous energy—British citizens in Iraq and Kuwait. We have a responsibility for them and their families. That has hardly been mentioned except as an instrument for denouncing, quite properly, the man who is detaining them. We have service men and women in the middle east, and perhaps more are to go there if the stories in today's papers are right. They and their families are entitled to have Members of Parliament to represent them. There are the refugees, thousands of them without water and food, and as human beings we have a responsibility to them. I might add that the tragic pictures that we have seen of people in the desert without proper food or shelter would be as nothing to what would happen if war broke out.

As you know, Mr. Speaker, because we discussed it yesterday, I intend to oppose the motion tomorrow that the House should now adjourn. The motion to adjourn the House is usually a formal one. The House adjourns at night and meets again at 2.30 pm. But this is the one rare occasion when whether we should adjourn for another six weeks while events take their course is the real question.

If anyone says to me, as some have said in the face of the crisis, that we should send a united message to Saddam Hussein, I remind the House that on 5 May 1940, when Hitler was at the gates, there was an Adjournment debate on the handling by the Government of the Campaign in Norway, and a vote. The then Prime Minister won the vote and resigned, and Winston Churchill became Prime Minister. So let us not be told that the duty of the House of Commons is to unite behind whatever the Government of the day does, because that is not what the House is there to do. We are here to represent people and to contribute our own opinions as best we can. I have no complaint of any speech made today about how we feel that the crisis should be handled.

I will use plain language. I fear that the United States has already decided that, when it is ready, it will create a pretext for a war. That is what I believe. I acquit the Foreign Secretary of being in that hawkish clan because, in so far as one can penetrate the inscrutable corridors of power and the minds of their inhabitants, he seems to be a bit of a dove. But let me say this, too, without offence. Britain is a minor player in this game. We have had a debate today as though everything hinged on whether the Prime Minister decided to go to war. The Prime Minister, too, is a minor player in this unfolding tragedy. She decided to go in with President Bush, perhaps because of the transatlantic relationship, the so-called "special relationship", or as thanks for the Falklands, or because she did not want to get mixed up with the EEC.

But she is a minor player and once she and the Cabinet decided to commit even a notional number of forces—including the RAF and the RAF regiment and now the troops—she was locked into what President Bush intended to do. It is important that we should not discuss, as if we were in a position to decide the post-cold-war order, what the Prime Minister will be doing here and there. We are a minor partner in an American strategy.

It must be known by now that I am opposed to a war against Iraq. I am opposed to action outside the United Nations. I believe that it would divide the Security Council. It might not exactly unite the Arab world, but it might bring many Arab countries together against us. The outcome of such a war could not be sure, because President Saddam Hussein would certainly have the capacity, were he to choose to do it, to destroy so many oil installations that, even though he himself might be destroyed, it would inflict a burden on the world economy and the middle east which could not be contemplated.

Mr. Cormack: Nobody in the House is enthusiastic for war, but is the right hon. Gentleman saying that he is prepared to let Saddam Hussein keep his loot?

Mr. Benn: No, I am not saying that at all. I said at the beginning of my speech that there is unanimity for sanctions. I share the view of, I think, either the right hon. Member for Old Bexley and Sidcup (Mr. Heath) or my right hon. Friend the Member for Leeds, East (Mr. Healey), that a country dependent for its revenue on oil cannot survive when its oil pipeline is cut.

Sir Russell Johnston (Inverness, Nairn and Lochaber): Will the right hon. Gentleman give way?

Mr. Benn: No, I shall not give way again.

I believe, therefore, that the sanctions will be effective; but that has to be put against what would happen otherwise.

I must also say something else to the House without in any way being offensive. Governments of any colour in any country are not the main practitioners of morality. America went into Panama and 3,000 people were killed. America went into Grenada. America supported Iraq when it attacked Iran. America did nothing when Cyprus was invaded and partitioned by Turkey. America has no moral authority, any more than any other super-power. The same would be true of the Soviet Union after Afghanistan, or wherever. It has no moral authority.

Nor, might I add, because these things must be said and nobody else has said them, can we defend the Emir or the King of Saudi Arabia, neither of whom practise any democracy. I am not saying that they are not entitled to the protection of the UN charter—I have already said that they are—but, given the denunciations of the breaches of human rights in eastern Europe by Ministers, one might have expected one of them, in this dispute, to point out that a person found guilty of shoplifting in Riyadh will have his hand chopped off. Are we to live in a world where morality is seen as the product of a parliamentary majority?

The real issue is this. Everybody knows it and nobody has mentioned it. The Americans want to protect their oil supplies. I think that I am right in saying that not one Member on either side of the House has drawn attention to what the former Attorney-General of the United States, Ramsey Clark, said on the radio last night. He said that the United States forced Saudi Arabia to accept its army there because it wanted to protect its oil.

We are experienced as an imperial power and that will not shock the Conservatives. I am not asking anyone to be shocked, only to recognise the fact that stares us in the

face. America has benefited much recently from cheap middle eastern oil. It was reported in the *Financial Times* that it has reduced its oil production and increased its oil imports from 31 per cent. to 52 per cent. It has become hooked on this cheap fluid that now has to be controlled by the American army. That is honestly the position. The United States wants a permanent base.

I have not had a distinguished military career like my right hon. Friend the Member for Leeds, East, but I served in Egypt in 1945 and I still have my identity card saying that I was exempt from Egyptian law. I looked at it the other day. We had a base at Tel-el-Kebir in Egypt from 1888, when Mr. Gladstone put it there, to 1956. If one talked to any Egyptians, all they did was read a list of promises by successive British Governments about when we would withdraw our base. We withdrew in 1956 and were in again with the support of the right hon. Member for Brighton, Pavilion (Mr. Amery)—he and I clashed at the time—within a few weeks.

Then there is the arms trade. That has been brought out a bit. A couple of years ago, in Algiers, I met a former Egyptian Foreign Minister who told me that there had been a seminar in Cairo about the crusades and that during the crusades European arms manufacturers supplied arms both to Richard Coeur de Lion and to Saladin. Nothing has really changed. Arms manufacturers have made billions of pounds from selling instruments of mass destruction, partly to hold down those colonial people so that the sheikhs will supply cheap oil, and partly because it is highly profitable to sell arms. I shall not try to differentiate between Governments, because the Labour Government did it too.

My right hon. Friend the Member for Leeds, East said that it was wrong, and I shall have to put footnotes to that effect on every page of my diary—but at the same time, we did it too. The arms trade is a corrupt trade. If our troops have to fight those of Saddam Hussein—I hope that that does not happen—they will be fighting against modern weapons in part sold by Britain, France, America and Russia for profit. That is a major issue.

If we go to war—and there are those who think that we might—what will be our war aims? That is not an unreasonable question. Will it be to free Kuwait, to topple Hussein, or to destroy Iraqi weapons? My right hon. Friend the Leader of the Opposition went further than the Prime Minister in setting the objective. She said that it was to arrest Saddam Hussein and to bring him before an international crimes tribunal. The Prime Minister said that on television. Are British troops to be sent in to fight before their objective has been clarified? The Government have never made clear what is their aim. However, it is clear that the United States, having helped to arm Hussein, is determined to bring him down and to establish a new base.

I do not need to dwell on the consequences of war. They include a massive loss of life and possibly an air attack on oil installations. In the peculiar circumstances, we would to some extent, if not in every sense, be taking on Islam. Stalin is remembered for asking a very silly question. He asked how many battalions the Pope had. [HON. MEMBERS: "Divisions."] We should ask how many divisions the prophet Mohammed had. There are 105 million Muslims in India alone. We have some here, too. I am sure that the BBC World Service will explain that that has nothing to do with the situation, but there are people who will see our action as an attempt to reimpose a white, rich control over an area once dominated by the British empire.

The Prime Minister courteously gave way to me when I asked what I hope was a relevant question. She said three times—so she must have meant it—that she already has the legal right to attack Iraq and that no further stages are necessary. The only consideration is that that will be done not at her discretion but at that of President Bush. I say to my right hon. Friend the Leader of the Opposition that anyone who goes into the Lobby with the Government tomorrow night will be endorsing the view that no further action is needed to legalise an attack on Iraq.

Those who vote with the Government tomorrow will be voting for giving the Prime Minister a free hand or a blank cheque. Those who vote against the Government will be accepting the view expressed in my early-day motion, which calls on the Government

"to make a clear and unequivocal statement that it will not commit British Forces to offensive military operations against Iraq that have not been explicitly authorised by a Resolution passed by the Security Council and under the provisions of the UN Charter, which deals with the use of force by the United Nations and under its military command."

I referred to two points of view, but others may think that it is better to reserve judgment and not to vote at all. Even those who cannot go with my view may not want to give the Prime Minister a free hand between now and 15 October.

Yet another view has been constructively touched upon by other speakers—the belief that peace is possible, but that one must take a broad view of the factors involved. One must look both at the withdrawal of Iraqi troops from Kuwait and UN resolutions relating to the west bank. One cannot pick and choose between Security Council resolutions. One must have both a Palestinian state and security for Israel. One must deal also with the oil companies that are busy exploiting the situation as much as they can.

There has been a 7 per cent. fall in oil production worldwide but a 100 per cent. increase in its price. How is that justified? Thank God for Winston Churchill, who in 1914, when he was First Lord of the Admiralty, nationalised the Anglo-Iranian Petroleum Company for £2 million. His speech on that occasion made the strongest case for public control and ownership of oil companies that one can find. Winston Churchill said that countries were being squeezed by the oil companies.

If there is to be a peace-keeping force, it would be better if it were Arab, but I turn to the longer, post-cold-war perspective to which our attention has been properly drawn by a number of speeches. One cannot have a new order for the middle east based on the redeployment of white power in the form of a permanent American army in Saudi Arabia. That will not work. One is no longer dealing with the natives who featured in Rudyard Kipling's poems but with a quite different world. For me, the United Nations is the General Assembly, not the bigwigs, permanent and rotating members who sit on the Security council. I personally would like to see direct elections to the General Assembly. They might only return one British Member of Parliament, but I would certainly be a candidate, if that were possible.

We are always being told that we must come to terms with reality and that we must not live in the past. The fact remains that we live in a very small world of many religions. There are fundamentalist Christians. When

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President Reagan spoke of an evil empire, he was declaring a Christian jihad against communism. Anyone who has visited America and listened to those Christian fundamentalists, who have not got into trouble and been removed, will know that they make their reputations out of their religious wars against communism. However, as right hon. and hon. Members know very well, the Americans stimulated Islam to defeat communism—but when communism changed, fundamentalism remained.

We shall have to plan and share the world's oil. America has only 2 per cent. of the world's population but uses 25 per cent of the world's resources. That situation cannot be allowed to last, even if America has a big army. The real function of the United Nations is to act as the custodian of social justice. It should not serve just as a policeman. The first meeting of the UN General Assembly took place in Central Hall, Westminster in 1945. Then, Gladwyn Jebb was its acting secretary-general. Some people may remember that. I was just back from war. My right hon. Friend the Member for Leeds, East and a former Prime Minister, the right hon. Member for Old Bexley and Sidcup, know that the UN was the great hope to end wars. However, it was more than that. It was meant to promote social justice.

Those right hon. and hon. Members who support the Government's interpretation of the law, and their readiness to use their discretion without referring back to the House again, will vote with the Government in the Lobby tomorrow. Those who oppose the Government will vote with us, while others should abstain. I urge caution, because many other western European nations are being very cautious and have not sent troops. Many of the non-aligned countries are not really behind the action being taken by America and Britain.

It is time to try to take some of the hatred out of the situation. I shall never forget the day I was first elected to Parliament. No one ever does. It was 30 November 1950. That same day, President Truman said that he might drop an atom bomb on China. We were then using against the red Chinese the language that we are now using against Saddam Hussein. They were seen as worse than the Russians. Nevertheless, there was a Peace for China Committee, and China was later admitted to the United Nations. Whatever the Chinese Government may have done in Tiananmen square, no one wants a war with the Chinese, otherwise they would not have been given Hong Kong—*[Laughter.]* So much for the right of self-determination.

Mr. Heffer: Does not my right hon. Friend agree that it is not just a question of giving the Chinese Hong Kong but that the Americans have just agreed that they should have a special relationship and make special economic arrangements with China, despite the events of Tiananmen square?

Mr. Benn: I know that my hon. Friend, whom I much respect, will agree with me that morality and power march uneasily together in public life. At the time of the Suez crisis, the Father of the House and I clashed—something of which he generously reminds me occasionally. What was said then about Nasser is exactly the same as what is being said now about Saddam Hussein.

The Falklands may be too close for comfort. Not all that many people looking back, think that that huge expenditure was justified—*[Interruption.]* I do not think so. I have been in a minority before, and I might be in one now, but that does not worry me—*[Interruption.]*

Mr. Speaker: Order.

Mr. Benn: In 1986, there was the bombing of Libya which tried to kill Gaddafi—it killed his god-daughter, I believe. Our bases were used for that. Some people took the opposite view.

I urge caution because it is not the hardware of military weapons that frightens me. A gun cannot go off by itself. It is the hatred which makes people want to use weapons. That is the fuel of war and in the past few months we have had the most vicious war propaganda pumped down our throats. The temper of peace, of which Pandit Nehru used to speak, is what we need, and we want to be cautious and to let it work its way through the United Nations. For that reason, Mr. Speaker—it would not have been possible without some help from the Chair—I intend to divide the House against the Adjournment motion tomorrow.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that the 10-minutes rule on speeches will operate between 6 and 8 o'clock.

6 pm

Sir Dennis Walters (Westbury): As the 10-minute rule applies, I shall not be able to deal with a number of the points made in an eloquent speech by the right hon. Member for Chesterfield (Mr. Benn). He always speaks eloquently, but his conclusions are usually wrong. In any event, it is absurd for anyone who knows the middle east to compare Nasser with Saddam Hussein. Their records and their respective countries are totally different.

Undoubtedly there is massive support in the House and in the country for the Government's policy on the Gulf crisis. The facts are abundantly clear. President Saddam Hussein's attack on Kuwait, which was a member not only of the United Nations but of the Arab League, was an act of blatant aggression. It was callous and unprovoked and was particularly beastly because for eight years, while Iraq fought for its life against Iran, Kuwait gave Iraq generous and unstinting support. Saddam Hussein's accusations launched at the Emir of Kuwait were a grotesque distortion of the truth. Sheikh Jaber al-Sabah is one of the most independent-minded and wise of Arab leaders.

I have been a member of the Kuwait Investment Advisory Board—an interest which is duly recorded—for many years and I was therefore able to witness at close quarters Kuwait's munificence to Iraq during the war and, for much longer, the enlightened investment policies pioneered by the Emir. There are not many countries whose principal investment portfolio is the "future generations fund", which is precisely what its name indicates. It was established to support future generations of Kuwaiti citizens without having to rely on oil revenues.

The Government obviously are right in what they have done and said. This act of aggression must not be allowed to succeed. Co-operation between the United States and the Soviet Union has been the most encouraging aspect of the crisis, and it is essential that it should continue. Saddam Hussein's two crucial miscalculations were, first,

that a puppet Quisling regime would speedily emerge in Kuwait and, secondly, that the Soviet Union and the United States would immediately be at loggerheads about how to respond to his aggression.

Hopefully, the economic action taken will have the desired effect. Sanctions should start to bite before too long, and bite severely. Eventually it is not unreasonable to expect that Saddam Hussein or his successor will be forced to comply with the United Nations resolution calling for the immediate Iraqi withdrawal from Kuwait. Should that not happen, we must accept that action, under article 51, will have to be contemplated.

As has been said, the legitimate Government of Kuwait would be entitled to ask for the removal of the Iraqi presence from Kuwait. Should action become unavoidable, it is essential that the United States and the Soviet Union should act in concert. British and European Community diplomats should employ all their skills to help to cement the new Russo-American understanding.

I shall now mention the wider scene in the middle east. It is simply not good enough for the United States and the world community to deal exclusively with one act of aggression. It would not be acceptable to the Arab masses, who cannot and should not be lightly dismissed. if the United Nations, under American leadership, dealt speedily with one outrage while allowing others to continue festering. Why is King Hussein, one of the best friends of Britain and the west, so disturbed? Why is the Arab world partially divided over Iraqi aggression? The answer is relatively simple for anyone willing to take an objective view of the area and its history. It is Palestine and the running sore of the Arab-Israeli dispute, which is still unresolved and where efforts to do so have been at best half-hearted and often contemptible.

Twenty-three years have passed since Israel was called upon to withdraw from Arab territories occupied by force in 1967. United Nations resolution 242 is quite explicit, but Israel has not budged, and, what is more, it has continued to pursue a policy of savage repression against the Palestinian people on the west bank and in Gaza and no one has bothered to do much about it.

In the past two years alone, 159 Palestinian children under the age of 16 have been slaughtered and thousands wounded. What has the international community done about that? Some years ago, Israel invaded Lebanon, and its artillery mercilessly bombarded Beirut for weeks on end. What did the international community do then? Some years ago Israel bombed Tunis—the capital of a sovereign state—which was a clear act of international piracy. Again, the international community failed to take appropriate action.

Regrettably, the realities of internal American politics in the past have not allowed the United States to act even handedly in the area. This continuing exercise in double standards has created a seething and unfathomable sense of bitterness, frustration and anger in the Arab world.

President Bush and Mr. Baker have rightly said that they want a stable middle east, but they will not get it unless they face up to this reality. Therefore, it was most encouraging that Mr. Baker seemed to recognise this fact when he told the House of Representatives Foreign Affairs Committee that

> "America accepted that regional stability in the Middle East must include a settlement of the Palestinian issue."

Subsequent reports from Washington seem less encouraging, but I hope that the quotation I have cited represents the authentic view of the American Administration and I hope that my right hon. Friend the Foreign Secretary, who has just returned from an important and successful visit to the area, will be able to confirm that that is so.

We now face a genuine opportunity for good and one for evil. For good, after Iraq has agreed to withdraw from Kuwait, the United States and the Soviet Union should jointly sponsor an international conference to deal with all the middle east's territorial and economic problems, especially the Palestinian problem, and the role of the United Nations should become genuinely effective.

For evil, there exists a real danger that King Hussein may fall and be replaced by a fanatically anti-western fundamentalist regime. The King is facing gigantic economic and political problems, and needs major help and understanding—not the kind of idiotic comment that was made by some American senator or congressman the other day, describing him as a wimp.

Should Jordan be destabilised, this could be the moment for which the Shamir Government have been waiting for in order to implement the transfer solution so beloved by Likud racialists: that is, to expel the bulk of the west bank population. Such a move would have catastrophic and irredeemable consequences for western interests, and for the whole of the middle east. Wars and chaos would rage. It must not be allowed to happen: the opportunity for good must be seized, and, after the Iraqis have been obliged to leave Kuwait and the Emir and his legitimate Kuwait Government have been restored, the Palestinian problem must be dealt with immediately. That unresolved cancer, which is at the root of almost all the dangerous turmoil in the middle east, must finally be tackled and resolved.

6.10 pm

Mr. Andrew Faulds (Warley, East): I hardly need to assure you, Mr. Speaker, that I share most of the sentiments expressed in that excellent speech by the right hon. Member for Westbury (Sir D. Walters), who is an old political friend of mine.

No apologist could clear Saddam Hussein of his crimes. The Iraqi dictator has an appalling record of repression, torture and murder; he has brought upon himself the near-universal condemnation of the world community. His occupation of Kuwait was a criminal misjudgment which could drench that region in blood.

I deplore the invasion of Kuwait, and pray that sanctions may succeed; but it is only fair to Iraq itself—not to the dictator—to state that there may be some validity in its claim to Kuwait, which lay in that region of the Ottoman empire and which was a British creation in the colonial post-first world war carve-up. Are we going to go to war every time some country in Asia or Africa or the middle east has a boundary dispute over the colonial boundaries that we drew? Of course we are not.

There was a special factor in Kuwait, and that was American interest. The United States has jumped at the opportunity to benefit from Hussein's action. It has clear war aims; do not let us fool ourselves about this. The first is, in the memorable phrase of an American commentator, "to make the world safe for gas guzzlers".

The Americans intend to control the supply of oil from Saudi Arabia and the Gulf states to ensure their immense

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consumption of oil. To do that, their second aim is to destroy the Iraqi regime and, by their continued military presence, to ensure a compliant successor. *[Interruption.]*

Mr. Speaker: Order.

Mr. Faulds: Oh, they can mumble away; they do not want to know, because they do not want to learn.

The Americans intend to control the supply of oil from Saudi Arabia and the Gulf states to ensure their immense consumption of oil. To do that, their second aim—I am repeating this for the benefit of those who did not want to hear—is to destroy the Iraqi regime and, by their continued military presence, to ensure a compliant successor. They are playing the role that we played earlier in setting up regimes which would conform to our requirements for the supply of oil.

But their third aim is the most sinister: to bring about the dominance of Israel in the area. Even most Members of the House probably know nothing of the strategic alliance that Reagan set up between Israel and the United States. No one so far has mentioned it. Of course, one should never underestimate the ignorance of the House of Commons on major matters.

Reports have it that Israeli politicians and strategists are urging America to war. Military commentators are urging, "Do it now," and, once the war starts, under the strategic alliance—which hon. Members should perhaps learn something about—and its web of options, there will undoubtedly be attacks by Israel on Iraq's strategic targets: nuclear and chemical sites and missiles and communications.

Mr. John Marshall (Hendon, South): Will the hon. Gentleman give way?

Mr. Faulds: No. I have 10 minutes, and I am going to use every moment.

In leading their great moral crusade, what hypocrisy the United States Government display! Their aggressions since the last war have been flagrant: in Vietnam, the war they lost—America can lose wars: against Nicaragua: in Panama; and in the great military victory in one of Her Majesty's realms, Grenada. Why, when Israel invaded Lebanon, was no such stringent action, led by the United States, taken against Israel? Instead, the United States supplied Israel with its latest weapons to try out against the Lebanese civilians, who died in their thousands.

What action does the United States pursue to bring to an end the Israeli Government's harassment, torture and murder of hundreds of Palestinians in the illegally occupied territories? What is the difference in moral terms between occupied territories in Palestine, Lebanon and Syria, and occupied territory in Kuwait? What nauseating hypocrites American politicians are—and that, of course, applies also to some of our own home-grown variety.

James Baker, the United States Secretary of State, is now attempting another gloss—the establishment of a new security structure. The purpose of the operation is to lead the world towards a middle east settlement to remove the region's threat to global order. Are the Americans going to induce Israel to give up the occupied territories? Are they going to cease to provide Israel with the newest armaments which give them control of the region? James Baker's scheme to remove the region's threat to global order entails the removal of Iraq's chemical, nuclear and ballistic missiles. What about Israel's nuclear and chemical threat, and its ballistic missiles? Are they to go to remove the region's threat to global order, or are they to remain in site to guarantee Israel's and America's control of the area? What utter, nauseous hyprocrisy this is.

What about our Prime Minister's role in all this moral charade? She always has to be more macho than the male, of course. She leapt in to support the United States. She thrives on the whiff of grapeshot, but she really does not know the background to developments in the Gulf—or anywhere else in the world, come to that. She is ignorant of history, and unaware and unconcerned about the beliefs and cultures of people in the world outside. She committed British troops—with the support of the "Gotcha!" and gutter British press—but she delayed consulting the House of Commons. We are just to rubber-stamp her jingoistic jaunt. But, most significantly, she backed the United States Government's policy in the middle east without any reference to our EC colleaugues, which shows her disregard for our European involvement. Then she proceeded to insult most of them for not tagging on quickly enough.

Can there be a resolution without war? The redrawing of a colonially imposed boundary would be a small price to pay for peace. It appears that Saddam Hussein has offered to link some Kuwaiti realignment with Israeli withdrawal in Palestine and Syrian withdrawal in Lebanon. Might it not be worthwhile to examine such an arrangement? But, better still, might it not be advisable, before war breaks out—as it will if we continue on this course—to respond to Mr. Gorbachev's proposal to hold a middle east conference where all these necessary steps could be pursued, and justice achieved for all the aggrieved parties: Lebanese as well as Palestinians, Kuwaitis as well as Syrians? It would make much more sense, and be juster and much more successful, I guess, than Mr. Baker's pursuit of a pax Americana—which might have very little "pax" about it.

6.18 pm

Mr. Julian Amery (Brighton, Pavilion): Like the right hon. Member for Chesterfield (Mr. Benn), the hon. Member for Warley, East (Mr. Faulds) managed to inject the music of controversy into the debate, but without—as far as I could see—really disagreeing with the fundamental proposition that the Iraqis have to withdraw from Kuwait. It cheered us up, but it did not add a great deal to the debate.

The right hon.—and gallant—Member for Leeds, East (Mr. Healey) reminded us of the dangers of war. He was quite right: on that journey, men know where they start but not where they will end up. The right hon. Gentleman then treated us to a charming autobiographical account of his own ideological progress. He has occupied a distinguished career, which could, I think, be described as the triumph of intellect over consistency. If anyone is responsible for the debate that we are holding today—although I would not want to attribute too much to any one man—it is the right hon. Member for Leeds, East. We are discussing the crisis today because he initiated the dismantling of the British security system in the Arabian peninsula without ensuring that an alternative system was put in its place.

It is easy to see what I mean. In 1961, when the Iraqi dictator of the day threatened Kuwait, the British Government—the Macmillan Government—said, "Is this for real or is it bluff?" We could not tell. Intelligence reports gave us the troop figures, but we did not know what would happen. We said that we could not take the risk, so we put in the Army, the Air Force and the Navy. The Iraqi dictator retreated and was toppled. We could not have done that unless we had had a major base in Aden and facilities in Oman and Sharjah, an advance base in Bahrain and stockpiles in Kuwait.

When, a month ago, the present Iraqi dictator concentrated his troops on the borders of Kuwait, the Americans had no facilities, even if they had had the will, to meet the crisis. Their nearest base was Diego Garcia, 2,000 or 3,000 miles away. There were no stockpiles and no facilities that they could have used, so Kuwait fell. We were lucky that Saddam Hussein did not push his luck further and go for the eastern province of Saudi Arabia.

The lesson is clear. The states of the Arabian peninsula, friends as they have been to us over the years, do not have the resources, the population or the strength to protect the oil resources that are vital to the economies of America, Europe and Japan. They cannot defend those oil resources by themselves.

I am sorry that he is not here, but I take issue with my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath). I do not believe that, by itself, an Arab solution would work. The Arabs are bitterly divided. They make European union look like federation. We could not rely on them to protect the oil resources. A great many of them are interested in the issue only because they hope to get some of the oil wealth for themselves.

We—when I say "we" I mean the United States, which is quite rightly playing the leading role, Europe and Japan —will have to accept the responsibility for a regional organisation. I was glad to see that Secretary Baker gave his support to that concept. It has as yet to be developed, whether under the United Nations—that would be ideal —NATO, or an offshoot of NATO—perhaps. Something new is needed that includes those Arab countries that want to join us. But there will have to be an organisation with bases and facilities to protect those interests that are so vital to the role of the industrial world.

I shall be told that this is neo-imperialism. I do not believe that it is. The states of the Arab peninsula never wanted us to go. King Feisal begged us to stay in Aden and offered to subsidise the maintenance of the British base, until the right hon. Member for Leeds, East rejected the proposal as turning British forces into mercenaries. There was a chance then, and there is a chance again today, for the industrial countries of the west and Japan to contribute both forces and finance in order to set up a regional organisation to protect those resources on which the industrial world depends.

We in Britain are playing a supporting role. I do not believe that we should become too deeply involved militarily unless we are also involved in planning the strategy. However, we have unique experience of that part of the world. We have something else, too. Our continental European friends have not shown quite the response that I had hoped for to the crisis in the middle east. In December, we shall be talking to them about financial and political union. I hope that we shall drive home the lesson that there is not much point in talking about financial union if they are not prepared to defend the most important economic interests of the west, and that there is not much point in talking about political union if they are not prepared to come together with us to meet the threat that faces us. Here is an opportunity for us to give the lead.

6.24 pm

Dr. David Owen (Plymouth, Devonport): It may be useful to consider what Saddam Hussein is planning at this stage, because then we might be better able, in the words of the Leader of the Opposition, successfully to prevent him. He intends to sit tight. Having annexed Kuwait, he intends to absorb it fully into Iraq. He does not intend to provoke a conflict. He has already instructed his forces not to respond to any United Nations naval intervention on the high seas. He intends to allow his aeroplanes to put United States, Saudi and British aeroplanes on full alert by flying close to the border, but he will not cross it. Unless there is a miscalculation, he does not intend to provoke war; he will just sit tight.

Some people say that sanctions will bring him down. I should like to be able to believe them. We must tighten the air embargo. At the moment, considerable air traffic is going into Iraq, so that sanction must be tightened. There are long borders around Iraq and there are traditional black market routes along which, over the centuries, goods have entered Iraq. This leader does not care about privation for his own people. His country had to put up with tremendous privation during the Iran-Iraq war. Given that, for humanitarian reasons, we cannot starve Iraq, it will be very difficult to make sanctions work. They will work only if there is the fullest support from the Soviet Union.

Easily the most hopeful event is that at last the Security Council is working as it was envisaged that it would work. The creation of the military staff committee is immensely important. I hope that the United States will give up some of its anxieties about the military staff committee being made fully effective. I hope that the Soviet Union and China will be involved fully and absolutely in the implementation of the embargo. It would be no bad thing if the military staff committee discussed some of the problems of the multinational force on the ground in Saudi Arabia. There is no reason why they should not be discussed.

Technically speaking, because of the way in which the military staff committee has been constructed, it will not be provided with a full mandate to discuss the United Nations embargo. However, it is operating flexibly and developing new techniques. It is massively important that President Bush is to speak to President Gorbachev on Sunday. It is understandable that President Gorbachev is faced with an immense dilemma.

There are many who call for United Nations action and who rule out any other action. It is nonsense to rule out action under article 51. If Saddam Hussein is to be pressurised to come out of Kuwait, he has got to fear the possibility of a massive attack. Let us be clear about this talk of a first strike. The only first strike was that by Saddam Hussein of Iraq against Kuwait. Any action that is taken in consequence of that is secondary.

I believe and hope that, by means of diplomatic pressure and in particular the involvement of the Soviet Union, we can make Saddam Hussein give up Kuwait by the further tightening of sanctions, economic pressure and more Arab unity. I believe, however, that that man would

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prefer to give up Kuwait as a result of a military battle, and I am afraid that that is what eventually it will turn out to be.

Some say that we have to wait indefinitely. Some of the speeches—I regret the speech of the right hon. Member for Old Bexley and Sidcup (Mr. Heath)—gave the impression that we could wait indefinitely. We cannot wait indefinitely. A very sophisticated army is building up in Saudi Arabia and in the Gulf which is on full alert. It can be on nothing other than full alert, day after day, in the most appalling conditions. Some people believed that our task force off the Falkland islands could wait indefinitely for a diplomatic solution and for a UN peace settlement, which we now know General Galtieri had no intention of giving.

There will come a judgment, and it may be before Christmas, when people will have to consider whether Saddam Hussein will give up Kuwait without force. All that has been said about using force is absolutely true, and nothing is truer than the comments of some of those who have experienced war. This will be a bloody fight, because there is little doubt that he will use gas. He used it at the start of hostilities, and frequently, against Iran, and he has used it against the Kurds. It will be difficult to combat.

For all these reasons, it would be a tremendous advance for a new security order if the Soviet Union could be persuaded to use article 39 and do what happened in Korea, and for the United Nations to vest responsibility for a United Nations force in a United States commander. I know that the circumstances were different—Russia was not participating and China was represented by Chiang Kai-shek—but if one looks back from our new world and reruns 1950, one sees what a difference there would have been if a military staff committee had operated as it is now. What a difference there would have been if we had been able to involve Russia and communist China. Had that united action taken place, the Korean war would have been over in months and we would never have seen the Russian and mainly communist Chinese push.

Historic parallels are always flawed and there are many flaws in this. It is almost impossible to believe that Gorbachev could endorse such a United Nations force under article 39, but the inconceivable has been happening in the Soviet Union over the past few months—more than any of us predicted—and it is worth going every mile to try to achieve that. That may mean giving Gorbachev an assurance that the United States will take very seriously the resolution of the middle east, involving the west bank, Israel and Syria. Syrian forces are on the ground as part of the multinational force, and Syria is not a moderate Arab state but a radical revolutionary Arab state. Gorbachev has the right to know that the United States will take the principles of international law and the authority of the United Nations fully into account—not overt linkage, because the problems are separate and different—in trying to get an Arab-Israeli solution as well.

Gorbachev wants many other things from the western democracies. His economy is virtually collapsing around his ears. He is no longer a super-power and it is doubtful whether he could commit forces in a major way. If he cannot get over that article 39 threshold, and I understand why he may not be able to, we have at least the hope that he will understand why we may be forced, under article 51, to take military action involving other Arabs at the request of the legitimate Kuwaiti Government and the Saudi Arabians. If we maintain the consensus that has developed among the multinational force—it is a historic miracle to have got those forces together—there might be military action that would not last very long and would not involve a great deal of loss of life.

Listening to this debate, if I had been Saddam Hussein I would have been pleased to hear a few of the speeches that have been made. They seemed to be an invitation for him to go on sitting tight, spinning it out and letting people get generally exasperated. I pray that force will not be necessary, but history shows us that, when dealing with aggressors who have no regard to international law and to the lives of their own citizens, let alone citizens of other countries, one must be ready to use force.

It would be a massive mistake if from this debate in the House of Commons came a message that Britain was not ready, in the right circumstances, backed by international law and the multinational effort of many different colours, creeds and beliefs, to uphold international law.

6.33 pm

Mr. Anthony Nelson (Chichester): When the House met in emergency session in 1982 to debate the invasion of the Falkland Islands, the right hon. Member for Plymouth, Devonport (Dr. Owen) made one of the most compelling and responsible speeches. If I may say so, I think that he did so again on this occasion. His speech was a timely if sombre reminder that we shall have to use resolve and patience in this crisis.

The speeches of the Prime Minister and the Leader of the Opposition matched the overwhelming view and mood of the House and, indeed, of the public at large. Although there are undoubtedly differences of inflection in the legal interpretation of the UN resolutions, we should all pay respect to the alacrity and clarity with which the Opposition came to the support of the Government in supporting the United States and British deployment shortly after the invasion.

As a House, we should pay a wholehearted tribute to my right hon. Friends the Foreign Secretary, the Minister of State, Foreign and Commonwealth Office, and Ministers at the Ministry of Defence. They have worked extremely hard and have dealt with the issue sensitively, forthrightly and with a keen understanding of where the national and international interests lie.

Arabs have been taking over each other's wells since time immemorial, but the stakes on this occasion are of a different order. It is not so much the sovereignty of Kuwait or the supremacy of the al-Sabahs which is paramount, although these are important to reinstate. There are greater issues at stake. Not only is there the security and independence of other Kingdoms in the Gulf region but there is the economic self-interest of the western world. The right hon. Member for Chesterfield (Mr. Benn) seemed almost to deride this as a criterion that we should not consider. It certainly is legitimate to consider our own sources of essential energy supplies. The cost would indeed be great if we were to allow a disproportionate amount of oil supplies from the Gulf to be vested in the hands of one aberrant and abhorrent dictator. The cost would be great for mankind and for the world. We simply cannot allow it to happen.

There is, however, a principle at stake which transcends even the regional or economic issues—the basic sovereignty and independence of nation states and the principle of self-determination embodied in the United Nations charter. If we stand aside and allow invasion and subjection to take place in wilful disregard of international law and civil liberties what country can proclaim its freedom and what hope can there be for a more secure world order?

So far, the world has held together in this crisis. We all know that it will take time. It may cost lives, it will certainly cost money and public patience may wear thin as the possibility of humiliation eats away at public resolve. Those are the times for the House, which can lead public opinion, to say to the Government that they can count on us for support. As a House, we trust the individual judgments of the Prime Minister and of Ministers vested with responsibility.

However, there will be a real problem if we voluntarily give away the right to take what military action is necessary under resolution 661. One of the considerations that the President in Baghdad will take into account—I am among those who have met the man and he does seem to change his opinions from day to day—is the likelihood of military action being taken against him. If we voluntarily relinquish that, we have to rely entirely on the hope of sanctions. If we then say, "Let us rely on secure sanctions," what happens in three, six or nine months? Let us suppose that we are here in a year's time and, against all probability, the status quo continues. If we return to the United Nations, does anyone seriously believe that the United Nations will agree unanimously, "Yes, we will go to war against Iraq next week"? Even if it did, what would be left of Kuwait by then? What is left of Kuwait already? That land has been laid waste and its assets have been raped.

In my judgment, as in the judgment of the right hon. Member for Plymouth, Devonport, it may be in the near future that decisions have to be made of a pre-emptive nature and of a selective nature to back up secure sanctions with the firm use of military power. What counts is not just the deployment and possession of military power but being seen as being willing to use it. Saddam Hussein must understand that we, with others, will stand up for international rights. If we fail to do so, we shall be failing our people and any hope of a new world order.

6.39 pm

Mr. A. E. P. Duffy (Sheffield, Attercliffe): This recalled Parliament—especially those hon. Members who have supported the arguments of the Prime Minister and the Leader of the Opposition—has a vital opportunity to clear its mind about what sort of fight we are engaged in with Mr. Saddam Hussein, and about what outcome we seek. It is vital that our American ally is also clear about these matters. Two of the aims of President Bush have been declared. The unspoken third poses an increasingly worrying prospect.

The first of the stated purposes was to draw a line in the sand along the Saudi border. The second was to get Iraq out of Kuwait. So far, the path towards these goals has depended crucially on sustaining the international consensus that aggression shall not pay and the legal and moral basis for that, set out in the United Nations Security Council resolution.

Some voices, notably that of *The Sunday Times* on Sunday last, have asked what will happen when sanctions fail to force Iraq to retreat from Kuwait. *The Sunday Times* went on to argue that there will then be no choice but a full-scale war aimed not only at the total defeat of Iraq but at the toppling of Saddam Hussein. I trust that the United States and the United Kingdom will contemplate such a course of action with great reluctance.

As my right hon. Friend the Member for Leeds, East (Mr. Healey) said, there is no such thing as a clinical action in warfare. My right hon. Friend knew combat conditions and there are still some hon. Members who knew not only combat conditions but combat roles. If there is one recollection above all that I carry with me, it is of the unpredictability of stratagems.

Even an invasion of Kuwait would be fraught with great difficulty and risk, and an invasion of Iraq would mean a battle with the whole of its 1 million man army. American air superiority would be decisive after a time, but the ground war would be the main hazard. What is required is not naval or air forces, but land forces. The United States will not have enough land forces or tanks, and unless there are vastly increased land forces, in place and provided with stiff logistical backing, there will be problems. Those of us watching closely know how far that is going astray and how far behind is the timetable.

The pursuit of any one of these aims would run the risk of there being a heavier toll on America and its allies than many people have assumed. Already, reinforcement and supply have encountered serious delay. I hope that the United States will entertain such options only after the gravest consideration. Therefore, I join those who have called for caution.

Furthermore, Iraq is a good deal less vulnerable than has been assumed. Even our key weapon—sanctions—involves a prolonged confrontation in which twists, turns and pitfalls aplenty will test nerve and resolve. If it holds tight, the embargo could be decisive, given that Iraq normally imports 80 per cent. of its food. However, such a strategy needs time, and how much will President Bush give it? He has to calculate whether, with only an embargo and blockade, he can hold out for victory over Mr. Hussein.

I have recent experience of opinion within North Atlantic Assembly circles, as I led a delegation to the middle east in the past two or three weeks which included representatives of 13 of our allies. The US senators and congressmen in that delegation said that they do not want unilateral action by their country. They want multilateral action. They want allies. They do not want to be left to go it alone.

I notice that several of America's allies, and ours, while supporting what Mr. Bush says, would still like to draw a more distinct line. They would like to pause for breath between enforcing the UN embargo and deciding what to do about Mr. Hussein's regime. Is it not premature, at this critical juncture, to proceed on the basis of too flexible an interpretation of article 51? None of us will believe that Mr. Hussein is not aware of this. We know that, if he is smart, he will sit tight and hope that the resolve of his enemies will crack before his does. His speech yesterday suggests that he will try to exploit the gap between the peoples and the Governments of the Arab world.

Mr. Hussein's appeal will almost certainly grow as the confrontation continues. Two strong currents flow through Arab politics—the secular nationalism that made

[Mr. A. E. P. Duffy]

Nasser a hero in the 1950s and 1960s and an older but newly reviving faith in militant Islam. Usually, these currents flow in different directions. Mr. Hussein, sitting tight, will portray himself as a proud Arab under siege by the west, and will try to merge the Arabs behind him. To many Arabs, Mr. Hussein offers the prospect of two things they have long wanted—a rediscovery of Arab unity and the power to defy the west.

So far, relations between the Saudis and the United States forces have gone well, but there are dangerous undercurrents. One must not underestimate the forces of conservatism that remain the bedrock of modern Saudi Arabia. The non-Gulf Governments in the Arab League —even that of Egypt—are uneasy about the growing western army in Saudi Arabia. The divisions among the Arabs may grow if they come to believe that America wants not just to free Kuwait but to overthrow Mr. Hussein. Difficulties will undoubtedly arise for the Prime Minister and the President if the Iraqis start mistreating hostages or if the Americans decide on military action before any United Nations discussion on the further use of force. How would American and British public opinion react to the bloody reality of a shooting war or to weeks of television of pictures of haggard hostages and their relatives?

As Saddam Hussein plays his cat and mouse game with the hostages, the United States, Britain and their allies should make it their highest priority to maintain the international unity of purpose that is their most powerful and legitimate weapon. The time for negotiations is not yet ripe. Sanctions first have to bite and even diplomacy would be ill-timed and futile before full British and American military power is in place to back it up. Until that time, what is needed, as other hon. Members have said, is a steadiness of nerve and political determination, and avoidance of defeatism.

If conflict becomes unavoidable, we shall have to gird our loins, because the alternative would be only a wringing of hands. As time goes on and appeasement proposals proliferate, the strains on our allies' unity will undoubtedly grow. All wars are popular for the first few weeks, but if shooting starts, much blood will be shed and it will not be just Iraqi blood.

6.48 pm

Mr. Richard Luce (Shoreham): I am glad to follow the hon. Member for Sheffield, Attercliffe (Mr. Duffy) and to stress, as he said—he was, of course, right—that it is important that we take action with the greatest degree of international support. That is exactly what my right hon. Friend the Prime Minister and my right hon. Friend the Foreign Secretary have been endeavouring to do so vigorously over the past few weeks. I am sure that that will continue to be the Government's main objective.

I cannot help but reflect on the speech of the right hon. Member for Chesterfield (Mr. Benn). I do not think—I hope that I am right—that Saddam Hussein will have heard of the right hon. Gentleman. I suppose that that is some consolation, because it would be very bad if his speech were the message which got across to Iraq as the clear message was that, in the right hon. Gentleman's view, aggressors should be allowed to get away with aggression. That is entirely unacceptable.

The right hon. Gentleman also has an instinctive prejudice against the United States. However, without the immediate reaction of the United States in deploying forces at the request of the Saudi Arabian Government, Iraqi forces would be in Saudi Arabia now. The price that we would have to pay for the pursuit of the right hon. Gentleman's policies would be wholly and utterly disastrous for the world. I watched the right hon. Gentleman's expression carefully as he spoke. Clearly, he was enjoying himself. I am not absolutely convinced that he was convinced by what he was saying, but that is a matter for him to justify.

I want to join other colleagues in congratulating my right hon. Friend the Prime Minister and her colleagues on the skill, wisdom and resolution with which they have tackled this very difficult crisis over the past few weeks. We are embarking on a course in which there cannot be one hon. Member in the Chamber who does not want a peaceful outcome. However, many of us know that there is a real prospect that some measure of force will have to be used. When we are risking the lives of our own service men, it becomes all the more essential that we maintain our clarity of purpose in the exercise and that we keep our sights on the real objective.

To that extent, I welcome most warmly the robust speech by the right hon. Member for Islwyn (Mr. Kinnock), the leader of the Labour party. That, rather than the message of the right hon. Member for Chesterfield, is the important message going out from the House. The message from leaders of all parties is that aggression must not pay, and the Iraqis must take notice of that message. We all know what is at stake. In the interests of international order, we must demonstrate that aggression never pays.

We also know that there are interests not just for the western world, but for the Japanese, for the Americans and for many others. We depend on the middle east for so many of our oil supplies. If they get into the hands of a tyrant who can control the supply and prices of the oil, he could hold the world to ransom.

We should not forget that this country has many friends of long standing in the Gulf. Throughout the bulk of this century, we have worked closely with them, and it is right that we should continue to do so.

We must keep our sights on the main objectives—the defence of the Gulf states, the withdrawal of Iraq from Kuwait and the re-establishing of the legitimate Kuwaiti Government. All of us in this Chamber agree that that must, if possible, be achieved by peaceful means, so we must hope that sanctions will work. The history of sanctions this century does not give us a very encouraging signal. Nevertheless, because it is possible for geographical reasons to exercise tight control on the supply of oil to Iraq, sanctions may bring results over a short time span.

It would be fatal if we gave a message to the Iraqi leaders that, at the end of the day, we were not prepared to maintain a military option. We must send the right signal on that from this Chamber. It would be fatal if we were to tie the hands of the British Government, the United States Government or any other Government who are prepared to contribute militarily to the middle east. I am glad that many hon. Members have endorsed that, and that we agree that article 51 provides the umbrella. We wish to do all that with the fullest possible international support. We have achieved it so far and we must go on working for that aim.

The third objective is to secure the longer-term stability of the region. I am glad that quite a lot of the discussion has been on that issue and that many hon. Members have welcomed the excellent speech made by Secretary of State Baker.

My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) made an important speech on the Gulf. Until the early 1970s, Britain played the leading role in protecting the Gulf states. If they wished to call on British forces to defend them, we were there and ready to do so. That has not been our position for the past 15 years, but my right hon. Friend is right to look to the longer term in the Gulf and to say that we must have multinational arrangements, with as much United Nations co-operation as possible, and with Arab participation.

However, to expect the Arab world to work on its own in the present context would be unrealistic. It was, of course, right in 1961 when we had that special link with Kuwait for us to be able to put in forces and to deter invasion. An Arab League force was formed soon after that, but in the current circumstances, with the strength of the Iraqi forces, it is not realistic to expect the Arabs to do it on their own.

We must be ruthless internationally in the enforcement of the nuclear non-proliferation treaty and in dealing with the chemical problem. We must also be careful about the Palestinian issue. There is an indirect link. We must solve the problem of the Iraqi invasion before we can deal, as we must, vigorously and internationally, with the Palestine issue. So long as that issue is unsolved, we shall be sitting on a powder keg which could go up at any time.

Other positive factors, such as the end of the cold war era and the sudden emergence and willingness of the United Nations, with some Soviet encouragement, to act more positively, are working in our favour, and we can build on them. It is important to bring the Soviet Union as closely into this as we can.

Although many of us feel that European Community countries and other European nations have been slow to respond with contributions to the middle east, we must get across to our European allies the fact that we have exactly the same interest in seeing stability in the middle east, and that it is wrong to leave the whole matter to the United States.

My right hon. Friend the Secretary of State for Defence will speak tomorrow. There is a clear message for our defences in this country. We know perfectly well that, although we may have seen the end of the cold war era, the prospect of regional disputes is as strong as ever and we cannot risk diminishing the strength of our defence forces.

The message going out today and tomorrow must be absolutely clear, and there must be no misunderstanding by Saddam Hussein. In 1984, I visited Iraq and had one hour with Saddam Hussein. It is not an experience that I should like to repeat. I was told then that he modelled himself on Nebuchadnezzar, who specialised in expanding his empire. Our message to Saddam Hussein must be that aggression will not pay. He would do better to spend his time recreating the excellent hanging gardens of Babylon.

7 pm

Mr. Peter Shore (Bethnal Green and Stepney): Like other hon. Members, I do not rule out the use of force to prise Kuwait away from the Government of Iraq. But we have not reached the point when a decision on that must be made, and it has been an error of the debate for the House to be considering, as it were, simply the status quo —effective universal mandatory economic sanctions— having in view, after that, the need for the use of force and circumstances, legal and otherwise, under which force might be used. We must address ourselves more realistically to the interim period, of some months, before we may be faced with the possibility of using force, when the battle for hearts and minds in the middle east and elsewhere will be waged fiercely.

I hope that when replying to the debate the Foreign Secretary will comment on the fact that we have not heard anything about efforts being made to discredit Saddam Hussein in the middle east and in his own country. Do we have broadcasting mechanisms in Saudi Arabia, Cairo and elsewhere by which the exiled Kuwaiti Government can broadcast to their people in Kuwait, giving encouragement and answering the lies and arguments of Saddam Hussein, all the time pointing out the total lack of legitimacy of himself and his rotten party's rule in his country? We should be making that type of counter-move.

If sanctions are to be really effective, we must look after those countries that are more vulnerable even than Iraq to them. We should be in no doubt that, for example, Jordan is in a state of acute crisis and that Egypt and Turkey are facing enormous difficulties and dangers. If the sanctions policy is not to be undermined, the international community must come to the aid of countries which are behaving well in terms of the United Nations collective endeavour but which are at great risk in their economies and even in their political systems.

If we are to help those countries and sustain their will to enforce economic sanctions, we must be prepared to engage in burden-sharing for the cost of the whole operation. It cannot be met by the United States alone. The whole world community must contribute, and if that means that we as a country must face an additional special international security levy in the coming Budget, we—hon. Members on both sides of the House—should be prepared to accept it.

Mr. Julian Brazier (Canterbury) *rose*——

Mr. Shore: I have only 10 minutes in which to speak and cannot give way.

We must take effective action on the whole issue of oil. There has been immense disparity between the oil price as quoted immediately before August 2 and the price today. It has moved from $16 to about $30 a barrel. Now that we have an OPEC guarantee to make up the balance of lost production from Kuwait and Iraq on the world market, the time has come to examine international stockholdings of oil. We have 90 or more days' supply. We should try to operate on the market to bring down the price to a more reasonable level. It should now be not $30 but in the region of $25 to $27. We have large reserves, and we should use them.

It is important for us to take seriously the economic problems that arise from the conflict, and I take a contrary view to that of some of my hon. Friends on this issue. The United States is not being the world's greatest beneficiary from what is happening. America is not the country that most needs middle eastern oil. Continental Europe, Japan and above all, third world countries which are not themselves oil producers are the main beneficiaries. We

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recall the misery that was suffered as a result of the vast indebtedness that afflicted many third world countries in 1974.

It is not a question of American imperialism grabbing the oil of the middle east. It is vital that the world in general—all of us, and above all the developing countries of the third world—has access to oil supplies at a price that exploits neither the producers nor consumers of oil. We should be thinking about such measures now, and I hope that the Foreign Secretary will deal with those issues when he replies to the debate.

We would be wrong to allow ourselves to become involved too deeply in what I regard as the excessive legalisms of articles 51 and 42. The legal arguments are finely balanced and, like other hon. Members, I could make a decent case to justify the use of force under either article. We must consider the political judgment, wisdom and effectiveness of what we do, and my right hon. Friend the Leader of the Opposition adduced a good argument when dealing with that issue.

If we get substantial agreement in the United Nations —it may fall short of unanimity in the Security Council —among the nations of the west, of the third world and of the Arab world, for the use of military action to free Kuwait, we shall then have every reason to pursue that course, if we must do so and if economic sanctions do not work.

It must be said, in balancing economic sanctions with the possible use of military sanctions, that terrible things are going on in Kuwait. While we talk about the problems of mobilising military force and keeping troops at the ready, let us remember that the people of Kuwait fear not only the collapse of the state but the real meaning of annexation, which is a problem of population movement affecting Kuwait. There are only 800,000 or so Kuwaitis. Now that Kuwait has been declared part of the province of Basra, what is to stop Saddam Hussein moving people in large numbers out of Kuwait and replacing them—there is evidence that this is starting—with people from other parts of Iraq? Should we sit back and watch that being inflicted on the people of Kuwait? If we do, and if such a ruthless policy is undertaken, there will be no gain at the end of the day for us if Kuwait has been destroyed.

I do not believe that it is possible to take seriously the United Nations as an institution if we do not accept that the meaning of collective security—above all in this post-cold-war age—means the willingness to use international force, economic or, if need be, military, to achieve the goals of international security and justice which many of us came out of the second world war determined to achieve.

7.8 pm

Sir Julian Ridsdale (Harwich): This has been an interesting debate, marked by unanimity between the two Front Benches. It is a change to speak in the House without the need to use the slanging political phrases that we use too often against each other and to be able to apply our minds to perhaps the most serious situation that we have had to face internationally since 1945.

I was at a NATO conference in Hamburg in 1988, and there was a party on board a British frigate. I asked a German general who was at that party where he was in 1936. I told him that I was in the second brigade of the first division. He replied, "It is curious that you should talk about 1936, because I was thinking about 1936 when I came on board this British frigate. I was only so high in 1936, but my father was a company commander of the German troops that went into the Rhineland. He had orders that if there was any sign of resistance on the part of the British or the French, he was to withdraw."

That is a lesson that we should think about now. We should consider what is in our opponent's mind as well as some of our fears. That is why I was so encouraged by the immediate action taken by the United States President, having listened to the advice of our Prime Minister, when he reacted to the aggressive, Hitlerite seizure of Kuwait. I am certain that that decisive action preserved the independence and security of Saudi Arabia and other Gulf states.

I am not an expert on middle east affairs, but for the past 10 years I have served with the hon. Member for Sheffield, Attercliffe (Mr. Duffy), who is now president of the North Atlantic Assembly. In the endeavour to reach agreement and win the cold war against the Russians, we have been dependent on the weapon of nuclear flexible response—a nasty thing to have. We had to face the reality of what would happen if we used a flexible response. I hope most sincerely that, in exactly the same way, sanctions will fulfil their purpose in these circumstances. If we were to do away with the military option that is needed, I fear that we should not achieve victory in the crisis we face today without the shedding of blood.

Let us remember the ghastly confrontation and the forces on each side of the cold war. We must pay tribute to President Reagan and our Prime Minister for having won the cold war without the shedding of blood. That would not have been achieved if we had not kept cruise missiles, Pershings and flexible nuclear response. That is why I advise the House that, horrid as it may seem, especially to those of us who have fought in war, prepared for war and faced the fact that we should have gone into the Rhineland, in these circumstances we must follow through decisively. We must realise that we won the cold war because we had a flexible response.

President Reagan and our Prime Minister won the cold war at great cost to the American people. In 1980, America was the biggest creditor country, today it is the biggest debtor country in the world. We now live in a post-cold-war period and are trying, as we all wished when we established the General Assembly down the road from here in the Methodist central hall in 1946, to achieve peace in our time for the generations who suffered in the war. We had to suffer the awful period of the cold war and now, for the first time, the Security Council can act as many of us wished it to act at the end of the war. I am sure that that is the long-term solution for many of today's ills.

I am optimistic that in the end we shall be able to prevent what is happening in the middle east without the shedding of blood. The military option is vital. How encouraging it is today that the five Security Council members are in agreement.

The right hon. Member for Plymouth, Devonport (Dr. Owen), who made an excellent speech, underlined the importance of our relations with Russia and China. If we can use our diplomatic skills through the United Nations and the Security Council we shall be able to deal not only with the middle east problem, but the much more serious problem of the proliferation of nuclear and chemical

weapons. If the matter comes under the Security Council, with all the great powers in agreement, I am hopeful that, without fighting a battle of Waterloo to preserve a pax Britannica, as we did in the 19th century, we shall now, with our deliberations and wisdom, be able to create a world in which the Security Council will solve some of our problems. We should do so collectively.

There has never been a time when the world has been more interdependent than it is at present. It is important that those not taking military action on the ground should contribute financially to the grave burdens that the United States and many of the world's other debtor countries are playing today. I am sure that the richer countries will do that, but it is vital that we all do so together, or we shall all sink together.

7.16 pm

Rev. Martin Smyth (Belfast, South): May I be allowed, first, to join the Prime Minister, the Leader of the Opposition and Mr. Speaker in paying tribute to colleagues who are now deceased? I sympathise with their parties and families on behalf of my hon. Friends and, as I believe everyone will understand, particularly on behalf of the people of Northern Ireland in respect of Ian Gow, who showed himself a solid Unionist, determined to maintain his position against all terror. It is apt that, on a day when we are dealing with one who, by terror and destruction, would seek to impose his mind and will on a region of the world, we should pay tribute to one who resisted terror in our own nation.

I have been a little happier with some of the more recent speeches than with some that took place in the middle of the debate. I welcomed the general unanimity on the Front Benches as right hon. and hon. Members tackled the issue. The right hon. Member for Shoreham (Mr. Luce) omitted to say that, if Saddam Hussein is modelling himself on Nebuchadnezzar, he is in for a sticky end.

I noticed some confusion during the debate and among the advice given, and was reminded of the old statement to the effect, "I don't know what you are doing to the enemy, but you are certainly scaring me." In my judgment, some of the contributions gave more succour to President Hussein than they did to either the hostages or the men and women stationed in the Gulf region at present at the behest of our and other Governments. During this debate, we have a responsibility to give them succour. I know that, in these hours of uncertainty and torment, we dare not forget the welfare of those Britons and other nationals who are trapped in Iraq and occupied Kuwait. I am sure that all my colleagues will agree that their safety is paramount amid all the talk of hostilities.

I put on record our tribute to Douglas Croskery, who was murdered while helping others in a brave bolt for liberty. I praise the efforts of my friend the hon. Member for North Down (Mr. Kilfedder) in seeking to help Douglas Croskery's family.

Without any qualification, I express the general support of my party for the way in which Her Majesty's Government have responded to the crisis, which is, in the final analysis, a dispute between the forces of peace and international harmony on the one side and despotism, tyranny and subjugation of the liberties which we cherish on the other.

I suggest that those who have been ready to throw stones at the Americans might also have been the first to throw stones at them if they had not come into the fray on the side of Kuwait and the international community.

As I see it, we have two clear choices. We either appease a dictator and allow both ourselves and the United Nations to fall into the same depths of mendacity and shame as our predecessors pre-1939 or we stand for those hallowed principles that we profess so vehemently in times of tranquility. Those who look back to 1938 and are reminded of the horrors that ensued must not be ignored, because the threat remains the same. A dictator, revelling in the cult of personality which he has constructed for himself, has run roughshod over the rules of international behaviour and morality which we, as a nation, are pledged to defend. The integrity of Kuwait has been violated. Are we to accept that as a fait accompli? Is it to be treated as another Czechoslovakia so long as Britain does not become embroiled in a conflict which, some say, does not involve us?

Surely Britain's national interests cannot be regarded as so inward looking as some have suggested. Are we so selfish that we should turn our backs on the oppressed and bullied of the world simply to preserve our own position? Surely we are not involved merely because of the interests of our economy, or those of any other nation's economy and the oil industry. There are other issues at stake.

Appeasement of a dictator breeds only the hunger for more territory, an insatiable desire for living space for a vibrant and thrusting state which the tyrant feels he has created. Here, the threat is compounded by a desperation to roll back the physical and psychological losses of an eight-year conflict. That leads inevitably to an irrationality that is blatantly oblivious to the codes of international morality.

I am happy that the consensus that is emerging from the debate is that our nation must show the world that our resolve to resist aggressors shall not be weakened and that our love of freedom and national integrity are not merely the ostensible ramblings of a once influential world power.

The politics of Saddam Hussein must never be allowed to become excusable in the world. His actions threaten more than a delicacy of relations between the powers in the middle east. The appeasement of Hitler and Mussolini in the 1930s was practised in the mistaken belief that both were basically honest and rational men who practised the accepted art of diplomacy, but with only a little more zeal, to achieve their objectives. We must not fall into the same naivety in our handling of Saddam Hussein.

Over the past two years, many of us have warned those who have gleefully advocated the disarming of NATO and the world in the aftermath of the bi-polar cold war. Those advocates should stand corrected. The crisis in the Gulf should demonstrate to all that the world will never be immune from the threat of megalomania or the evil designs of the despot. Our nation, with its friends and allies, must remain on guard against that threat and those designs.

The Foreign Office has, to this moment, faced the challenge of Saddam Hussein. I pay tribute to those who are representing our nation. They are few in number, but they have done tremendous things in seeking to be helpful, and under tremendous odds. The Foreign Office as a whole will need to have the courage and conviction that, in my judgment, has been so demonstrably absent from its

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deliberations on Northern Ireland, where it provided a framework whereby British interests and the interests of Britons would be undermined.

As we and the United Nations look into the future, we should take steps to have all territorial claims on neighbouring territory withdrawn. Such claims historically foster strife. In Northern Ireland, the claim inspires terrorists to implement the constitutional imperative of the Republic of Ireland. As we look to the future, those issues must be faced, as well as the crisis in the Gulf. We must stand on guard against all hostilities.

7.26 pm

Mr. Michael Heseltine (Henley): I take issue with the right hon. Member for Plymouth, Devonport (Dr. Owen) on just one small, cavilling point. That is his comment that, if Saddam Hussein had been able to hear our debate he might have taken comfort from it. I do not think that he could take comfort in any way from it. I believe that it reflects overwhelmingly the view of the British people that a great wrong has been done and that Britain is determined to play its full part in putting it right. That is the only conclusion that anyone who has listened to the debate could draw. It is positively healthy that there has been the occasional speech, representing a negligible quantity of opinion, in which a different view has been taken. The very isolation of those speeches indicates the strength of the overwhelming majority in this place.

The Government's position I find exemplary. I have said consistently, as have so many others, that the Government have taken precisely the right view from the beginning of the crisis. However much we may have been out of touch during the past two or three weeks—we followed events as best we could, often only through the media of other countries—it is obvious that the process adopted by the Government has continued as it began.

The position that my right hon. Friend the Prime Minister set out this afternoon is clear and exactly right. It is completely compliant with resolution 661 of the United Nations. The Prime Minister has set out for none to misunderstand her interpretation, backed by the best legal advice available to her. She has made clear, on behalf of the British Government, what she believes the resolution to mean. It means that we shall apply mandatory sanctions, that we shall enforce them and that, within certain circumstances, as my right hon. Friend defined, that might need the use of force.

It is necessary to have read only the occasional speech of my right hon. Friend the Foreign Secretary to know that the last thing that he wants, the Government want or our allies want is the use of force. No one can have any doubt, however, that in the mind of the Government, and presumably in the minds of our close allies, that context is not ruled out. It is not anticipated in any way in the short term but it is within our interpretation of resolution 661.

We are an open society and part of the open world. If there are those in the United States who believe that we have misinterpreted the resolution and who wish to disown what we claim to be the meaning of the vote that they cast, they have plenty of time to make their position clear. They can start to do that now. They can react at once to what we are saying the resolution means by saying that, when they voted for it they thought that it meant something else. If they do not do so, they cannot complain if we act upon the interpretation that we set out at an early stage.

The issue is whether we should return to the United Nations for further clarification if sanctions do not achieve the desired objective. Powerful arguments were put by the Leader of the Opposition and reinforced by the right hon. Member for Leeds, East (Mr. Healey). It is not that the law may be defective, but that there is a political dimension to the enforcement of that law which it might, on some subsequent occasion, be wise to pursue as opposed to legally necessary.

I wish to put another view. We all want the sanctions to work—that is not in question—but let us suppose we reach a stage where it is perceived that they are not working. We are not playing cricket. The object then would be to win at the lowest possible, though doubtless awful, cost. A lonely judgment will have to be made by a limited number of people about whether their action, unheralded, would be more or less likely to secure the objectives of the original resolution. They would have to weigh that against the advance warning of a change of tactics that going back to the United Nations would imply.

The announcement of a new dimension to the policy could provoke a first strike—or, as the right hon. Member for Plymouth, Devonport said, a second strike, but from the Iraqis. Do we want that? I can think of no argument for saying that in a few weeks or a few months we should alert the Iraqis to a new dimension to our policy. Our task then will be to win quickly and decisively. That is the overwhelming reason why I hope that my right hon. Friend the Foreign Secretary, in replying to the debate, will give no further assurances. All the necessary assurances have already been given in the clearest language. To do so would only undermine the strength and clarity of our position in a way that he would be the last person to want to do.

The tragedy of the crisis is that it is dynamic and events are unfolding. I have agreed with the right hon. Member for Devonport from the beginning—I do not think that the Iraqis will launch an attack on us or move into Saudi Arabia, because that is the way for them quickly to lose. They will try to bust the sanctions. By now, they will be combing the world to find ways to do what sanctions busters have always done, which is to get around the sort of peaceful coercion that the United Nations has imposed. No one knows whether they will succeed, but that is their best chance of success.

If that happens, the dynamics will unfold and the moderate Arab leaders will begin to wonder whether they can win. The advocates of fundamental Islam will latch on to a new hero who is likely to advance their cause. The kingdoms of the Gulf will begin to wonder whether they can contain the ever larger numbers of people injected into their societies to spread the word that their days are numbered. All over the world, people will begin to say, "It is the Americans, the imperialists, the western powers and no one else." Indeed, they will probably say that it is just the Americans. We have heard that today, but, to the source from which it came, it is always just the Americans. If the Iraqis got out of Kuwait as quickly as the Americans got out of Grenada or Panama, who would be complaining as loudly as we are likely to have to do?

The most difficult point of the debate—it is not just enmeshed in this particular policy dilemma—is that the

reason why the Americans are hated is because they can act. They are prepared and they have the strength and the coherence to move decisively and quickly——

Mr. Faulds: Even if they are wrong.

Mr. Heseltine: That is a judgment that the hon. Gentleman must defend, as he did in his speech. This House overwhelmingly believes that, in this case, the Americans are right.

The issue is whether the Americans want to be isolated, alone and the big brother. Like so many right hon. Members, I served as a Defence Secretary in the NATO alliance. I agree that the Americans hustled us along. We have been trying to get the initiatives right and trying to keep our nerve. It would be a brave hon. Member who said that we could have done it without them. I could not say, with my hand on my heart, that all the European members of the NATO alliance were always in such agreement that they could be relied upon. I remember the footnotes and the qualifications. I remember the phone calls from national Parliaments saying, "Don't do this, qualify that, hold back, wait a minute." It was always the Americans who took the lonely, tough decisions, and that is where we are today. They have taken those decisions, and because our Government were the first to back them, we have contained the appalling damage of the occupation of Kuwait.

Now we want to try to help, but how? The way to help is to strengthen the American support. Other nations of like mind to ourselves should increase their commitment, whether military or financial, to the American endeavour. The greater the endeavour that we make, the more we can ask to be consulted and the more influential we shall be in——

Mr. Deputy Speaker (Sir Paul Dean): Order. I am sorry to interrupt the right hon. Gentleman, but he has overrun his time.

7.36 pm

Mr. Peter Archer (Warley, West): I am sure that we all regret the fact that we did not hear the end of the speech of the right hon. Member for Henley (Mr. Heseltine), but we understand that you, Mr. Deputy Speaker, must enforce the rule across the Chamber.

There is a clear consensus in the Chamber, as there should be at such a time. In enunciating the consensus, we are in the process of elaborating a principle that will play a great part in the future destiny of this planet. The purpose of the debate is to formulate what that principle is and what it is not.

The principle is not that we are prepared simply to support the Americans. In this instance, our objective of resisting military aggression by Iraq is one that we share with President Bush, but it does not follow that our motivation is the same as his. For this purpose, it does not greatly matter. His reason may be that he does not share the political views of the Iraq Government, and nor do we. But I hope that we would not make it part of our foreign policy to overthrow Governments with whose views we politically disagree.

It is fair to say that nothing has been said during the debate to commit us to that principle. Indeed, there are many influential people in Washington who are now questioning the sort of policy, typified in Vietnam, of seeking to establish around the world miniature clones of Uncle Sam. Washington itself is now a very different place. However, that is not the issue in this debate.

I do not believe that the principle is about maintaining the supply of oil. Indeed, our motivation should not be even to enforce human rights in Iraq. Some of us have sweated blood over many years to find ways to compel all tyrants and potential tyrants to have regard to human rights. We have had our successes when we managed to persuade enough people to care about human rights to do something about it. We have drawn attention to the victims of infringements in Iraq—the Kurdish people who have been treated with such inhumanity, and also individuals within Iraq.

However, I hope that that is not the issue in this debate. I hope that we are not establishing the principle that we are prepared to enforce international law against Governments with a bad record on human rights but not against Governments with a better record. That is not the way to secure the observance of human rights.

The principle that has emerged in the debate is that a flagrant breach of international law, by whomsoever, will be resisted by the entire international community. That is the new world order to which my right hon. Friend the Leader of the Opposition referred. If it can be established that gross infringements of international law do not pay and that they will not be permitted, we will have begun the process of making the world safer—safe for small nations, safe for human rights, safe for human life.

That is not a matter of dividing the world into good and bad guys. If we are classifying individuals, President Saddam is a bad guy by any standards: we would all agree on that. But that is not why he should be compelled to comply with international law. If we see someone stealing, we do not, before we decide whether to arrest him, inquire about his views on privatisation, Salman Rushdie or transubstantiation, nor about the standard of his morals. We arrest him because, unless the law is enforced against each and any individual, we are all at risk. That applies, and it must be made to apply, in the middle east, Africa, Asia and central and south America.

Establishing the rule of law on a global basis is likely to be a lengthy and difficult undertaking, not because of the shortcomings of international law; there is in existence a substantial body of recognised international law. We need to do more in extending and clarifying it by agreements and conventions. We need to improve and to expedite the procedures of the various international courts and tribunals. In the process of that we may be building a consensus, as we did recently in Copenhagen, which will make it difficult for individual Governments to disregard it.

But minds will be concentrated on all that only when everyone knows that international law will be effective and that decisions will be enforced. That is an urgent problem, and it is becoming more urgent with every day that passes. With the proliferation of nuclear and chemical weapons and the continual increase in the number of national Governments in a position to launch war on a devastating scale, the time left to us may be running out.

It is not only in relation to military aggression that activities of nation states need to be brought within the rule of law. If the planet is to survive, a wide range of human activities can be safely regulated only on a global scale. Energy policy can no longer be confined within the

[Mr. Peter Archer]

frontiers of nation states—not since Chernobyl, nor acid rain, and certainly not since the dependence of international economies on oil prices.

But all that depends on the principle that activities which need to be regulated by international law are the concern of the international community, and that they will be enforced by the whole community. Today, we are discussing a situation in which we can take that first step towards establishing the principle because we have achieved a virtual consensus among the whole community.

If that principle is to be established, it requires three conditions. First, the sanctions to be applied must be no more than are required for the purpose. No one in his right mind would want to resort to military action if there was a prospect of achieving results by economic sanctions, for reasons that have been fully ventilated in the debate, and also because that is the only way to achieve an enforceable international law. It is vital that economic sanctions should be made to work.

That leads to the second condition. Those who seek to apply the sanctions should act, and be seen to act, with the authority of the international community if that can be achieved. This is not the occasion to embark on an analysis of article 51, but it is worth pointing out that it was included, that the right of self-redress was reserved in the charter, because it was recognised that it might not always be possible to achieve consensus. If that consensus can be achieved, to resort to self-redress would simply be a step backwards. So I hope that we will seek to proceed on the basis of clearly worded United Nations resolutions.

The third condition is to recognise that, if the rule of law is to be maintained, it matters not only what people do but the reasons that they give for doing it. They need to say that they are acting to enforce legality, not for other reasons. I do not want to introduce a sour note, but I would have been happier if the Prime Minister had made fewer references to our allies, partners and friends. We are talking about the international community.

This is only the first step. I believe that ultimately there is no alternative to securing a monopoly of war-making potential in the hands of an international authority. Anarchy in Britain ended in the 13th and 14th centuries, when the Government established a capacity for enforcing law and order which could not be challenged by any robber baron, or ultimately by any combination of robber barons.

That was not the end of local government or pluralism. We may have come close to that in the past 10 years, but that is not because the Government can enforce law and order. The rule of law enforced by a single authority is not inconsistent with a full range of other powers to individual states and local communities within those states. That is not an objective that I have just formulated. I can quote the authority of Emmanuel Kant, William Penn, Jeremy Bentham, Richard Cobden, Lord Tennyson, Teilhard de Chardin and Clement Attlee.

I recommend to the House a book by a former colleague in the House, Henry Usbourne. He is now well into his eighties but he is still reflecting on these matters. His book, "Prescription for Peace", will amply repay time spent in reading it. I believe that nation states as we know them will no longer have a part to play in the 21st century. President Saddam has provided us with the opportunity to take the first step. I hope that that will be the message which goes out from the House tonight.

7.46 pm

Mr. Tony Marlow (Northampton, North): We can all agree or we can have a debate. In this democracy we should not be fearful of having a debate. I have visited Iraq and the Gulf as a guest of the respective Governments, so the House will make its own judgment about whether I am better informed or biased.

I agree with all that the Government have done to date. They have handled the matter brilliantly. We were right, when the United States found their interests threatened and felt that they had to go into the Gulf, to go along with them. The special relationship demanded nothing less, and we want to retain influence over events as they unwind.

We are also totally right to insist on the enforcement of United Nations sanctions. Publicly, we are right not to rule out offensive action. But privately, I trust that we do not contemplate it. Some of my colleagues seem to believe that there is a switch which can be turned and out will go Saddam Hussein; that there will be victory marches in Whitehall by Christmas. War is much more difficult and dangerous than that.

We have heard a lot about Britain's aims, but what about our interests? We have British citizens in Iraq and Kuwait whom we wish to bring home with dispatch. The cornerstone of our foreign policy is our relationship with the United States. We want to see the United Nations grow and flourish after the ending of the cold war. But, unlike Germany and Japan, we are not dependent on the oil of the Gulf and the middle east. Apparently, they have a constitutional embargo against supporting international action. Perhaps they just lack the constitution for it.

The United States is highly dependent on oil from the middle east, and United States politics is heavily dependent on support of the state of Israel. It may be in the interests of the United States to consider offensive action and war, but it is not necessarily in our interests as well.

There is a temptation to look upon these events and foreign policy as a moral issue. I hope that my country's foreign policy is moral, and that moral arguments can be used to sustain it. However, foreign policy is always dictated not by moral issues but by national interests, for the very good reason that different people have different moral outlooks. It is proper and one can ask a man to die for his country but I am sure that my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, who has been brilliant throughout this difficulty, would not wish anyone to die for his personal views of morality.

What is it about Saddam Hussein that may make it proper to contemplate an offensive war against him? His evil has been compared with that of Hitler. Many speakers in today's debate seem to have returned to 1939, saying that we were threatened then by a major country in Germany and had to stand up and fight against it. The present situation is not like that. As other right hon. and hon. Members have said, Iraq is a long way away. We are not the major player in this issue. We must consider our interests, so any comparison with Hitler does not ring true.

Perhaps it is that we want to make the world a safer place, by proving that no nation can with impunity assault,

attack or take over its neighbour. Anywhere in the world? Indonesia, Indochina or Israel? Why have we decided, specifically in Britain's interests, to draw the line at Iraq?

That brings me to the Arab question—the question that will be asked by the Arabs—not by the Egyptians, who are the second biggest recipients of United States aid or by the feudal overlords, with whom we have had good relations in the past for very good reasons—but by the Arab in the street.

Israel has exploited, humiliated or imprisoned 1·5 million Palestinians, and has denied them human rights, for generations. The Israelis have invaded Lebanon and laid waste Beirut, and at a weekly whim have been aerially murdering a few Palestinian families in refugee camps. When Israel invaded Lebanon, the casualities were far greater than those reported when Iraq went into Kuwait.

That is the question that will arise in the minds of the Arabs after the event as well. Israel annexed Golan and has a Quisling Government in southern Lebanon. Saddam Hussein may have chemical weapons, but Israel has nuclear weapons. The question asked by the Arabs will be why we are using force against Iraq when we have not used force against Israel. Is it because there are more Jews than Arabs in New York? If the Kuwaitis grew carrots rather than pumped oil, perhaps different attitudes would prevail.

Mr. Cormack: My hon. Friend should go and join the National Front.

Mr. Marlow: This is meant to be a serious debate.

Let us consider the military scenario. There is an idea that there can be a quick, surgical strike, but I suggest that my hon. Friends read carefully the wise speech of the right hon. Member for Leeds, East (Mr. Healey). I am no military expert, but I wore a uniform for 11 years, and for all the ordnance and technology that the Americans have at their disposal, recent United States military experience has not been happy. Iraq's armed forces also have military technology and although—like any other forces—they probably have major weaknesses, Iraqi forces have just sustained eight years of war without flinching.

Rather than turn tail at the first sighting of the United States Air Force, is it not more likely that they will turn towards Jordan and Israel? What effect would that have on the alliances that have been carefully built up? What then is the likelihood of the use of chemical or even nuclear weapons? What will happen to Arab opinion when the perception is that Arab blood is being shed by western imperialists selfishly seeking to secure for themselves cheap oil and seeking to destroy the only Arab state capable of standing up against Israel? How secure then will be the heads that wear the feudal crowns?

There are many fundamental differences in attitude between Europeans and Arabs, but there is one of particular importance that we should bear in mind. We are British first and European second. The French are French first and European second. Any Arab—be he a Jordanian, Iraqi, Libyan or Moroccan—is an Arab first. If there is a war and blood is spilt, it will be Arab blood that is spilt. Supposing that the hawks predominate—and there seem to be plenty around me at the moment—and there is a magnificent military success, will we then see a United States army of occupation on Iraqi soil? How long would it remain there, and how would that stabilise radical Arab opinion? We have see the ayatollahs at work in Iran—what if they cross the Gulf?

If there is no army of occupation, what then will happen to Iraq under whatever leadership then obtains? Iraq is rich in resources. It has oil, two major rivers, potential agricultural wealth, and 17 million people, many of whom have highly developed skills. If one takes away Iraq's chemical and nuclear weapons potential——

Mr. Cormack: What about the Kurds?

Mr. Marlow: I do not support such action. What is my hon. Friend suggesting? I am saying that if Iraq is humiliated, that potentialy powerful and wealthy country will resent that humiliation and will be more aggressive in the future than it has been in the past.

Sir Bernard Braine (Castle Point) *rose*——

Mr. Marlow: I cannot give way to my right hon. Friend because time is against me.

If there is a war, peace must follow it. The second world war arose because of a lack of a proper peace after the first world war. Let us think ahead.

Mr. Cormack: So my hon. Friend favours appeasement?

Mr. Marlow: I am not concerned about appeasement, but about British interests.

Psychologically, the Government are right to wave a big stick and not to rule out the use of force. However, the reality is that the use of force would solve nothing but would make things worse. It is easy to start a war but difficult to predict its outcome, apart from the deaths of thousands of people, the destruction of thousands of homes, and the legacy of many crying and desolate women and children in starvation. No British interests can be served by such a war.

Sir Bernard Braine: Will my hon. Friend give way now?

Mr. Marlow: I put it to my right hon. Friend, who seems more hawkish than I, that it is not his life that would be at risk but the lives of British service men. What have we to say to the young men who will be expected to put their lives on the line?

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Member but he has run out of time. Mr. Dennis Canavan.

7.57 pm

Mr. Dennis Canavan (Falkirk, West): This is the first emergency recall of Parliament since the Falklands war in 1982. At the end of that debate, which was on a technical Adjournment motion, there was no vote, and afterwards the Prime Minister tried to use that as a mandate from the entire House of Commons for her subsequent conduct during the Falklands war, which included the dispatch of the task force and its deployment, the sinking of the Belgrano, and the escalation of a conflict which cost more than 1,000 lives. In retrospect, many people in this country realised that that was a needless conflict.

The fact that the Prime Minister received a virtual blank cheque on that occasion meant that she was able to do more or less what she wanted. Three weeks or more after that initial debate, some right hon. and hon. Members managed to divide the House. About 30 of us voted against the Government in a subsequent debate on the Falklands. I do not regret my action on that occasion. My only regret is that we did not take it earlier, so that we

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could have stifled at birth the myth that the Prime Minister had the unanimous consent of Parliament for her subsequent action.

We should not make that same mistake twice. A full-scale conflict in the middle east could be far more destructive and devastating, and involve far greater loss of life, than any conflict in the south Atlantic—particularly when one bears in mind that it could escalate into chemical or even nuclear conflict at some future time.

I hope that we are all unanimous in unequivocally condemning Saddam Hussein's invasion of Kuwait, the destruction of human life that has taken place already, and the hostage-taking, as absolutely unjustified aggression. However, our response must be firm and measured, and it must have the support of the international community. There is widespread—well nigh unanimous—support within the international community, and virtually unanimous support in the House, for the use of sanctions, but they take time to have their full effect and there is therefore a need for patience and caution, especially in our attitude to the possible use of force.

I should make it clear that I am not an absolute pacifist. I believe in the basic right of self-defence and the right to go to the defence of others who are the victims of unjust agression, but history and experience have surely taught us that in many instances the precipitate use of violence merely begets more violence. If force is to be used, it ought to be minimum force, and it ought to be used as a last resort.

I am concerned about the possible use by the United States—and the United Kingdom might get involved—of some sort of pre-emptive strike action, which could make the situation worse rather than better. I am also concerned about the double standards of some people who rightly support the use of sanctions against Iraq in the present situation, and yet did not support the use of sanctions against South Africa. I am concerned about the double standards of people who rightly deplore the invasion of Kuwait by Iraq and want to see the removal of Iraqi forces from Kuwait as soon as possible, and yet did not deplore the Israeli invasion of the West Bank but kept strangely silent about it, and still do.

Those double standards confirm my suspicions that the United States of America and the United Kingdom are taking stronger action over the invasion of Kuwait simply because of the threat to western oil interests in the Gulf. Oil is important, but people are more important, and an awful lot of people stand to get hurt or annihilated if there is a full-scale conflict in the middle east.

There is more chance of the whole crisis escalating into a full-scale conflict if it is the perception in large parts of the Arab world that the heavy military build-up in the Gulf is predominantly an American, neo-colonial force, backed up by the United Kingdom and other American allies. In terms of Arab perception, it is very important that there is United Nations control and explicit United Nations approval for the conduct of the whole operation.

I was very unhappy when I heard the Prime Minister earlier this afternoon, with her legalistic interpretation of article 51 of the United Nations charter. It makes me suspect that she may indeed be hell bent on trying to use her interpretation, or misinterpretation, of article 51 to resort to force without the explicit approval of the United Nations. We have witnessed her warmongering jingoism before, and I for one do not trust her. I certainly do not trust her enough to give her another blank cheque, and that is why I intend voting against her and her Government tomorrow.

8.4 pm

Sir Bernard Braine (Castle Point): Timing is the essence of crisis management. It was absolutely right to recall Parliament now. To have done so earlier, before the blockade authorised by the United Nations Security Council had been put into place and when Saudi Arabia, with oil resources so important to the world economy, was wide open to attack, might not have commanded the unanimity that has been emerging in this debate.

More than in any other crisis debate I have heard in the 40 years I have sat in the House, I was struck by the clear lead given by my right hon. Friend the Prime Minister, the effective response of the Leader of the Opposition and the clear, effective and thoughtful speeches from experienced former Ministers—for example, my right hon. Friend the Member for Henley (Mr. Heseltine), and the right hon. Members for Plymouth, Devonport (Dr. Owen), and for Bethnal Green and Stepney (Mr. Shore)—from different parties but all of whom have had extensive experience of foreign and defence affairs. I now feel sure that we are moving towards a unanimous view which justifies the timing of the debate.

The situation that we now face is fraught with grave dangers and, unlike others, I shall not speculate—nor is there time to do so—on what might yet happen. There are too many imponderables. However, I remind my hon. Friend the Member for Northampton, North (Mr. Marlow)—whose speech surprised me—that in Saddam Hussein we are dealing with a man who has not hesitated to murder any individual who stood in his way, who has used poison gas to snuff out the lives of thousands of men, women and children in his own country—in Iraqi Kurdistan—and whose fruitless eight-year war against his Muslim neighbour, Iran, cost over 1 million lives. Who can say what he might yet do if he is not soon tumbled? But as a student of history, who has watched the passage of events from the sidelines, I know that one thing that one does not do is to announce in advance what steps one will take in an emergency to enforce the will of the United Nations, when one is dealing with a man of that kind.

By now we should know where we in Britain stand on this grave issue. The United Nations resolutions are not negotiable. The aggressor must withdraw from Kuwait and make reparation for the damage inflicted upon that small state and that must be seen to be done, not at the behest of the Americans or of the British, but by the command of the world community.

The taking of hostages is a crime under international law. Every single one of them must be released, and appropriate compensation paid. That is not merely the British or American stance, but the agreed position of the United Nations and of the Foreign Ministers of the 13 Arab League countries who met in Cairo last week.

All this begs the question, "Where would we be if the Americans had not been prepared to act?" Would we have been able to do anything on our own, even if the desire had been there? We must keep all this in perspective.

In as grave a crisis as any since the second world war, the firm stand taken by our Prime Minister in support of

President Bush, the diplomatic skills shown by our representatives at the United Nations and in the Gulf and, throughout, the calm and sensible approach of our Foreign Secretary, all deserve the highest praise. I like to think that I know what my constituents are thinking from what they write to me, and that view is very widely expressed. It can best be expressed to the world as a whole by this freely elected Parliament giving full endorsement to what has already been done to uphold the rule of law, and by giving our unanimous support to the Government in their determination to see this crisis through.

I was sorry to hear the speech of the right hon. Member for Chesterfield (Mr. Benn). I agree with my right hon. Friend the Member for Shoreham (Mr. Luce), who said that he was not sure whether the right hon. Gentleman really believed in what he was saying: there was a gleam in his eye and a smile on his face. He is an engaging person, and in a way I felt sorry about the speech since I did not think that it added much to our knowledge.

Let me assure my hon. Friend the Member for Northampton, North that I know of no Conservative colleague who wants war to happen. That means that we must make our purpose clear. There can be no return to normality until Iraq disgorges Kuwait, releases the hostages and bows to the will of the United Nations. It would be fatal to give the impression that we would be willing to tie our hands in advance as has been suggested —laughable, but fatal. By all means let us not lose sight of our present objective, but we must never allow ourselves for a moment to forget that the world is now too small a place for dicatators anywhere to do what they like with impunity where their weaker neighbours are concerned.

That brings me to a specific point. When I say that there can be no assurance of peace or stability in the middle east until Iraq's nuclear and chemical capabilities have been destroyed, I hasten to add—I think that this is in keeping with the spirit of our debate—that I do not see that problem in isolation. Some good may come out of this crisis. For there simply must be a fresh look at world security problems as a whole, and firm action will have to be taken with regard to the traffic in sophisticated weapons of mass destruction.

It is shameful that European companies have supplied Saddam Hussein with the means of killing en masse, including his own people. It is obscene, and it must end. I hope that, as a result of this experience, the world as a whole will adopt a new posture, and I think that there is real hope of that: the changes that have taken place in eastern Europe and the new attitude of the Soviet Union give promise that we can look forward to a better world, if we are bold and resolute now and do not exhibit the weakness and flabbiness of the recipe advanced a short time ago by my hon. Friend the Member for Northampton, North. We have an immediate problem, but let us never lose sight of what ought to be on the agenda for the future.

For the moment, then, we must steel ourselves to face the prospect that the blockade may continue for quite some time. It will not be easy to maintain substantial forces in continuous readiness in the difficult conditions of the Gulf, but it must be done. We need to send a clear message to Saddam, and also to our friends, about where we stand.

Last night, opening a book at random, I read the words that Winston Churchill uttered in the darkest days of the Second World War, in March 1942:

> "We must confront our perils and trials with that national unity which cannot be broken, and a national force which is inexhaustible. We must confront them with resilience and ingenuity which are fearless, and above all with that inflexible willpower to endure and yet to dare for which our Island race has long been renowned."

If there is to be a vote, I hope and trust that this Parliament, like its predecessors in times of great peril, will rise to the occasion and demonstrate to the world that our people have not changed.

8.14 pm

Mr. Stuart Bell (Middlesbrough): I am grateful for the opportunity of following the Father of the House, the right hon. Member for Castle Point (Sir B. Braine). He has referred to the speech of my right hon. Friend the Member for Chesterfield (Mr. Benn), whom I am glad to see in the Chamber. My right hon. Friend mentioned Saladin, and he was in good company, because the Prime Minister did so as well. He also mentioned the question of the General Assembly of the United Nations being directly elected, and said that he would be a candidate.

There has been talk of Richard the Lionheart too, and the right hon. Member for Shoreham (Mr. Luce) mentioned Nebuchadnezzar in connection with his meeting with Saddam Hussein in 1984. I, too, think of Nebuchadnezzar and I wonder whether Saddam Hussein has read the Book of Daniel lately. That book tells us that Nebuchadnezzar was once so powerful that

> "all the peoples, nations and languages trembled and feared before him, but when his heart was lifted up and his mind hardened in pride, he was deposed from his kingly throne and they took his glory from him."

Mr. Dalyell: He was a Kurd.

Mr. Bell: As my hon. Friend says, he was a Kurd.

I see Saddam Hussein more as the Ozymandias of the poem by Percy Bysshe Shelley:

> "My name is Ozymandias, king of kings:
> Look on my works, ye Mighty, and despair!"

Shelley describes the huge monument in the desert which had been broken and dislocated:

> "Nothing beside remains. Round the decay
> Of that colossal wreck, boundless and bare
> The lone and level sands stretch far away".

I surmise that that will be the ultimate future of Saddam Hussein. However, at this moment we know that the lone and level sands stretch far away with the refugee camps of those who have come from Pakistan, Bangladesh, the Philippines, the Yemen and Palestine. All those people who were living and working in Kuwait had a certain standard of living—a life style, and savings in the bank, all of which disappeared in four hours with Iraq's invasion of Kuwait.

My right hon. Friends the Members for Chesterfield and for Leeds, East (Mr. Healey) have given quotations from the Labour Government of 1964-70. I am glad to see my hon. Friend the Member for Linlithgow (Mr. Dalyell) in his place. He may recall a conversation which took place in, of all places, what was formerly Lockets, between the late Dick Crossman and Lord Jenkins of Hillhead. They were discussing public expenditure cuts, how to balance the books and the prospect of restoring the prescription charge. Crossman put forward the idea that, to save £12 million, we might be able to withdraw from east of Suez. We made that decision as a Government in 1967-68. We agreed to withdraw from east of Suez and from the Persian

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Gulf, although it was the Government of the right hon. Member for Old Bexley and Sidcup (Mr. Heath) who actually carried out that policy.

We left a vacuum in the Gulf, which the United States sought to fill with Iran, making it a super-power there. As a consequence, the Shah was overturned and we had the Ayatollah. Twenty years later, there is another vacuum and a crisis waiting to happen.

I was interested by a comment made in London yesterday by the Crown Prince and Prime Minister of Kuwait. When asked why Kuwait had supported Iraq's military build-up, he replied that the Kuwaitis had supported the build-up because they had believed that Saddam would help to liberate occupied Palestine—"but, unfortunately, the Iraqi army was used against our country." That oil-rich state has poured thousands and thousands of millions of pounds into Iraq in the vain hope that Iraq would turn its gaze to the north and avert it from the south and from taking over Kuwait.

We have heard a great deal today about the state of Israel and about how the problem between the state of Israel and the west bank of the Jordan should be resolved. When Secretary of State Baker referred to this he called it a "fester". It cannot be in the interests of the state of Israel that this problem should continue to exist. We live in a world of chemical and nuclear weapons and of long-range nuclear missiles which can be fired into Israel from a far distance.

We should also examine what the Palestine Liberation Organisation has done in this crisis and think about the 350,000 Palestinians in Kuwait who overnight lost their livelihoods, jobs, security and money in the bank. After having lost all that they had, can they thank Yasser Arafat for that? What of the Saudi Arabians? Four years ago I was in Saudi Arabia with the hon. Member for Thanet, South (Mr. Aitken). We talked with the Saudi Arabian Government, who were concerned about the state of affairs on the west bank of the Jordan and deeply anxious about self-determination for the Palestinians in the area. After having poured thousands and thousands of millions of dollars into the PLO, what must have been their reaction when they saw Yasser Arafat go by aeroplane to Baghdad to support Saddam Hussein?

When we talk about self-determination for the Palestinians, which is necessary even for the state of Israel, how do we place the PLO in that context? How can it have a role to play? How can we have a new state created on the west bank, linked to that kind of regime in Iraq coming in through Jorden to threaten and menace the state of Israel? That cannot be a consequence of the invasion of Kuwait by Iraq. There cannot be a linkage between the affairs of the state of Israel and the west bank of the Jordan and a resolution of this problem. They are separate problems and they need to be addressed separately. It is in the interests of the state of Israel that this problem should be resolved, but certainly not as a consequence of the dispute and certainly not with the PLO, whose deputy to Yasser Arafat during the last few days has said that in the event of a war the PLO would unleash upon the west a terrorist campaign the likes of which we had never seen before. That may be one of the unforeseen consequences, if there is a war in the area.

We have heard a great deal about United Nations article 42 and article 51, but it is clear that the Government and this Parliament cannot send tele-messages and greetings telegrams to Saddam Hussein saying what we will or will not do in a particular situation. It is not for us to do that; it is for us to keep him guessing about what the consequences will be if he defies the sanctions that have been laid upon him.

Can anyone really believe, however, that the United States of America—subject to a pre-emptive strike on 7 December 1941 by Japan, without any warning or any knowledge that the attack was coming, for which Japan was to pay grievously—will launch a pe-emptive strike against Iraq? There would be no purpose in it. There would be no purpose in taking this issue out of the global consensus that we have entered into in this new, global village of ours. I believe that our Government believe that it will be a long haul and that sanctions will not work quickly. They will have to work hard and it will take a long time. The House is united in believing that a long-term attempt should be made to make sanctions work. At the end of the day, I believe that they will work.

A time of crisis is a time of opportunity and as my right hon. Friend the Member for Leeds, East (Mr. Healey) pointed out, the United Nations, after 45 years and the days of Stalin, now has an opportunity to show that there can be a new world order. The Father of the House, the right hon. Member for Castle Point, quoted what Winston Churchill said in 1942. In his final volume, "Triumph and Tragedy" about the end of the war, he said:

"the great democracies had triumphed and so were able to resume the follies that had so nearly cost them their life."

Out of this crisis we have to find long-term solutions and a sense of peace in the world for future generations.

It is a time for patience, for diplomacy and, above all, for leadership—for the leadership of people weaned on a television diet of quick fixes and facile solutions, a diet that requires overstatement and oversimplification of complex issues, but which does not permit a nation state to assess its priorities or even its duties. There must therefore be statesmanship to persuade people that we are in for a long haul in the Gulf, that sanctions will work sooner or later, and that if it is to be later rather than sooner, so be it. Time is not on the side of Saddam Hussein. Time, like the justice of the cause, is on the side of the world community.

I welcome the unanimity that we have seen today and the strong expression and analysis of the problems in the Gulf by my right hon. Friend the Leader of the Opposition. The message from the House will be clear—that we are resolved, that we know what we are doing, and that in the long term we shall triumph.

8.25 pm

Sir Peter Tapsell (East Lindsey): Saddam Hussein is an evil despot who has long maintained himself in power in Iraq by a tyrannical regime, run for the most part by a small group of his personal henchmen, drawn from his own home village. He has eliminated, often after torture, any of his political colleagues who have attempted to stand in his way. It is widely reported that immediately before the act of aggression against Kuwait he had a number of his senior officers executed who opposed this attack on a fellow Arab state. We are dealing with a monster: let us be perfectly clear about that.

The debate has reflected the feeling in the nation as a whole, overwhelmingly, that this act of aggression against

Kuwait and its occupation has to be reversed and that Kuwait has to be liberated. I, like many hon. Members, spent most of the month of August abroad. I did not meet a single person of any nationality who was not in favour of bringing pressure to bear to ensure that Kuwait was liberated. I spent the first half of this week in my constituency. Every constituent whom I met said to me that we have got to get the Iraqis out of Kuwait. This debate has sent a clear message to Saddam Hussein, and the world, that Britain is united behind her Government in the steps that they have taken by giving full support to President Bush's magnificent leadership on this issue.

The question one has to ask is how we are to achieve the objectives on which we are all agreed. I am not convinced that the long haul is a practical solution. I first went to Iraq 40 years ago. I have been there seven or eight times since. It is easy for those who have not been to Iraq to imagine that that country holds certain characteristics in common with western European countries. However, despite the great potential oil wealth of that country, the great mass of Iraqis still live in grinding poverty. They are much less subject to the kind of economic pressures that sanctions would impose than those that would face a more prosperous country. They have been through the ghastly war with Iran, for which Saddam Hussein was entirely responsible. Despite having endured all that, they cannot escape his rule because of the machinery of terror that he operates inside Iraq. Anybody who tries to criticise him is liquidated. I have an Iraqi friend in London whose brother was hanged by Saddam Hussein last year simply because my friend had made a critical speech about Saddam Hussein in London. He will stop at nothing.

That is one side of the problem, but the other side is whether the American troops will be able to face month after month of sitting it out in the desert. I spent nine months in the desert at Aqaba when I was 19 and 20, but I had the advantage of having spent 10 years at boarding schools immediately before, so a warm slit trench in the desert seemed rather luxurious accommodation. Some of the specialist American technicians, who are used to operating the most advanced weaponry, have not had the advantage of having been at public school for many years before going to the desert and, although this is not a criticism of them, spending month after month in the heat and dust will take a considerable toll of their morale.

The dust will also get into their machinery. We saw what happened when helicopters landed at Desert Strip One outside Tehran and were on the ground for only a few hours. There is no doubt that there will be great technical problems with advanced weaponry being on the ground in such terrain and climate for a long period.

The right hon. Member for Chesterfield (Mr. Benn) said that this is the most dangerous situation that the world has faced since 1945, and several right hon. and hon. Members have echoed that sentiment. I accept that it is a dangerous situation, but we must not make our position more difficult by exaggerating the dangers. I do not believe that it is the most dangerous situation that we have faced since the war. The Berlin blockade and the Cuban missile crisis were much more dangerous because of the danger of confrontation between the two great powers of the world, America and Russia, and of nuclear weaponry being brought into play. Mercifully, as a result of glasnost and President Gorbachev, that danger does not arise. Therefore, do not let us tell our constituents and ourselves that the situation is anything like as dangerous as some of the crises that we have had to face since the war.

I hope that President Bush's meeting with President Gorbachev in a few days will clear the way for American military action, because it will not be in the interests of the United Nations for us all to continue with a blockade that may last for six or nine months.

The right hon. Member for Leeds, East (Mr. Healey) spoke of the possibility of oil prices reaching levels which might put the American banking system in danger. There will be great economic strains on the world economy if this long haul is pursued. I am sure that the Prime Minister was absolutely right when she said earlier today that we must keep our options open under article 51 to use military force if that seems necessary, and I believe that it will become necessary. I hope that when that time comes, and when the American chiefs of staff are confident that effective and quick action can be taken, we will give full support to the Americans in that action.

Many hon. Members have said that it is easy and ludicrous to be an armchair warrior. I understand that but, in the desert, air command is of dominant importance. It is not like Vietnam which, like many hon. Members, I visited many times and where I flew in choppers low over the jungle where one could not see the Vietcong. In the desert, even in Allenby's campaign of 1916 and 1917, the aeroplane was of vital importance. A tank cannot be moved in the desert without its being visible from a great distance, even to infantry on the ground.

With modern aircraft dominating the skies, in a few weeks the American air force will be in a position completely to take out the Iraqi air force within a matter of days, as the Israelis did to the Egyptian air force in 1973. Once it has done that, the Iraqi tank force will be absolutely useless. Tanks are dependent on petrol, ammunition and water, and with an enemy dominating the skies nothing could be more frightening than to be an Iraqi tank commander, with his tank blowing up if a rocket lands anywhere near it. We should not exaggerate the military dangers that would be involved.

The Americans intend to take military action. I think they will take it very effectively and will win. Saddam Hussein is a clear loser, and Arabs throughout Arabia are beginning to realise that.

8.35 pm

Mr. Jim Sillars (Glasgow, Govan): We support the action taken by the Government to invoke the United Nations procedures. We also support what the Government have done in respect of the naval blockade to support the Security Council's decision on sanctions. We also support action taken to engage in a multi-military organisation to protect Saudi Arabia from possible Iraqi aggression, which, as I understand it—I stand open to correction—is an entirely separate matter from the United Nations Security Council decisions in respect of Kuwait.

I wish to make three points. One concerns a matter raised by the right hon. Member for Plymouth, Devonport (Dr. Owen), who said that it is important that we try to take on board Saddam Hussein's tactics. He said that they probably are simply to sit tight, having, in a sense, annexed Kuwait, and to hold that territory. We must understand that when dealing with Saddam Hussein, as well as dealing with an evil individual, we are dealing with someone who

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is by no means stupid and who has displayed considerable political ability inside the Arab world. He already has one political mark in his favour: he split the Arab League and, from his point of view, that was a considerable thing for him to have done.

If we are dealing with a man of that capability who has decided to sit tight, we must, as a matter of tactics, consider the military option. It would be foolish for anyone on the United Nations side to rule out the military option.

There is a link between maintaining the military option and the possible success of sanctions, and I shall explain how I see that link. If we said that the military option was not on, it would be seen by Saddam Hussein as a failure of a test of will of those under the United Nations umbrella. If that military option were seen by him to be withdrawn, not only he but other states in the international community would get a very clear message—that if it came to the crunch we would not have the will to sustain the pressure on him to withdraw from Kuwait.

Hon. Members have rightly said that sanctions have perhaps a better chance of operating than when they have previously been applied, and they have mentioned the oil crop economy of Iraq.

The Leader of the Opposition made the important point that credit facilities, from whatever source in the international community, should not be made available to Iraq. It will be difficult to tighten up this loophole. There is another downside to sanctions. They will result in a severe economic cost for all the member states which apply sanctions and the severest cost will be borne not by the United Kingdom, western Europe, Japan or the United States, which will be able to sustain it better than anyone else, but by the third world countries. They will be the weakest link in the application of sanctions. If the message is that, when the crunch comes, the military option will not be available, some of those states, for reasons that we cannot condemn, may crack. Once sanctions crack, without the back-up of a military option, Saddam Hussein will win the game in which he is engaged.

My second point is about the role, status, power and influence in the world community of the United Nations. The Leader of the Opposition and I are of the same generation and come basically from the same ideological root. As I listened to him, I began to be carried away by his idealism about the emergence of a new world order. There is unprecedented unanimity among the five permanent members of the Security Council. However, I doubt whether a new world order will emerge, or even that we are seeing something like that emerging now.

As hon. Members know, international law is made up of state practice, which is based on power, and upon treaties and conventions, but power is the key factor. Last week, on the BBC World Service, I heard Sir Anthony Parsons say "No" to the blunt question, "Is international law based on a moral code?" As he said, it boils down to power. The United Nations has tried to make moral law against genocide and aggression and for human rights, but when it comes to the crunch question whether it will agree to the enforcement of this law, the answer must be in the negative, because it is power that matters.

We have to be frank about this. The United Nations Security Council has acted in the Gulf crisis not out of some new sense of moral purpose but simply because of the fortuitous conjunction of state interests among the five permanent members and the majority of the rest of the Security Council with the United Nations charter. The United States and the west are involved because of oil. Some cynical United Nations official said that, if Kuwait manufactured tins of beans, we should not have seen the same reaction from the United Nations. The Soviet Union has developed a quasi-dependence upon the United States and the West, and particularly western Europe. China is paddling her own canoe so as to get back into the good graces of the United States and to resurrect the special relationship with it.

Sadly, the agreement goes no further than this conjunction. That may sound cynical and I hope that I am wrong and that we are seeing something new develop, but I doubt it. It is unprecedented for the Security Council to take such a decision and it is fine that it has done so. However, what will happen in two or three months' time when the Security Council permanent members do not agree and a next step is required? The United Nations and the Security Council are still on trial, and the verdict has not yet been reached.

My third point concerns the good speech made by the right hon. Member for Bethnal Green and Stepney (Mr. Shore). He told the Government that we must engage in a battle for the hearts and minds of the Arab people. Given Saddam Hussein's ability to split the Arab League, we have to admit that he is ahead of us on that. I shall try —I do not think that I can do it as I do not think that any hon. Member can—to put myself in the mind of the man in the Arab suit. How does he see debates such as this and western reaction? Unless we can understand that, we shall not win the propaganda battle for the hearts and minds of folk in the Arab world.

The Arab sees people in the west, including us and the United States, as double-dyed hypocrites of the first order because we apply a different standard to Arab nations than we apply to the state of Israel. He has good grounds for taking that point of view. Tonight, we are telling Iraq that it should obey Security Council resolutions and that if it does not, sanctions will be applied against it until it does so, when the United States did not take that attitude to Israel.

The hon. Member for Northampton, North (Mr. Marlow) is a wee bit like Arthur Scargill in that his language is sometimes extravagant and his style goes over the top. He got a lot of barracking from his hon. Friends today. I shall try to speak in a quieter tone. We have to accept that the Israeli authorities treat the Arab people of the west bank and Gaza appallingly. They deliberately break bones and demolish houses in retaliation and incarcerate thousands of people in desert encampments. That is unacceptable in a civilised international community, but Israel has been allowed to get away with it. I have told Arab friends that I am appalled that they are not condemning Saddam Hussein and they have replied, "My enemy's enemy is my friend." I am told not to complain about that because westerners have operated on that principle many a time.

I have to convey to the Government as best I can the feeling of my friends that, while the situation in Israel continues, the west will continue to feed people like Saddam Hussein with the ammunition that will carry them to the top. In the three or four months ahead, while sanctions are being applied, we should take the

opportunity to bring to the top of the world agenda the rights of the Palestinian people to a homeland and a state of their own. Unless we are prepared to do that and are capable of doing that, we may lose the critical war for the hearts and minds of the Arab people. My Arab friends have told me that the biggest problem in the middle east is that the Israeli-Palestinian situation poisons the whole atmosphere. We have to draw the poison if we are to get stability in the region.

8.47 pm

Mr. James Kilfedder (North Down): I find it strange and disappointing that so little has been said about the tens of thousands of refugees in Jordan. I was pleased to note that the Prime Minister announced further aid for the refugees, but more needs to be done. It is appalling that men, women and children are suffering and dying from heat, hunger and disease while the western world is spending billions on armaments and ignoring their plight. It is a shame that their plight has been so ignored. The right hon. Member for Old Bexley and Sidcup (Mr. Heath) spoke of the airlift that should take place. More immediate action is needed and greater help should be provided.

The leader of the Liberal Democrats used the term "flotsam and jetsam" in regard to the refugees and I believe that he used the term innocently. However, that sounded arrogant to me. Our hearts should go out to these people and some of the money that has been spent on armaments should be used to save their lives. More refugees will die in Jordan than have died so far in this crisis in the middle east. Food, medicines, clothing and tents should have gone out ages ago and must now go out immediately. If, instead of being Asian, Egyptian or from the middle or far east, those people had been English, Australian, American, German, French or Canadian, there would have been an outcry, and action would have been taken ages ago. We must not forget these people now.

Much has been said in the debate about hostages in Iraq. For me, that term applies peculiarly to those who are incarcerated in the Lebanon. I refer to a constituent of mine—Brian Keenan—who has just been released. He was held as a hostage there for more than four years, and he has been to hell and back again. We can see the agony in his eyes and in his language. I pay tribute to his two sisters who campaigned relentlessly for his release. Our hearts go out to Brian Keenan. I know that some people in Northern Ireland resented the fact that use was made of his having a passport from the Republic of Ireland. However, I believe that the sisters were perfectly entitled to use any key to release him from his purgatory.

We must think at this time about the other hostages who are still held there. We must think about Terry Waite, about John McCarthy and about the others. Greater pressure must be applied to Iran to ensure that those people, who have suffered so much for so long, are released without further delay.

I find it disturbing that Iran has become an ally in the campaign against Iraq, yet Iran was indirectly—and some would say directly—responsible for the fiendish nightmare of the hostages, and for their years of imprisonment in conditions that are an outrage to humanity. We must also remember Mr. Cooper who has been imprisoned in Iran. His imprisonment is an insult to the rule of law.

I refer also to Douglas Croskery, who was shot dead in Iraq near the border with Saudi Arabia and who was the son of a constituent of mine. The sympathy of the whole House goes out to his mother, my constituent, Marion Croskery, to his wife, to his children, to his brother and to all the other members of his family.

I spoke at some length with the ambassador of the Republic of Iraq about the necessity of an intensive search to find the remains of Douglas Croskery. He, as a Muslim, assured me that he and all the other Muslims in Iraq would be most anxious that the body should be found and returned for decent burial. The anguish of his wife, of his mother and of his family would be lessened to an extent if his remains could be brought back to the United Kingdom.

I have a number of constituents who are detained in Iraq and in Kuwait at present, including one who is a student of 19. He went out on a summer exchange during the university vacation. When I saw the ambassador, I argued that, on humanitarian grounds, all the foreigners who were then detained in Iraq and in Kuwait should be released and that, as a first step, the children and women should be released on humanitarian grounds. I was glad to see that President Saddam Hussein is in the process of releasing the women and children.

I believe that reasoned argument carries far more weight with the President and with the authorities in Iraq than do all the insults that I have heard. Words such as "cowboy", "dictator" and "outlaw", and similar expressions do not make President Saddam cower in the basement of his palace. His reaction would be to turn the screw and we should avoid that. It is all right to impress the British voter by talking tough, but it does not do anything to President Saddam.

We now need less of the language of conflict and more of the language of diplomacy. I know that if people are prepared to talk, a way forward can sometimes be found. I was impressed by what the Iraqi ambassador said to me. He said that the Iraqis were prepared to engage in diplomacy and I noted what the Foreign Minister of Iraq said about the need to seek a diplomatic solution to the crisis.

As the hon. Member for Glasgow, Govan (Mr. Sillars) said, we must consider the Arab perception of the situation. Whether right or wrong, the Arabs see the might of the United States poised in Saudi Arabia. Many Arabs regard the presence of foreign armies as a defilement of the holy places of Islam. I use the word "invited". However, some considerable time elapsed before Saudi Arabia invited them and I believe that certain pressure was brought to bear on the Saudi Arabians to invite the Americans into their land.

It is now accepted by many people that Iraq will not invade Saudi Arabia. The Arabs also view the American presence as a means of obtaining relatively cheap oil for the western world. As has been pointed out in the debate, other countries have been invaded, but we have had no great reaction from America or from the west. If a precedent has now been established, let us ensure that we do not ruin the unanimity of the United Nations.

Let us also ensure that we seek a settlement and that we pursue the policy of sanctions. I am sure that they will work and that they will bring a settlement in this region which will last for a long time to come. If war takes place, there will be a legacy of hatred which will last for decades to come. There will be instability and acts of terrorism, and I doubt whether the oil will flow as readily as it has flowed in the past. That is why I urge all concerned to cool it and

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why it is necessary to defuse the present explosive situation. I hope that we shall have more diplomacy and less belligerency.

I pay tribute to the Secretary General of the United Nations for his efforts on behalf of peace. I pay tribute also to King Hussein of Jordan, who is tireless in travelling the capitals of the world in search of a decent settlement.

Billions of dollars have been spent on the armed might that is now assembled in Saudi Arabia and the Gulf. I question whether that money might have been used to search for alternative sources of oil. It might have been better invested that way. Better still, those billions of dollars could have been used in searching for alternative sources of energy.

We should think about those who are detained in Iraq and Kuwait. Let us do nothing which might endanger their situation. There appears in *The Times* today a letter from a woman who has come from Iraq. She fears that the words of the Government may act as kerosene in the heat of the present situation.

8.59 pm

Mr. Gavin Strang (Edinburgh, East): The House has been united in its condemnation of the Iraqi invasion of Kuwait. The speeches of the Prime Minister and the Leader of the Opposition fully reflect the views of the overwhelming majority of the British people. Indeed, they reflect opinion throughout the world. The world has not just condemned the invasion but, through the United Nations, has committed itself to taking effective economic action, backed by force if necessary, to secure the withdrawal of Iraqi forces from Kuwait and to see the freeing of the hostages unharmed.

The main point of my contribution is to emphasise the supreme importance of the Government giving their full support to the United Nations in that role. That is the central thrust coming from hon. Members on both sides of the House, and I hope that the Government may be relied on to heed it.

I do not believe that there is a viable alternative, not at this stage. When we see on our television screens, as we have seen time and again, leading republican senators speaking in terms of taking out Hussein, of destroying the Iraqi air force and of having learnt the language of surgical strikes, we must accept that the situation is not like that.

In our heart of hearts we surely know that, if we were to go down the road of a United States-initiated attack on Iraq, perhaps supported by the British Government, it would not be an easy option. It might be possible within a reasonable time to destroy the Iraqi air force and their military and key economic installations, but it would not follow that Iraqi forces would withdraw from Kuwait.

The most likely scenario in the use of military action to secure the withdrawal of Iraqi forces would be that of a prolonged ground war involving large losses. The remarks of my right hon. Friend the Member for Leeds, East (Mr. Healey) and of the right hon. Member for Yeovil (Mr. Ashdown) were pertinent in that respect.

We cannot be certain of the consequences of taking military action. Indeed, we could not, as a result of military action, be sure of the political consequences. Many hon. Members, particularly on the Opposition Benches, fear that we could find the United States leading us into a war which would be seen in due course as a war between western imperialism and Arab nationalism and fundamentalism. Before long, the fundamental issue of the Iraqi invasion of Kuwait would be lost in the minds of many Arabs. It is crucial, therefore, for us to reject at this stage any idea of unilateral action by America, supported by other western countries.

I listened with interest to the speech of the right hon. Member for Henley (Mr. Heseltine). I shall not get involved in the argument whether Security Council resolution 661, with its reference to article 51, gives authority for taking military action. I do not agree with him that it would be wrong militarily to approach the United Nations for such authority. The American forces are in such a state of readiness that there would be nothing to benefit the Iraqis making an initial strike against those forces.

If, at the end of the day, military force is to be used, that should happen only through the auspices of the United Nations. If, sadly, sanctions were not working, the final bit of pressure on Saddam would be the very fact of the United States, Britain and other countries going to the United Nations for that authority. He would know at that point that he had a final chance to withdraw, and that otherwise he would encounter huge forces ranged against him.

The most important point to make in this debate is to encourage the Government to do all they can to make sanctions work. As a range of other hon. Members have said, we are talking about economic sanctions. There is good reason to believe that we can make them effective and cripple the economy in Iraq, destroy the living standards of the people in Iraq and, in so doing, bring enormous pressure—as much as can be mobilised in the world—against the Iraqi leadership. That is not an easy option and it means using huge amounts of resources to help the countries in the front line.

Other hon. Members have seen an interesting piece in this week's *Newsweek International* magazine, in which the Crown Prince of Jordan spells out just how dependent the Jordanian economy is on Iraq and the enormous consequences of sanctions for Jordan. It will be a huge task to compensate and seek to protect Jordan and the other countries in the vicinity, which are poor, from the effects of the sanctions, but it must be done. It will need action, money and commitment from the British Government, wealthier Governments and the world generally. It also means—I am glad that the hon. Member for North Down (Mr. Kilfedder) referred to it in his speech—that we must adopt a more radical and comprehensive approach to the desperate plight of the thousands and thousands of refugees pouring out of Kuwait and Iraq all the time.

We had better be quite clear in our minds that we are talking about an economic embargo, not one aimed at starving the Iraqis. We must be clear that, when it comes to the crunch, we must allow food and medical supplies to move into Iraq.

The remarks of the hon. Member for Glasgow, Govan (Mr. Sillars) were pessimistic. Unlike him, I believe that the crisis gives us a great opportunity in relation to the future of law and order in the world and the United Nations. We can look back on the incidents that have occurred and ask why no action was taken then, but our approach should be to look forward and consider the tremendous opportunity and achievement of having the

whole world united in taking effective action to try to ensure—indeed, we must ensure—that this aggressor does not succeed or benefit as a consequence of his actions.

There is unanimity in the Security Council, and the Arab countries of Egypt, Syria and Morocco are lined up in the middle east in support of the decision. A tremendous opportunity has opened up for the world as a result of the new relationship between the Soviet Union—still an enormously powerful country with tremendous interests and links with various countries throughout the world—and the United States, the most powerful military country in the world. It is because of the change in the relationship between those two countries that the United Nations has been able to develop as it has and has progressed so far.

If the United Nations action can succeed, what is being achieved is more important than the short-term outcome in relation to what happens in Kuwait, although the whole thing is destroyed if the United Nations fails. If its actions succeed, what is being achieved is bigger than one incident and could lay down a new world order and a new climate in which individual nation states recognise that if they take such aggressive action there will be a united world response.

In his speech to the Trades Union Congress, the Leader of the Opposition said that Hussein had challenged the world and it was important that the world should share in his defeat. That sums up the position well. We could be moving into a great, important new period of international law and order. I trust that the Government will do all that they can to prevent the United States or anyone else damaging that opportunity.

9.10 pm

Sir Rhodes Boyson (Brent, North): I entirely support the Government's approach as it has been outlined today. The recall of Parliament is a constitutional issue, and it was right that Parliament should be recalled to discuss the events in the Gulf. It would have been remiss of us to fail to discuss the issue. Our serious debate has demonstrated the necessity and usefulness of the recall. Parliamentary democracy means that Ministers should be cross-examined by Opposition spokesmen and Back-Bench Members. Similarly, the Government must return to the House to be tested from time to time. That is an essential component of our constitution.

There has been a debate throughout the country on the Government's policy. If the House does not meet, debate will be led by the media as if the House is redundant or even non-existent. In fact, the House sits for about nine months of each year to discuss many different issues, some of which are irrelevant to many people outside. When a major issue arises which is a challenge to the western world and its preservation, it would be thought by those whom we represent that if we did not meet our values would be shown to be different from theirs.

There are precedents for this recall. Military issues such as Suez, the Falklands and the Russian invasion of Czechoslovakia—the third incident did not threaten British troops at the time—have led to Parliament being recalled. Parliament has been recalled because of sterling crises. We have assembled on recall during the summer recess because of Northern Ireland problems. We did so when faced with the three-day week. It would have been remiss of us not to have assembled on recall for today's debate.

As others have said, there are those who look back to what was happening during the late 1930s. At that time I was a young schoolboy. In the later years of the war I served in the Royal Navy, and I continued to do so when the war had ended. Those in my generation will never forget the sanctions that did not work at the time of the invasion of Abyssinia. Sanctions were not introduced when the march into the Rhineland took place. The lessons of history must be learned. If we fail to learn them we shall be presented with the same lessons. Henry Ford may have described history as bunk, but history is a thread that runs through generations. We must remember that certain forms of behaviour bring certain responses.

The issue before us is not confined to ensuring that Iraq gets out of Kuwait. We are concerned also with the fall of Saddam Hussein. We must deal also with the chemical warfare capacity of Iraq and its threat to develop nuclear weapons. If these issues are not dealt with, we shall have to pay the penalty in future. That will be the price of failing to learn the consequences of appeasement in the 1930s.

Until recently, there was talk of a peace dividend following the end of the cold war. Suddenly, we are faced with the threat of a hot war. I do not believe that human nature has changed since the events that took place in the Garden of Eden. Irrespective of whether one is an evolutionist or a creationist, human nature is the one thing that is static. We are faced with a fallen world. Communists and religious fanatics have tried to transform this world in one generation after another but have failed to do so. The lessons of history must be learned, because if we fail to work with the grain of human nature it will react against us. If a cat is stroked in one way it will purr, but if it is stroked in another it will growl. We must examine human nature and decide how to make it work. We must try to ensure that it does not growl, as it were, at what is being done to it.

The first task of Government is to ensure the preservation of the nation state against external attack. That task cannot be undertaken by an individual. The second task of government is to ensure the maintenance of the Queen's peace so that we can walk the streets of our country in security. Any country that cannot defend itself and cannot impose the Queen's peace upon its streets is not fulfilling its obligation to provide the basics for the nation.

We have been taught a lesson—that not only do we need to maintain a strong defence force to protect this country, but that we need to do so to help our friends. It is no good passing resolutions and emitting nothing but hot air—we need weapons, ships for a blockade, air cover and so on. I hope that the lesson has been deeply learnt not only in this House but in the country. We must not disarm; we must maintain strong defences, both for our preservation and to play our part with our allies and with the United Nations to make life tolerable throughout the world. Dictators always say that they want to make life good, but it always becomes intolerable. Democracies try to make life tolerable, and the necessary components of that are the Queen's peace on the streets and the Queen's peace in external defence.

It was right to recall Parliament, because parliamentary democracy means that Ministers must be responsible to Parliament. The country would not understand if we did not debate the crisis here when it is being debated outside. We would be redundant, although I do not know whether we would be entitled to redundancy pay. We do not want

[Sir Rhodes Boyson]

the appeasement of the 1930s that my generation witnessed. Unless we learn the lessons of history, we will suffer.

It is evident from today's speeches and the way that the Government have worked with the United Nations, America and our allies, together with our own strength, that the lessons of the 1930s have been learnt, especially by Opposition Members. People listening to the debate today will say, "Thank goodness the House of Commons was recalled; thank goodness it was so responsible in its support of the Government."

Mr. Dalyell: On a point of order, Mr. Speaker. Could you tell us your intentions about 10-minute speeches tomorrow? Will sympathetic consideration be given to those hon. Members who, understandably, could not be called today but who have sat through the debate?

Mr. Speaker: Sympathetic consideration will certainly be given to those hon. Members who have sat through today's debate, but I regret that even then it is unlikely that I will be able to call all of them tomorrow. My sympathy is with them and I shall do my best.

Mr. Dalyell: What about 10-minute speeches?

Mr. Speaker: I look at each day as it comes. It is a fair to good bet.

9.17 pm

Mr. George Robertson (Hamilton): There were some, both inside and outside the House, who suggested that the recall of Parliament might be unnecessary, that it might be unproductive, that it could be nit-picking and that it might even be divisive. On the contrary, those who have listened to and watched the debate—and the World Service is carrying the debate live and in full to those listening in Iran, Kuwait and the rest of middle east—will have found it sober, serious, valuable and worth while. It has been part of the way a true democracy deals with such serious events.

At the heart of the saga has been the remarkable and refreshing unity and solidarity of the world community in the face of such a breach of international law and of acceptable behaviour. The strength and purpose of the whole world, east and west, has been unprecedented, and notably it has included many in the Arab world who have rightly recognised the threat of brutal Iraqi adventurism. The United Nations has played—as it was always intended to do, but rarely has had the chance to do—the central part in dealing with this act of aggression. The fact that it has acted decisively and unanimously has produced order where there could so easily have been chaos. It has acted with speed and with measure to tighten effective sanctions against Iraq. In turn, that has strengthened its credibility and the credibility of international institutions.

I add my tribute to that of my right hon. Friend the Leader of the Opposition to our United Nations ambassador Sir Crispin Tickell and his staff who did so much to make the United Nations' work so effective. It is also right that we pay tribute to the arduous work that has been put in by our ambassador in Kuwait and his staff in such appalling circumstances and to the ambassador in Baghdad and his staff.

It is important, and it does no harm at all, to reiterate just what was involved in the events that we are considering. I realise that, as a trickle of freed hostages deliberately manipulated by Baghdad dominates our headlines, there is a danger that they, rather than the act of aggression which engulfed them, will become the issue. We cannot allow the natural joy and relief at the reuniting of families to overshadow the illegality and indecency of their being held in the first place, and the continuing outrage that the men and the remaining women and children are still being held.

The naive and crude manipulation of the television screens of the world will, if we allow it to, divert attention from the way in which Iraq invaded the sovereign state of Kuwait on 1 August. Iraq invaded a friendly Arab nation state. Its troops pillaged it and now the Iraqi regime has annexed it. Iraq has forcibly held against their will thousands of foreign civilians, the uninvolved citizens of a dozen countries, and has compounded its flouting of international law which that represents by moving some of them to strategic locations in violation of even the Geneva convention's rules of war. It is instructive that that tactic brought condemnation even from among that small group of Arab friends that Saddam Hussein's regime has. Attracting condemnation is something that Saddam Hussein is used to, but to be attacked by Colonel Gaddafi for going too far is really some achievement.

There is no doubt that Kuwait was only the beginning of Saddam Hussein's ambition: an ambition which threatened most of his neighbouring states—more, certainly, than just Saudi Arabia—and, in the process, threatened the whole world. To be the new super-power of the middle east, to be the military power and arbiter of events in that area. to have a stranglehold on the world's oil supply, was his obvious ambition, and that had to be stopped.

Saddam Hussein and his regime started, conducted and lost an eight-year-long war with Iran at the expense of 1·5 million casualties and unimaginable horror. They have not only manufactured and deployed chemical weapons but have used them first in the battlefield against Iran and then, when that war was lost, against their own Kurdish population. This is a man and a regime who eliminate internal opposition by a process called grass cutting, by which any potential opponents are mowed down. It has been reported that more than 120 senior army officers were executed simply for raising their voices against the invasion. This is a man and a regime whose contempt for civil and human rights has produced a society of such cruelty and barbarity that torture, terror and bribery are the only intruments for retaining power. This is a man and a regime who can make, and literally have made, the flesh creep.

The world watched, and at Halabja it even made the television screens, when the lethal gases were massacring the Kurds. But then trade mattered more than condemnation and punishment. The world watched as Farzad Bazoft, the journalist from the *Observer*, was murdered after a farce of a trial, but not one Iraqi diplomat was sent home. The world saw the nuclear triggers discovered at Heathrow and bits of the supergun emerge all over Europe, and heard the threats chemically to extinguish Israel, but the world went on trading and dealing with Saddam's Iraq.

There is a great and shared culpability in the world that a man and a regime of such an accepted capacity for evil were provided with the means to perpetrate their aggression. We must collectively share that awful

responsibility for creating the monster which brought about this crisis. The weaponry which faces the multinational force in the Gulf and confronts British troops as well is not home grown. The tanks, rockets, warheads, chemical weapons, chemical plants and nuclear technology on which the Iraqis are still working have been imported. They all came from nations that knew where all that was going and the sort of regime to which it was going.

Over the years, Saddam Hussein has built up a network of companies and contacts with the active connivance of many Governments, in feeding weapons, technology and know-how to the military machine that has caused so much trouble. On "Panorama" the other night, we saw how a company based in this capital, the Technology and Development Group, operates openly and without restriction as an arm of the official Iraqi military procurement operation. Its tentacles spread to many other countries. Such operations should be stopped in Britain immediately and banned for good—in the same decisive way that the Iranian arms procurement office in London was closed two years ago.

This whole episode must teach us—it is an expensive lesson—that we must all take far greater care in future with the technology of death. The end of the cold war and the unique new collaboration between the Americans and Russians evident in the United Nations over the past few weeks should see the end of the cold war and the replacement of the apparatus of controlling strategic exports. We should complement the nuclear non-proliferation treaty with one covering chemicals and the deadly new high-technology weapons as well.

The debate has rightly reflected the wide range of views that exist in this country. It is proper that we should rejoice in one thing alone in this country. I refer to our right as free representatives of our people to give voice to our diverse views. Would that it were the same in Baghdad. Some right hon. and hon. Members and others outside say that we should enter Kuwait right away and use force to liberate it, and argue that only by military force will Saddam Hussein leave that country. They do so despite the declared view expressed last week by General Norman Schwarzkopf, the American commander in Saudi Arabia, that there will be no war unless the Iraqis attack, and that of the Saudi Defence Minister, who also commented last week that no offensive action will begin in Saudi Arabia.

If Iraq attacks, a response will have to be made. Any military threat must be met, resisted and repelled by the same world solidarity that we have already seen. However, let us be clear that a war in the Gulf would be a war such as the world has never seen before. Where there are chemical weapons and those mad enough, irrational enough or desperate enough to use them, there is no such thing as a "surgical strike". Where there are mustard gases and toxins such as sarin, tabun, and anthrax, the missiles to deliver them and the willingness to use them, there can be no such thing as a short, sharp conflict. Any war involving chemical weapons will bring suffering, casualties and death on a scale that we have not seen in a century, and which we had good reason to believe was outlawed for ever.

A war in the Gulf, or any conflict that is not started by Saddam Hussein or conducted clearly within the authority of the United Nations, could have incalculable and irreversible political consequences in a part of the world where future oil supplies might be the least of the resulting problems. Many right hon. and hon. Members drew attention to those political dimensions.

There are those who say that the troops should be pulled out, while simultaneously condemning the Iraqi aggression and recommending that everything should take place under UN control. However, it is an irrefutable fact that only the United States could have taken action on a scale sufficient to protect Saudi Arabia from the grave and imminent threat that it faced after the invasion of Kuwait, when it could have been immediately overwhelmed.

The United States and Britain, as well as the other 10 countries, have forces in the area because article 51 allowed, indeed dictated, that Saudi Arabia asked for and received international help.

In the five weeks since the invasion no military action has been taken by any of the defending forces without the explicit backing of a resolution of the United Nations Security Council.

There are those who say; do a deal—negotiate with Saddam Hussein. United Nations resolution 660 states that there should be negotiations between Iraq and Kuwait, but only when Iraq has withdrawn unconditionally from Kuwait. A few yards of territory, an island here or there, a part of an oilfield or some financial gesture would not force the aggressor to retreat and to learn that armed invasion and annexation do not pay, and should never pay.

There are those who have preached ultra-caution, but the reality is that only relentless continuing pressure and an unremitting tightening of the sanctions until the Iraqis know that there is no way out, will produce a just outcome. The sanctions are working; the noose is tightening; the friends are deserting and we have to stick with that tactic until it works.

The majority of hon. Members here today reflect the vast majority in the country who believe that it is these unprecedented mandatory sanctions with the international solidarity that they represent and the pressure that they are putting and will continue to put on Saddam, that will bring about his defeat.

Quite rightly the debate today has also looked ahead. We must be constructive about what we can do now. In so doing we are right to remind ourselves that Saddam Hussein is not Iraq and Iraq is not Saddam Hussein. We cannot and should not write off 17 million subjugated Iraqi people for the crimes and perversions of their dictator and his cohorts.

Iraq is a terrorised, frightened, war-weary nation, but it is one where the germ of freedom and decency is still alive. There are people in Iraq—they must be remarkably brave and courageous peole—who represent an alternative to Saddam's regime. They must be encouraged and sent a signal from the world outside that their courage and sacrifice is worth while and that it is supported. The best way to send that signal is for the opposition leadership in exile to be given the same attention, recognition and moral support that we so willingly, rightly and successfully gave to the Walesas, the Havels and Sakharovs, when they fought for their freedom in eastern Europe. Our support would stiffen the resolve of those for whom opposition means risking liberty, sanity and all too often their lives and those of their families.

The world must also ensure, as so many hon. Members have properly said during the debate, that help is given to those countries paying the heaviest price for the United

[Mr. George Robertson]

Nations campaign against Iraq. It is not merely the front-line states, like Jordan, with its appalling and urgent refugee problem, that we should be helping immediately and generously, but also Egypt, Syria and Turkey which are also paying the price. On top of those, and equally important, are the poorest countries on earth: Bangladesh, India, Pakistan and so many of the African countries where the oil price rise is yet another savage blow to an already dire condition. Above all, we must make it clear that our overriding objective in this whole exercise, after the liberation of Kuwait and the full release of all the hostages, is real stability in the middle east.

This rare display of unanimous United Nations support for international law must not be lost for ever, especially in a region which has for too long been a shop window for broken international laws.

After 1990—like Europe after 1989—the middle east will never be the same again. One feature brought out in many of the speeches today is the new, valuable and constructive role that has been played by the Soviet Union in the United Nations, alongside the United States of America. The future role of the Soviet Union in both Europe and the middle east will be a major factor in the outcome for both regions. It is a significant and historic step forward, which we should recognise and welcome.

Many hon. Members on both sides of the House have drawn attention to the way in which the world has now concentrated its concern on the part of the world affected by the invasion. That concern will not end; it will not go away, however the matter is resolved—even after the defeat of Saddam Hussein. The message of our debate today has been clear enough: we stay tough, we stay cool, we stay united—because, for as long as Saddam Hussein threatens his neighbours, he threatens us all.

9.35 pm

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): Today the House has spoken for our nation as only the House can speak. The hon. Member for Hamilton (Mr. Robertson) spoke well in winding up the debate for the Opposition, and we have heard some other outstanding speeches, led by the magnificent speech of my right hon. Friend the Prime Minister. Let me also pay tribute to the speech made by the Leader of the Opposition, and to the fine speeches of the right hon. Member for Plymouth, Devonport (Dr. Owen), my right hon. Friend the Member for Henley (Mr. Heseltine), the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and, of course, to the splendid speech of the Father of the House, my right hon. Friend the Member for Castle Point (Sir B. Braine).

The whole House is united on certain objectives. Aggression cannot be allowed to pay. A pirate state with a strong army cannot be allowed simply to loot resources that it may need because it has got itself into debt. Above all, once engaged as they are now engaged, the international forces of law represented by the United Nations cannot be allowed to be defeated. If that were to happen, anarchy would be loosed on the world.

Some have said, "Why the excitement? There have been other invasions and other territorial disputes." They should remember this: never before, since the foundation of the United Nations, has one member state attempted to obliterate another. That is the difference between this and many other crimes and problems of the past.

The strategy formed by the United Nations and the allies of the legitimate Government of Kuwait is also clear and, I believe, has received the almost unanimous backing of the House. The first weapon to be tried was the economic embargo; second came the rapid movement of forces from an amazing variety of nations to defend the other vulnerable states. I was pleased that the hon. Member for Hamilton's speech did not contain that strain of anti-Americanism which, I thought, spoiled one or two speeches made by his hon. Friends. He paid tribute to the extraordinary effort which the United States has made, and which only the United States could have made. We have contributed; but 20 other nations, from literally every other continent of the globe—from Australasia, from Asia and, of course, from the middle east, including the majority of the Arab League—are there as well.

Then comes the next stage. Who knows? We cannot rule out anything, as long as it is firmly based in international law. In the absolute unity that the nations have shown and that the House has shown today, we are all agreed that we should give no comfort whatever to Saddam Hussein.

There have been some dissentient voices. After listening to the speech of my former neighbour, now the right hon. Member for Chesterfield (Mr. Benn), I asked myself whether I would feel more secure in my arguments if he was agreeing with me, and came to the conclusion that I would not.

Mr. Kinnock: Join the club.

Mr. Waldegrave: I cannot refrain from repeating the Leader of the Opposition's sotto voce remark—"Welcome to the club".

Let us pause for a moment—as did the hon. Member for Walsall, North (Mr. Winnick) in a useful intervention—to consider Saddam Hussein's strategy. It is pretty clear. He will try to divert us from his central act of aggression: he has been doing so with the inhumane and intolerable treatment of the hostages. He will find other strategies of this kind. He will encourage other people, some of them well meaning, to look for half-baked solutions, conferences, intermediary stages and means to divide those United Nations resolutions by two. We must be alert to that strategy. The hon. Member for Walsall, North did not fall for that strategy—nor, in a fine speech, as I have already said, did the right hon. Member for Devonport and my right hon. Friend the Member for Blackpool, South (Sir P. Blaker). The hon. Member for Warley, East (Mr. Faulds) did fall for it in his speech—understated, as is his wont.

Mr. Faulds: Will the right hon. Gentleman give way?

Mr. Waldegrave: No. The hon. Gentleman would try to divert us, but he would not succeed. I cannot give way to interventions; I have little time.

My right hon. Friend the Member for Shoreham (Mr. Luce) said, rightly, that Saddam Hussein likes to liken himself to Nebuchadnezzar and spoke of the hanging gardens. May I direct the attention of Saddam Hussein, who may not be familiar with this verse, to the book of Daniel, chapter five, verse 21, after the deposition, which is referred to in verse 20;

"And he was driven from the sons of men; and his heart was made like the beasts, and his dwelling was with the wild asses; they fed him with grass like oxen."

I must concentrate a little on one section of the Leader of the Opposition's speech, not necessarily because I disagree with it but because I am not sure that I understood it. Several hon. Members have said that clarity of speech is important here. There is no disagreement with the legal position as set out by the Leader of the Opposition. We totally share it. However, there are three international grounds for military action: first, article 51, after a request from Kuwait; secondly, a response to an attack—what after today we may call the Yeovil rules; thirdly, an explicit United Nations mandate. Any of those three would do. The Leader of the Opposition's legal analysis was entirely justified. Where we departed from him—perhaps we did, perhaps we did not—was when he and the hon. Member for Edinburgh, East (Mr. Strang) seemed to predict a scenario ahead of time that cannot be predicted. We do not know which of those grounds would be the best to use to bring about the objective that all of us share: to avoid the defeat of international order.

The hon. Member for Edinburgh, East sketched one scenario where there was total unity for military action. That might be one scenario, but let us not predict in advance. We cannot rule out any action, so long as it is based—as it would be based, as the Leader of the Opposition made clear—on article 51 after a request from Kuwait.

The right hon. Member for Leeds, East (Mr. Healey) in his interesting speech—the former beachmaster at Salerno, and at Anzio, which was even more dangerous—speaking with the authority of having been under fire, made the same point. Just for a moment, I thought that he was going to say that we must go back for another resolution under any circumstances, but he did not. He said that we must get as much support as we can. That must be the objective of British, American and Arab League majority diplomacy. However, what we must not do is to take the further fatal step of predicting now that in every circumstance we must go back for a new resolution. That would be most unwise.

Ms. Short: Will the right hon. Gentleman give way?

Mr. Waldegrave: The hon. Member for Hamilton did not give way. *[Interruption.]* He was not asked to give way, but I shall give way to the hon. Lady.

Ms. Short: The Minister said earlier that it would be a mistake to allow Saddam Hussein to stand on the moral high ground. He must know that the real danger is that many people in the Arab world believe that the west is deeply hypocritical because of its different evaluation of the situation of the Palestinians in the occupied territories and the situation in Kuwait. Does he not agree that the west could be accused of bias, that it needs to stand firm on international law and that it would be a disaster, unless there were further aggression, if there were to be any offensive military action without a United Nations resolution and without the agreement of the whole of the Arab world?

Mr. Waldegrave: I have just explained why the opposite would be a disaster—a far more profound disaster that might endanger the whole operation and put the basis of international order at risk: that is, if we were to try now to play the game of prediction as to what exactly the circumstances would be in which sanctions were presumably being judged by the wider community not to be working and we went for further action. We cannot judge that now. I shall return to the other issues in the middle east. That is vital. The hon. Lady has made a point with which I have more sympathy and to which I shall return in a moment.

Let us not forget that the refugees are Saddam Hussein's refugees. It is a most attractive capacity of the western democracies to take all burdens upon themselves and usually to blame themselves for everything. We are already talking as if in some way we are responsible for those refugees. We are not: Saddam Hussein caused those children to die in the desert by driving out Palestinians, Egyptians, Indians and Philippinos who were working and supporting their families back home with remittances.

We must act, and we must, above all, help the nations from which those people come to get them home. We do not want to institutionalise this crisis. We do not want another lot of Gaza camps with permanent refugees in the area. We want to help them to get home. That is why the money that my right hon. Friend the Prime Minister announced today is going not to the non-governmental organisations in the ordinary way of a famine crisis but to a specific organisation designed to deal with this situation —the International Organisation for Migration, which was set up in 1951 to deal with displaced people. We have given it that money to help those migrants to get home.

As my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) said, an airlift may be needed. We may have to help the poor countries from which many of the refugees come to finance that airlift, and we will do so. Several hon. Members said that we must help, and we will do so.

Mr. Robert Hughes (Aberdeen, North): I do not dissent from the proposition that the refugees are Saddam's refugees. While there must be a massive airlift to get them home, they must remain alive to be taken home. We have a desperate responsibility to do that for the refugees now and to sustain them.

Mr. Waldegrave: We already are. The Overseas Development Administration has joined many others in the world in providing immediate aid, which is arriving. The refugees are trying to get home. That is what they want and it is the best way of preventing the tragedy from continuing indefinitely. We have given that money to the International Organisation for Migration as well as to the immediate humanitarian organisations—the Red Crescent, Red Cross, Oxfam and so on—to support them in the meantime.

That brings me, naturally, to a subject of some interest to my right hon. Friend the Chancellor of the Exchequer and to every taxpayer in this country—burden sharing; who is going to pay. After the titanic contribution of the United States, we have made perhaps the second largest contribution in terms of military aid. The French have also provided major military support, but it is legitimate to look to countries that have not provided very much on the military side, and that point was made by the right hon. Member for Bethnal Green and Stepney. It is legitimate to say to them, "The world is under pressure: what will you do to help?" I shall go at some intolerable hour tomorrow morning to Rome, fortified by the support of the Leader

[Mr. Waldegrave]

of the Opposition, to address in tactful style, I hope, with some of our colleagues the idea that, although no frigates are available, some money could be supplied.

I must pay tribute to the Japanese, who have already talked in large sums. This is perhaps the first international crisis in which the Japanese, who are talking in terms of $1 billion, have started to put big money on the line. The fact that the Japanese, for the first time, are saying, "We share the responsibility with the rest of the world for seeing this matter through," seems a very important step forward. Others, we hope, will follow. My right hon. Friend the Prime Minister made that point very clearly in her speech.

The hon. Member for Birmingham, Ladywood (Ms. Short) and other hon. Members referred to the underlying tensions in the middle east, which it is not unfair to say have contributed to regimes such as that of Saddam Hussein. It is easy to try to shift the blame from individuals and say that they are created by the conditions, and we must not fall for that, but it is noticeable that regimes in the middle east, with the great exception of Egypt, have become more radical since the Arab-Israeli wars and the further defeats and humiliations, as they were seen in so many parts of the Arab world, of Arab people. I am not saying that those wars were caused by the Israelis, but the conflict and injustices to the Palestinians that have emerged out of it have contributed to the situation.

Three or four months ago, my right hon. Friend the Foreign Secretary came back from the middle east and rightly described the whole region as a tinder box. My right hon. Friend the Member for Old Bexley and Sidcup, the Leader of the Opposition, and the right hon. Member for Leeds, East, in a powerful speech, all made that point. The hon. Member for Dundee, West (Mr. Ross) rightly pointed out that two wrongs cannot make a right, so although that situation has not been corrected, it does not undermine the rightness of the action that we are taking in regard to Saddam Hussein.

The hon. Member for Warley, East made his point in his inimitable style but many others made it slightly more moderately and carried the House with them more. One factor that has emerged today is an extraordinary unity across the parties on the issue of the injustices done to the Palestinian people.

Mr. Faulds: The right hon. Member has referred to me twice, and I am grateful to him for giving way. If he disagrees so much with the burden of my speech, would he care to make his own comments on the implications for the situation in the Gulf of the strategic alliance between Israel and the United States?

Mr. Waldegrave: The interesting point about it is that it has no implications. What strikes me is what a small part Israel is playing in any of these events. That may lead certain people in the United States Congress to learn a lesson. Some people think of their relationship with Israel in terms of a strategic alliance, but they should realise that it is not particularly useful if it cannot be used in a crisis like this. In such a situation, the United States is bound to want invitations from the Arab nations, and to seek allies in the wider Arab world. The dog that has not barked in the night is interesting. Israel has kept out of this because, as has been said, were it to be involved, the result would be consequences and instabilities that would be difficult to handle.

With the support of the House, my right hon. Friend the Foreign Secretary asked me to establish contacts with the PLO leadership after it had made the Geneva declaration and its London declaration about its new strategy in relation to a peace process. Therefore, along with many others, I was saddened by the way in which the PLO missed a wonderful opportunity, which it should have judged right.

Palestine is a small country, resting on international law and suppressed by a stronger neighbour, and if the Palestinians had stood by that international law, they could have pointed out to the international community that they had supported this principle when it cost them a great deal and now they should be helped. Their already just case would then have been unanswerable in all the forums and Parliaments of the world. Many in the Palestinian movement are beginning to understand that, and are shifting their position. We understand the pressures on that disparate movement, but many hon. Members have, like myself and many of my Palestinian friends, have been disappointed by the position taken initially by the leadership of the PLO. We hope to see that position revised. I was glad to see that the Opposition did not pursue that line.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) made an interesting speech the other day. He did not, in a Saddam Hussein way, want to link the issues together, but he called for a conference to look at all the wider issues at the same time. Mr. Shevardnadze made a slightly similar speech.

Mr. Kinnock: My right hon. Friend said it first.

Mr. Waldegrave: I think that the right hon. Member for Gorton came first.

Who knows what the correct conference structures will be? I beg the right hon. Gentleman—and I think that he shares this view—to agree that we should not be trying to introduce grand conferences and complicated issues before we have settled the issue of the sovereignty of Kuwait.

Mr. Gerald Kaufman (Manchester, Gorton) *indicated assent.*

Mr. Waldegrave: I am gratified to see the right hon. Gentleman nodding. Resolution 660, in relation to Kuwait and to Iraq, refers to negotiations when people have returned to their own countries. That is fine. We could then negotiate about any underlying problems that may have contributed to the conflict in the first place. The same is true in relation to the far more complex and deeper issues of the Palestinians in relation to Israel. That must come afterwards and those who seek to drag across the trail the idea of grand conferences at this stage are contributing to what I call the Saddam Hussein strategy of trying to take our eye off the central issue of his aggression, off the central issue of obedience to international law and off the central issue of absolute concurrence with the Security Council resolutions. None of those points can be divided by two, and none is up for negotiation now. It is only when those resolutions are obeyed that other issues can be addressed.

We hope—and I believe that this will be so—that the middle east will never be quite the same again and that the

whole world, even those countries that were not concerned and that have not been interested in the problems, will now focus on the underlying causes of conflict, of dissent and of danger in the middle east. If we can bring back, as I am sure that we shall, the Palestinian leadership into a position of diplomacy and of commitment to diplomacy, there will be progress. I hope and pray that that will be so.

Mr. Nellist: Does the right hon. Gentleman agree that the central issue is not what he has just described? It is not about democracy. There was precious little of that in Kuwait even before the invasion. The central issue is cheap oil. Does the right hon. Gentleman agree with a former United States Assistant Defence Secretary? He said that it boils down to the great powers defending their interests and that if Kuwait grew carrots, we would not give a damn.

Mr. Waldegrave: The central issue is of obedience to international law. The hon. Member for Coventry, South-East (Mr. Nellist) will find flip remarks from former politicians round the world. If Saddam Hussein and the current leadership of Iraq are allowed to win against the painfully assembled forces of international legality, the world faces anarchy. All that Saddam Hussein has to do is to withdraw. That is a clear issue.

These events will define the nature of the world that will succeed the world in which I was brought up and in which I now live—the world of the cold war. This is a defining event. We cannot allow the forces of international law to be faced down and we cannot allow the United Nations, in its first rebirth, to be defeated. Ernie Bevin must be proud of what is happening now at the United Nations. This is what the founding fathers meant it to do. If, the first time that we have this unity, with the Security Council working as it is supposed to work and with the military staff committee for the first time in its history meeting with a substantive agenda, we allow them to be defeated, the world will face unparalleled anarchy. That cannot happen.

Aggression must not be allowed to pay. We must not let the message get out that the old stalemate of the cold war was the only way to keep peace. We hear backward-looking people—funny old Russian generals with rows of medals—say, "Those were the days."

Mr. Canavan: And others.

Mr. Waldegrave: Doubtless there are equivalents elsewhere. They say, "Let us go back to the safe old days of the cold war." If that is the message, what a depressing message it will be. Without the cold war, there is far more room for flexibility, for danger, for shifts, for movements and for changing alliances, so we need the structure of international co-operation and of international law.

There is no question about on which side of the argument the House and the Government come down. Our hearts are out there with our hostages, but their safety and the safety of innumerable innocent people round the world depend on the strength of the House and its equivalents in the other nations of the alliance which is supporting international law. If anarchy is loosed upon the world, not only their lives will be at risk but innumerable unpredictable other people's lives will be at risk for ever.

Some people doubt the staying power of democracy. I do not. Democracies are slow to anger but, once angered, they go on right to the end of the road. The message has gone from the House today that this British democracy is ready to play its part in that process. I do not doubt that the House and the British people will see it through.

It being Ten o'clock, MR. SPEAKER *adjourned the House without Question put, pursuant to the Resolution this day.*

Adjourned accordingly till tomorrow.

House of Commons

Friday 7 September 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITION

Hostages

9.35 am

Mr. John Hughes (Coventry, North-East): I am grateful for this opportunity to present a petition calling for the release of Terry Waite and other hostages. As more and more hostages are released by Saddam Hussein, the question, "What is being done on behalf of my loved one?" must be at the forefront of the thoughts of every relative of every hostage.

The petition, signed by the members of Coventry's Methodist churches, conveys the heartfelt concern of every father, every mother, every brother, every sister, every other relative and every loved one of every hostage. Serious though the Gulf crisis is, it should not overshadow the plight of hostages who have been detained for years. I call on the Prime Minister to do more on their behalf.

To lie upon the Table.

The Gulf

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Goodlad.]*

Mr. Speaker: Before I call the Secretary of State for Defence, I must announce to the House that I propose to put a limit of 10 minutes on speeches between 11.30 and 1 o'clock. I ask right hon. and hon. Members who are called to speak before that time and afterwards please to bear that limit broadly in mind in consideration of their colleagues.

9.37 am

The Secretary of State for Defence (Mr. Tom King): I welcome this opportunity to contribute to the debate.

It is clear that hon. Members in all parts of the House are conscious of the problems and dangers involved, and it was encouraging to see the sense of responsibility and the sombre way in which the House approached the debate yesterday. I felt as I listened to many of the speeches that hon. Members had a real understanding of the dangers involved in the situation, that there was a real recognition of the challenge that the world faces at this time, with an appreciation of our responsibility, and that there was real anger at the total affront to law and the shameful treatment of our citizens and those of other countries. Hon. Members also displayed a sense of hope that there is a new determination in the world to stand together in support of international law. I sense complete agreement in the House in that hon. Members recognise totally that this aggression is quite unacceptable and that it cannot lie uncorrected. I am grateful for the wide support that the Government have received from hon. Members in all parts of the House for the action that we have taken so far.

Our immediate concern has been to join in the efforts to avoid further aggression and then to end the present aggression by peaceful means by making the United Nations embargo work. If it does not, then of course we have had to make it clear that we cannot rule out anything. That has been honestly recognised by the leaders of all the parties, first by the Leader of the Opposition, in support of the Prime Minister, recognising that it may be necessary to use force. I note that that was echoed by his predecessor, the former Prime Minister Lord Callaghan of Cardiff, in the other place yesterday.

My right hon. Friend the Prime Minister yesterday set out the overall position and she made clear our commitment to the ending of this aggression. I propose to report to the House on the military events, including my own recent visit to Saudi Arabia and to the other Gulf states, when I had the chance to visit all our main units there.

I was struck by the fact that the invasion of Kuwait took place just over a week after I made a statement in the House on our "Options for change" examination of our defence provision. I pay tribute to my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery). I noted his question:

"Does my right hon. Friend agree that developments in the Gulf over the past few days have made it clear that we may well have to share responsibility for out-of-area operations?" —[*Official Report*, 25 July 1990; Vol. 177, c. 478.]

He said that at about the time that President Saddam Hussein was giving a solemn assurance to the President of Egypt and to the King of Saudi Arabia that he would not

[Mr. Tom King]

invade Kuwait. As we know, it was on the night of 2 August that Kuwait was invaded and that that promise was totally negated.

I want to report first to the House on the events and the military situation in Kuwait. The invasion took place at 2 am on 2 August when three armoured divisions of the Republican Guard force of the Iraqi army crossed the frontier, closely followed later that morning by four divisions of the Republican Guard infantry. Combat aircraft of the Iraqi air force, which total about 800 aircraft, bombed and rocketed Kuwaiti airfields. At the same time, helicopter gun ships attacked Kuwait City and landed at least a brigade of Republican Guard special forces—with light armour—who led the assault on the palace and on the main Government buildings. In all, that force amounted to about 100,000 soldiers, armed with about 1,250 tanks, with many infantry combat vehicles and with artillery.

The Kuwaiti army, which is barely one tenth of that figure, was in a state of alert, but was not deployed in defensive positions because the Kuwaitis did not believe that one Arab country could invade another. The troops who led the invasion were followed by further reinforcements, including some who, according to the reports received, appear to belong to some form of militia and who are extremely ill disciplined.

On 20 August, the Republican Guard force divisions started to withdraw from their forward deployments and were replaced by regular army troops. Only two Republican Guard force brigades are now believed to be left in Kuwait. The forces whom we believe are now in Kuwait are about 10 regular divisions—approximately 150,000 men, 1,500 tanks and 700 artillery pieces. Republican Guard units have been withdrawn to Iraq. It has been the Iraqi practice to withdraw Republican Guard units after an attack. They may now either have been withdrawn to establish a more defensive position or—and the possibility must always be borne in mind—they may have been withdrawn to reform for further aggression.

In Kuwait itself, the Iraqis have strengthened their coastal defences with Silkworm missiles, with a string of infantry divisions and with field artillery units. They have moved their Frog battlefield missiles and a full range of surface-to-air missiles to Kuwait.

Mr. Tam Dalyell (Linlithgow): The Secretary of State talks about all the equipment. What have the Government done about the question of my hon. Friend the Member for Hamilton (Mr. Robertson) last night about the office of the Technology and Development Group of Iraq in London? Given all the information, have the Government closed it?

Mr. King: The answer to the first point is no. The hon. Gentleman will know, as comments have been made about arms sales, that for the past 10 years, the Government have refused to offer and sell any lethal equipment to the Government of Iraq. The sale of armaments is obviously the concern of the hon. Member for Linlithgow (Mr. Dalyell). We have made clear, as the actions taken recently in a well-known case show, the length to which we have sought to go when clever attempts have been made to evade that embargo.

Mr. Martin O'Neill (Clackmannan) *rose*——

Mr. King: I have sought to set before the House the position that we face and the situation in Kuwait. I know that the House wants to have that information.

I turn now to the response to the aggression. The House knows that there was immediate activity in the United Nations. On the day of the invasion, resolution 660 was passed without dissent, condemning the invasion. Furthermore, on 6 August, resolution 661, introducing the embargo, was passed—again, without dissent. On 8 August, Iraq annexed Kuwait, and on the same day His Majesty King Fahd invited my right hon. Friend the Prime Minister to contribute towards the defence of Saudi Arabia. On the same day, the Government confirmed their readiness to play their full part in such a contribution. I want now to report to the House on our various steps to implement and to respond to that invitation from the Government of Saudi Arabia and from other threatened Gulf states.

On the following day I announced that we would be sending a squadron of Tornado air defence fighters and a squadron of Jaguar ground attack aircraft with an anti-tank capability, and that we would be reinforcing the Armilla patrol in support of the United Nations embargo. I announced that on 9 August. On 10 August, the first detachment of tactical communications left. The following day, a squadron of Tornados left and arrived in Dhahran. It was operational within two hours of arrival. About 200 operational sorties have already been flown in support of the air defence shield of Saudi Arabia.

The Jaguar ground support aircraft, deployed from RAF Coltishall on the same day, were, likewise, extremely quick in coming into operation. They have also flown about 200 operational sorties. They are accompanied by VC10 tankers in support of their operations.

The following day, Nimrod maritime reconnaissance aircraft left RAF Kinloss and arrived in Oman on 13 August. They were operational almost immediately after arrival and have been flying sorties since 15 August. An RAF Rapier detachment, deployed at a later stage to Bahrain in support of a further squadron of Tornado GR1 aircraft, which we sent to provide a day and night anti-armour capability, left RAF Bruggen on 27 August. I had announced the previous Thursday that they would be departing. The House will understand something of the pride that one can feel in the professionalism of our armed services. I was in Bahrain the night that they arrived. On the minute that we said that they would come, the whole squadron arrived, having completed seven air-to-air refuellings coming from Germany via Cyprus. A great impression was made in the area not only because of the quality of the aircraft, which were recognised to make an outstanding contribution and to be something that was not available in the American resources for the defensive shield for Saudi Arabia, but because of the professionalism of the way in which they were deployed. We have also deployed to the area RAF Regiment personnel, both in support of the Rapier and in the ground defence task.

In addition, in the Royal Navy, we have had the Armilla patrol in the Gulf since 1980. At the time of the Iraqi invasion, HMS York was already on station, with the Royal Fleet Auxiliary Orangeleaf. We gave immediate instructions and HMS Battleaxe and HMS Jupiter steamed to join HMS York. They arrived in the Gulf on 12 August. Since then we have also deployed a minehunter ship, HMS Herald, and further repair ships and support ships.

In addition, there has been a logistical build-up to establish effective communications, air and ground defences, and medical facilities, including a field hospital. Britain has made a particular contribution by establishing chemical defence and decontamination units, which will not only support our forces but give training to the Saudi forces. This has been backed up by a massive logistical operation. More than 2 million miles have been flown since the operation was launched, with some 515 sorties of transport aircraft, with an average length of 4,500 miles for each journey. This has been an impressive logistical operation. There are now 5,000 men committed to the undertaking, and I am pleased to say that when I visited the Gulf it was made clear to me in every state to which I went how much our contribution is welcomed, both for its speedy arrival and for its quality and quantity.

All this is costing significant sums. The operating costs of our forces are about £1 million a day, and on top of this deployment and additional costs already amount to some £75 million. We do not yet have accurate details as to how much of these costs are genuinely additional. The funding of such additional costs on defence votes will be considered as soon as possible. We shall contain them within the existing budget if possible, but if supplementary provision is needed the Government will advise the House in the usual way. In the light of certain news today, let me say that we welcome all the support on the ground that our host nations can give us, and some has already been provided, such as free fuel. We shall be discussing cost sharing further with our friends in the Gulf.

Ms. Clare Short (Birmingham, Ladywood): I want to press the Secretary of State on the latter point. It was announced on the news this morning that Saudi Arabia is to pay the costs of the American forces, but we heard no more details. Can the Secretary of State give us more detail? Has there been any proposal about the costs of British forces?

Mr. King: I think that the hon. Lady decided what to ask me before I spoke on this point. If she reads what I have said, she will see that I have covered the point as far as I can.

I know that I will take the House with me when I say that it is a privilege to visit our armed forces in the Gulf and to appreciate the speed with which they moved. Many were brought back overnight from leave. The ships Jupiter and Battleaxe were in Penang and Mombasa, and their personnel were on leave with their families. Their leave had to be interrupted on the spot, but the spirit and resilience of those people, often working in difficult conditions, is something to which the House will wish to pay tribute. [HON. MEMBERS: "Hear, hear."] In spite of the difficult conditions under which they are working, the morale of every service man I met out there was as high as every hon. Member has learned to expect that it would be. Our forces are ready to play their part.

We are already making a valuable contribution to the defence of Saudi Arabia and the Gulf, and that was confirmed to me by all those whom I met in the Gulf. As my right hon. Friend the Prime Minister said yesterday, some additional forces will be needed and their composition is under consideration. I cannot go further than that. Against the background of some of the figures that I have already given to the House, against the threat that still exists and the overall imperative of ensuring that there is no further agression, that the defensive shield of Saudi Arabia and the neighbouring Gulf states is in place, and that the effective action that we are taking through the United Nations is successful, we believe that that will be necessary.

Sir John Stokes (Halesowen and Stourbridge): My right hon. Friend knows how highly he is regarded because of the wonderful job that he has done. It may be that we shall soon be committing British troops to fight and possibly die and we are naturally concerned that everything possible should be done for their security. Is there any proposal to have a force commander-in-chief, some sort of force structure and some sort of liaison between the different nations involved in the forces?

Mr. King: My hon. Friend has referred to an important point to which I was about to come. The need for such a structure will be illustrated clearly by what I shall now say about the scope of commitment by other nations.

Mr. Tony Marlow (Northampton, North): Will my right hon. Friend give way?

Mr. King: I should like to continue with my speech because this part is relevant to the intervention made by my hon. Friend the Member for Halesowen and Stourbridge (Sir J. Stokes).

Nobody can go to the Gulf without being greatly impressed by the skill and determination of the United States in a time of great need and danger and by the scale and capacity of its forces. The forces include combat and support aircraft of all types, armed air mobile and mechanised formations, a marine corps with elements of three marine expeditionary brigades and a substantial naval force with carriers, battleships, cruisers, destroyers and frigates. As Secretary Cheney confirmed this morning, the United States has already deployed more than 100,000 troops to the area. This impressive contribution is a key element in ensuring that the shield of defence for Saudi Arabia and other Gulf states is so strong.

Mr. Marlow: Will my right hon. Friend give way?

Mr. King: I shall not do so, if my hon. Friend will forgive me.

While the United States is making the major contribution, I want to draw the attention of the House to the fact that, in addition, two frigates are coming from Australia, troops from Bangladesh, minehunters from Belgium, a destroyer and frigate from Canada, a corvette from Denmark, troops from Egypt, an aircraft carrier, a cruiser and two destroyers from France, frigates from Italy, troops from Morocco, frigates from the Netherlands, a support ship from Norway, troops from Pakistan, a support ship from Portugal, a frigate and two corvettes from Spain and troops from Syria. That represents the largest multinational force since the emergency in Korea, and a major international collaboration.

Dr. Norman Godman (Greenock and Port Glasgow): Will the right hon. Gentleman give way?

Mr. King: No, I must continue. Many hon. Members wish to speak and I have already given way on a number of occasions.

The forces sent by us and by the United States are there at the invitation of the King of Saudi Arabia and of other

[Mr. King]

Gulf leaders and Governments. We have gone there, as I have made clear, because of the emergency and the immediate need, and to meet the real and imminent threat that, after the almost painless acquisition of Kuwait—so easily done by deceit and the use of overwhelming force—the eastern province of Saudi Arabia and other Gulf states might be attacked next. The Leader of the Opposition and others have recognised that point. Our first aim is to ensure that aggression proceeds no further. We hope that, with the further steps that we are taking to ensure that the shield is strong, relevant and effective, it will hold.

Dr. Godman: Will the Secretary of State give way?

Mr. King: I hope that the hon. Gentleman will have a chance to make his own contribution to the debate. It would not be fair to many hon. Members who want to speak if I were to give way.

Our second objective is to end the aggression against Kuwait, to see the removal of the Iraqi forces and the restoration of the legitimate Government by peaceful means through the effective and rigorous application of the United Nations embargo. We are engaged in a major effort, not just through our ships in the Gulf, effective though they will be, but through a major exercise involving all Departments of this Government and departments of other Governments equally committed to the rule of law so that we do not leave it to officers and men on our ships to try to operate the naval blockade but enlist the support of every Government in the world who believe in this to ensure that the embargo is effective in every possible way.

The Leader of the Opposition referred to the need to tackle the issue of credit. That was a fair point to make. Credit is illegal under the sanctions legislation. Clearly many matters must be addressed because it is vital that that is achieved.

My hon. Friend the Member for Halesowen and Stourbridge raised the issue of co-ordination in the Gulf area. United Kingdom forces deployed to the Gulf are under our national command and control. However, given the scale of forces that are there, we need the most effective co-ordination, and that is being achieved in the naval field. When I was in Bahrain, our admiral commanding flotilla 2 was in consultation on the La Salle with the American admiral commanding the American naval forces in the Gulf. We have direct and immediate collaboration with the French, who are there, with the Australians, who are coming now, and with other countries which will make their contributions.

We have had helpful discussions with Western European Union to see how the European contribution can be effectively made. We have a good precedent in minehunting from previous experience in the Gulf, and it is possible that that practice will be pursued further.

The issues are being addressed as a matter of some urgency. I cannot report further to the House on that except to make it clear that it is an issue to which we attach the greatest importance. We are in the closest contact with our allies and the kingdom of Saudi Arabia about these matters.

Mr. Denis Healey (Leeds, East): I am sure that the right hon. Gentleman will agree that there is one matter that urgently needs clearing up. Prince Sultan, the Defence Minister of Saudi Arabia, has said that no forces should be used from Saudian Arabian territory for military action against Iraq without the agreement of the Saudi Government. The American commander on the spot says that he does not know whether that is true, and that is quite an important element of ignorance of the situation. Has that question now been cleared up; and, in particular, in return for the generous financial assistance offered yesterday to Mr. Baker by the Saudi Government, has Mr. Baker agreed that Prince Sultan's views are correct?

Mr. King: I listened to the right hon. Gentleman with interest yesterday and noticed that he ceased to quote entirely correctly from the reported conversations, but I can confirm—[HON. MEMBERS: "Oh."] What I am saying in respect of His Royal Highness Prince Sultan, the Defence Minister of Saudi Arabia, is the position. We are not there to attack Kuwait or Iraq. We are there to defend Saudi Arabia and to ensure that the United Nations embargo is effectively implemented. That is the present position, and it is absolutely clear. There is no question about that statement, nor do I experience the difficulty that the right hon. Gentleman may have over that matter.

Mr. Healey *rose*——

Mr. King: I cannot add to that. The question has been raised about the statement of Prince Sultan. I have given the position, and it quite correct.

Mr. Healey *rose*——

Mr. King: Would the right hon. Gentleman excuse me? *[Interruption.]*

Mr. Speaker: Order. Is the Secretary of State giving way?

Mr. Healey: The right hon. Gentleman has missed the point. The American commander on the spot in Saudi Arabia has said that he does not know what the situation is and that it must be decided between the Saudi and American Governments. Is it the right hon. Gentleman's view that Prince Sultan is correct in saying that an attack on Iraq cannot be carried out from Saudi soil without the agreement of the Saudi Government?

Mr. King: General Schwarzkopf is the American joint commander with His Royal Highness Prince Khalid. The position is as I have made quite clear and I do not propose to go further. Prince Sultan has made it clear that there is no Saudi agreement to attack from the territory of Saudi Arabia. The purpose is to defend Saudi Arabia and to make the United Nations embargo work. I shall not go any further than that. As one of my predecessors, the right hon. Gentleman knows the position perfectly well and he knows perfectly well why I cannot go any further.

The House may be aware that, while my right hon. Friend the Foreign Secretary and the Minister of State, Foreign and Commonwealth Office have been dealing principally with the vexed and difficult issue of our hostages, I think that the House knows—*[Interruption.]*—it is not a matter for levity—including the hon. Member for Bolsover (Mr. Skinner), that a considerable number of those hostages are non-combatant British service men who were part of the British liaison training team serving in Kuwait. They were not involved in the hostilities. They are properly defined under international law as non-combatants.

May I say how pleased I am that this morning a further number of their wives and families have returned to this country. We shall never forget their husbands, some of whom remain in effective captivity and some in hiding. We must take decisions that are necessary for the effective protection of Saudi Arabia and the other Gulf states and for the ending of the illegal annexation and aggression against Kuwait, but let nobody think that we shall ever forget the very difficult and dangerous situation which they and other nationals of many countries face. The whole House is aware that under the new media facilities our words go out from this House to many strange places, and perhaps to them. I want to say directly—certainly on behalf of the Government and I believe the whole House—that we shall not forget them. We do remember them; we are determined to end the aggression but we are conscious of their plight and their difficulty.

Mr. Dennis Skinner (Bolsover): The Government will sacrifice them.

Mr. King: The hon. Gentleman can talk flippantly, but he has not met the wives and families who are coming home worried. I am sure that other hon. Members will not wish to join in the hon. Gentleman's comments.

Mr. Cranley Onslow (Woking): On a point of order, Mr. Speaker. You will recall that we got on very well yesterday without sedentary interruptions from the hon. Member for Bolsover (Mr. Skinner), who was not here. Can you persuade him to keep quiet today?

Mr. Speaker: It is perfectly true that we had a very good debate yesterday and I hope that it will continue today.

Mr. King *rose*——

Dr. Godman: Will the right hon. Gentleman give way?

Mr. Speaker: Order. The hon. Member knows that if the Secretary of State does not give way he must resume his seat.

Mr. King: I pay tribute to the sombre and serious debate in the House yesterday. It is what the subject deserves. I mean no discourtesy to the hon. Member for Greenock and Port Glasgow (Dr. Godman), but he knows, because Mr. Speaker has made it quite clear, that a large number of hon. Members wish, understandably, to speak. I am sorry that I am not able to give way to him, but I wish to bring my remarks to a close.

I have referred to the challenge that we face and to the inhuman treatment of the hostages. It is because of them, and the thousands more who could suffer the same fate if this aggression is not corrected, that that aggression must not be allowed to succeed. All our efforts have to be directed towards making the embargo effective—and quickly. It is the only hope to avoid what otherwise could be an awful and major conflict.

Some try to water down embargo sanctions. There is some quibbling about the implications of sanctions. Those who are trying to exempt certain categories of items, beyond medical requirements, think that, somehow, that will reduce the tension—that, somehow, it will appease and make the situation more easy to resolve. I deeply believe they are misguided. If we undermine the effective operation of sanctions, we shall make more likely the risk of a greater conflict thereafter.

I visited Saudi Arabia and the Gulf a week ago. I have also talked this week at the Farnborough aircraft exhibition to visitors from many countries, including many from the smaller countries of the world. They understand the vital principle that is at stake here and the challenge that we face. They have all got neighbours—some much more powerful, some with unfulfilled ambitions. They know that if the rule of law is not maintained in this case, for many of them as well the future could be very difficult indeed. The world must stand together at this time.

We have enough intelligence about what is happening in the world at the moment to know something about the activities of the Iraqi Government and something about their technique of bribes, deceits, promises, credit and threats. All the paraphernalia that they have used will be used again to seek to undermine international unity and strength. Some countries will make very real sacrifices by standing firm on the strength and importance of that principle.

After all the military analyses of this aggression and of whatever plans were made for it have been completed, I believe that Saddam Hussein will be proved to have made one major miscalculation: that he thought that the world would never pull itself together and could never show the strength to stand together in support of international law. I believe that that will prove to have been his great miscalculation. The action that we in this country, together with our friends and allies round the world, have taken in support of our friends in the Gulf has the promise of showing for the first time that the world can work together to defeat this evil. It is to that end that the Government are totally committed.

10.13 am

Mr. Martin O'Neill (Clackmannan): The debate so far has been concerned with the need to establish the legitimacy of future action. The role of Parliament is also to ensure that the Executive is accountable to the legislature and its elected members. Today we have the opportunity not only to do that but to express our support to our forces and to those people who will be listening to the debate far beyond these shores and far beyond the capabilities of the television system. We have to recognise that we are being listened to by people who need our encouragement and backing. From the Opposition side of the House I reiterate what the Secretary of State for Defence has just said.

So far we have seen the largest build-up of British troops since the Falklands in what is potentially the most dangerous crisis since the second world war. Labour called for a military presence in Saudi Arabia and the Gulf states to deter further Iraqi aggression. Labour also called for a naval embargo. The reasons for that were self-evident. We had many of our citizens working in the area; we had long-standing obligations of a commercial and diplomatic nature. What is more, through our presence in Oman, our participation in the Armilla patrol and our base in Cyprus, we had a military involvement and capability of such a long-standing nature that it was inevitable that we would be involved and that our role would increase.

One of the advantages of having a professional volunteer armed service is the greater capability rapidly to deploy those forces in times of crisis. When criticism is made of the inadequacy of the response of other nations, it is often forgotten that we do not have to depend on

[Mr. Martin O'Neill]

conscript forces at varying stages of readiness. While some of our troops have experience of this region, it is abundantly clear that the climatic and general living conditions will take some time to become familiar with. That in itself must surely give cause for thought to those who expect an early strike.

One of the major problems at the moment is the number of armchair, studio-bound experts who pontificate on the likely scenarios. It is one thing for the studio sandpit warriors to play their war games. It is quite another for the troops out there and for their families at home.

Much has been made of the offensive and defensive role and capabilities of our forces and kit. Into every increase or change in our commitment are read new twists and turns of military strategy. When additional frigates and mine countermeasure vessels are sent to the Gulf, it is assumed that the build-up is being intensified. It is often forgotten that our ships need replenishment and that our crews need leave. Equally important is the fact that the presence of our ships, and those of our allies, in a potential war zone, where ruthless mining tactics could be deployed, requires the protection of our minehunters and minesweepers. We should not forget that British capability in that role is second to none.

This is not breast-beating nationalism but recognition of the fact that we have the longest coastline and the largest number of ships vulnerable to such attacks in the North sea. The experience and expertise that we have acquired have been put at the disposal of the navies of other countries in the past. We did it with the Armilla patrol; we did it in clearing the Suez canal. It is correct that we are now so involved.

If the naval build-up requires the presence of a British carrier to co-ordinate activities, it should be seen as a straightforward and logical extension of our commitment. The apparent effectiveness of the naval blockade, as evidenced by the Iraqi acquiescence to be stopped and searched, suggests that the naval commitment will be adequate. Indeed, it could be said that there is a case for the phasing of some of the deployments of our allies. Certainly that would assist in avoiding the congestion and traffic jams that could well arise in that part of the world.

The role of our Air Force has been subject to even greater personal computer Clausewitz speculation. Aircraft have been deemed to be defensive or offensive in their capability and it is said that that should be interpreted as an indication of our desire to break this or that United Nations resolution. I do not think that such guesswork can be avoided, but the confusion in people's minds can best be illustrated by the role of the Tornado GR1s, which are normally ground attack aircraft.

To take a scenario to illustrate the need for the preparedness that we have at present, in the event of an Iraqi advance by tanks and infantry there would be a need not only to respond to the ground offensive but to ensure that the necessary Iraqi air cover is eliminated, both by interception and by attacks on their bases, thus denying their future back-up. We must recognise that we have an all-embracing capability, and that we cannot pick and choose.

There has also been considerable speculation about the dreaded use of chemical weapons. We do not know what will happen, but the basing of RAF Tornados at Bahrain will enable us to take out many of the key Iraqi targets. Their aircraft have a radius of 800 miles, and are based 650 miles from Baghdad. They would be capable of attacking the weapon production facilities and deployment sites within their range. That is known to the Iraqis, as it is to anyone else who takes the time to think about it. It is essential to retain a sense of proportion. Certainly the distinction between offence and defence in this context is becoming very blurred, and the Labour party will not seek to deny our forces the capability to defend themselves or to realise commonly agreed goals.

The opinions of the military pundits about the intentions of the United States are equally confused. I feel that we should admire the massive deployment of materials and personnel to which the Secretary of State has referred, and recognise it for what it is. There has been speculation that the build-up has been expressly organised for attack; the best evidence that I have been able to obtain, however, suggests that the United States is a considerable way from such a position. Certainly, the views expressed by Secretary of State Baker about the possibility of a new world order arising from the crisis give the lie to the anti-American propaganda advanced by Iraq, and by the minority in the middle east who seek to split the unity of the international community.

No country—whether it be the United Kingdom or the United States, which has worked so hard to secure international consensus at the United Nations and elsewhere—will sacrifice that consensus as sanctions start to bite by taking precipitate military action. The willingness shown by Morocco, with 1,200 troops, by Syria, with 1,100, by Egypt, with 5,000, and by the Saudis, with nearly 70,000, cannot be prejudiced by the folly of taking action without broad international backing. The meeting between Presidents Bush and Gorbachev in Helsinki this weekend will surely explore the role of the UN military staff committee rather than some half-baked, gung-ho-inspired strike.

As Professor Howard pointed out in *The Times* yesterday, the destruction of Saddam may well be achieved, but it would be achieved at considerable cost. His thoughtful article concludes:

> "On balance the dangers of initiating war—initiating rather than accepting it if forced upon us—are thus much greater than those of remaining at peace."

Our troops will have literally to sweat it out. It will be a game of nerves: we shall have to wait until Saddam cracks, and either attacks or is replaced. It will be a waiting game, and we shall need to ensure that our forces are equipped and supported according to requirements.

Dr. Godman: God forbid that armed conflict should break out in that part of the world, but is my hon. Friend satisfied with what the Secretary of State said about the field hospital? Does he believe that, in the event of conflict, those medical facilities will be adequate to deal with the victims of gas attacks and other severely injured personnel?

Mr. O'Neill: Frankly, I do not know; I am not in a position to have access to such information. However, the respect that I feel for the British forces and those who lead them tells me that they would not put people into the field without the necessary support. If there is any doubt, the fact that my hon. Friend has raised the matter will give the civil servants in the Box, and others, ample reason to reconsider.

We are in favour of giving our troops the support that they need, and we know that there is widespread acceptance of that requirement. Hon. Members who run advice bureaux and visit the clubs in their constituencies this weekend will not be assailed by constituents who want the forces to be withdrawn; they will be approached by the anxious relatives of those whose loved ones are experiencing fear—terror—in the apartments and hotels that are now serving as Iraqi-controlled prisons, or are in uniform, preparing for the worst in some of the most inhospitable conditions on our planet. In the main, they will want and expect us to give our support to ensure that their families are not sold short.

The depth of the anti-Iraqi strength is increasing daily, as is its width. The range of countries, from Europe and around the world, that have sent their forces bears impressive testimony to the almost universal revulsion at the actions of Saddam Hussein. Questions are now being asked about the control of those forces, and the split of responsibilities between the Saudis and the United States is a matter on which we can only speculate. This is not the time, however, to discuss whether the forces should be given blue berets and the kind of United Nations role that we have seen in the past. There is no precedent for that, and I consider it misleading to vest unnecessary and unrealistic expectations in an institution from which we can hope for so much in other respects.

Some feel that there should be a special and specific co-ordinated NATO role. I think that that would be wrong at this time, not least because of the likelihood that Germany and France will not participate. We should not allow ourselves to be taken advantage of through such a diversion.

Inevitably, the United States, by making the largest contribution, will wield the greatest influence. The unity of the opposition to Iraq, however, will require continual nurturing and encouragement from the United Nations. It is to be hoped that its military committee will ultimately provide the international framework within which such exercises could be organised.

We cannot afford to ignore the question raised yesterday by my right hon. Friend the Member for Leeds, East (Mr. Healey) about the operation of "sod's law" in military action. It would be dangerous to anticipate in too precise, neat and tidy a way the next stage in the scenario, but, for us in the House it is a matter of getting Ministers to answer questions. I do not wish to strike a note of discord, but there is deep anxiety about this: at some stage today, the Government must give us some idea of the role played by the United Kingdom in respect of the economic embargo—for instance, the involvement of the Technology and Development Group. While I freely concede that that group is not engaged in the procurement of arms as such, we have observed that the Iraqis have been able to purchase the building blocks—to acquire the capability and the technology—to undertake weapon production on a scale that cannot be tolerated.

Let us have a clearer answer from the Foreign Secretary than we had from the Secretary of State for Defence: there is far too much speculation, and far too much evidence that we have not policed the area harshly enough. I am not trying to divide the House; I am simply asking for greater clarity. Accountability lies at the heart of that exercise.

Mr. Martin Flannery (Sheffield, Hillsborough): May I raise what many Opposition Members consider to be a fundamental problem? It may have been dealt with already; I was briefly absent from the Chamber a few moments ago.

The problem arises when, over a period, a stalemate develops, and our forces are all in place under the auspices of the United Nations and its Security Council. May we have an assurance that our forces will not engage in offensive action when they have not themselves been attacked, and that any action will be authorised by explicit United Nations resolution?

Mr. O'Neill: My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) will be going into that in greater detail later. My hon. Friend has caught me in the last stage of my remarks, but our troops are there, at the express request of the Saudis, to defend them. We are operating there under the auspices of a series of United Nations resolutions. We are not there for offensive purposes as determined at present. My right hon. Friend will refer to this subject in his winding-up speech and will give a better structured answer.

As I said at the beginning of my speech, on the Opposition side of the House we called for a naval blockade. We called for economic sanctions through the United Nations. We support the Government's deployment of forces in the Gulf. We recognise that additional resources may be necessary, but we do not give the Government a blank cheque. As well as information on expenditure, we should like some information on revenue and on what efforts are being made by the Foreign Office to get the sort of assistance from other countries that the United States appears to be receiving, according to this morning's announcement.

Certainly, we have confidence in the Government's military advisers. They have demonstrated their professionalism and expertise. However, it is for politicians and for the House to decide future course of action. War, as Clausewitz said, is

"the pursuit of politics by other means".

If other means become nessary the House must have its say. Those who seem to assume that the British people do not want firm and resolute action to be taken to liberate and return our people and other hostages, and to ensure that Saddam is not allowed to get away with this aggression, are not listening to what our constituents are saying.

Article 42 affords the legitimacy for the embargo and for military deployment. We all hope that the sanctions will have the desired effect and that the Iraqis will be forced to withdraw—they certainly have no record of tolerating failures on their side—but that may not be achieved in weeks; it may take longer. We know that our forces can do their job. Let us hope that the House can fulfil its responsibilities to them and to the country by showing the patience and resolution that the task requires. We can show that by supporting the Adjournment of the House this afternoon.

10.32 am

Sir Ian Gilmour (Chesham and Amersham): The hon. Member for Clackmannan (Mr. O'Neill) struck a chord in the whole House when he talked about amateur strategists and studio war games. I think that the House will agree that the attempted distinction between offensive and defensive weapons is nearly always totally unrealistic.

[Sir Ian Gilmour]

The two impressive speeches from the Front Benches today, by my right hon. Friend the Secretary of State for Defence and the hon. Member for Clackmannan, have reaffirmed the virtual unanimity in the House and throughout the world that Saddam Hussein's aggression was an intolerable act and that he must not be allowed to profit from it.

As is customary, the country which was attacked was much better governed and a far better place than its attacker. Whereas Saddam Hussein's Iraq has strong claims to being the most brutal and savage police state or dictatorship in the world, Kuwait, in which I have—or had—an interest is probably the best governed state in the region. An impressive and unimpeachable testimony to that fact is what happened when Iraq invaded. Saddam Hussein wanted to set up a puppet Government and was totally unable to do so. Not one genuine Kuwaiti came forward. There was not one Kuwaiti Quisling. In the last war I think that there was only one European country of which that was true—Poland—so it is a proud record.

Now Saddam Hussein is systematically wrecking Kuwait. He is behaving like the Mongols did in Baghdad 750 years ago. He is taking the whole place apart, destroying lamp standards and removing traffic lights, quite apart from his appalling behaviour to the people of Kuwait and to the foreign workers and residents there. Clearly he must not be allowed to get away with it.

Obviously he thought he was going to get away with it and, on past form, he had good grounds for thinking so. Only the prompt and decisive action of above all President Bush and my right hon. Friend the Prime Minister turned his aggression into a disastrous miscalculation. Probably Saddam Hussein's greatest miscalculation was to forget, or not to notice, that the cold war had ended. At almost any other time in the post-war era he could have played off one superpower against another and he might have got away with it. He cannot do that any more.

The prime task of American and allied diplomacy and strategy must be to ensure that the United States and the Soviet Union remain firmly aligned on this issue. That is a key matter and, so far, the omens are good.

I hope that sanctions will do the trick, although it will take a long time, but plainly we cannot rule out the use of force—after all, the other side has already used it. No one can foresee what will, or should, happen but it is clearly overwhelmingly desirable that the next major act of violence should come from Iraq. An American attack, supported by Britain but not by the United Nations, might become inevitable and we have to face that, but it should be avoided if at all possible. The trouble with surgical strikes is that they are not surgical, or they have not been so far. The American bombing of Tripoli clearly demonstrated that.

The political fallout of such an attack is incalculable. Many of the pro-western Governments in the area might be endangered. We should remember that the pro-western Government in Iraq in 1958 was basically brought down by the attack on Suez two years earlier.

The reasons for caution lie in the middle east's recent history. Many countries and individuals have been equivocal about previous acts of aggression or have condoned them. I certainly plead guilty to that over Iraq's attack on Iran 10 years ago.

The west's previous equivocations and tolerance of blatantly unjustifiable behaviour, which if it had occurred anywhere else in the world would never have been condemned, explains why so many Arabs support Saddam Hussein, even though they loathe him. Having seen what has happened in Palestine since the war—and indeed before it—most Arabs are inevitably suspicious of the west. Western double standards have been too blatant and too sustained for Arabs to be anything else.

If it is wrong for Iraq to annexe Kuwait—which it certainly is—then it was equally wrong for Israel to annexe the Golan Heights, Arab Jerusalem and its surrounding area, to which it has no conceivable right. Yet what did the west do? Nothing. Or rather the Americans did something—they effectively subsidised that annexation for more than 20 years. Similarly they have effectively subsidised the brutal and illegal occupation of the west bank and Gaza for all that time. Women and children have been shot, houses blown up, men deported, land stolen, water stolen, and thousands imprisoned without trial. A far higher proportion of the Palestinian population have been imprisoned by the Israelis than the black population by the South African Government, and the two situations have much in common.

Mr. Stephen Day (Cheadle): I am grateful to my right hon. Friend for giving way. Does he not accept that there is a distinct difference between the situation on the west bank and the Gaza strip—however distressing that may be and however understandable the plight of the Palestinians? That occupation came about as the result of an unwarranted attack by Arab nations upon the state of Israel.

Sir Ian Gilmour: That is quite untrue. The 1967 war was begun by an attack on Egypt by Israel. I can only refer my hon. Friend to General Rabin, who was the commander of the forces at the time and therefore might be considered to be fairly authoritative on the subject. He said that he thought that President Nasser had no intention of attacking.

The situations are not exactly the same, but clearly what has been going on—the illegal occupation of Gaza and the west bank—is intolerable, and yet the United States responded to South Africa's actions by bringing sanctions and responded to Israeli actions by giving them dollars—$4 billion per year. It is no wonder that the PLO and so many Palestinians have supported Iraq. I regret their decision deeply and I believe that they were disastrously mistaken, but I also understand it. It may even have been unavoidable. America's behaviour has driven the Palestinians into the arms of a brutal dictator.

It was greatly encouraging to hear James Baker tell Congress last week that America now accepts that regional stability in the middle east must include a settlement of the Palestinian issue. He said that a resolution of the current threat should become the springboard for renewed efforts to resolve all middle east conflicts,

"including the festering conflict between Israel and its Palestinian and Arab neighbours."

That must be right, and I only wish that sentiment had been a greater part of the allied case since the beginning. I dare say that Mr. Peres and much of the Israeli Labour party would agree, but obviously Mr. Shamir and the current right wing Israeli Government will do everything that they can to prevent such an outcome.

The last month has been frustrating for the Israeli Government because it has demonstrated something that many of us have always known—that the idea that Israel is an important American ally is wholly untrue. Israel is an ally that America cannot use. If Israel becomes involved, the whole allied operation will be wrecked, so it is important that Israel be kept out of it. One hopes that the rumours that the Israelis would like to destabilise King Hussein are untrue and that the Americans will prevent anything of that kind happening.

With the tyrannies of eastern Europe and elsewhere coming to an end, and with President de Klerk making courageous and successful efforts to bring a civilised system to South Africa, Israel cannot be allowed to be the odd man out. After Kuwait has been liberated and decency has been restored there, justice must at last be given to the Palestinians.

10.41 am

Mr. Eric S. Heffer (Liverpool, Walton): The right hon. Member for Chesham and Amersham (Sir I. Gilmour) is absolutely right in his remarks concerning Israel's position. I was one of the first members of Parliament to enter Israel after the six-day war. Whether or not one likes it, the fact remains that territory not under Israel's control prior to that war is now under its control, and has been since that time. We cannot get away from that. When some of us put it to the Israeli authorities at that time that they were creating a dangerous situation for the future, they said that it was merely a question of using the territory in negotiations to achieve peace and secure boundaries. Some of us warned them then that might not happen, because the longer that Israel remained in those territories, the greater would be the demand from the right wing in Israel for them to be incorporated into the state of Israel. Who can say that we were wrong?

No one is suggesting—certainly not my right hon. Friend the Member for Chesterfield (Mr. Benn)—that Saddam Hussein's action in entering and taking over Kuwait can be justified. It is only unfortunate that many in the west have only just discovered that Saddam Hussein is a brutal dictator. Some of us have argued that for a long time, and have warned that his actions were such that he should have been condemned by the world, as other dictators should have been condemned by the world.

Yesterday, I raised the question of the destruction of the Kurds by chemical weapons. That did not occur on just one occasion. When it first happened, no one took the slightest notice. The only reason why notice was taken in 1988 was that the Kurds showed television crews what had happened. Saddam Hussein has been operating a policy of destroying the Kurdish population for a long time. Thousands of Kurds have been killed, yet very little was done about that. The United States of America did its utmost to see that the matter was not discussed at the United Nations. That was a disgraceful action and we should not forget it.

Because I made a statement three or four weeks ago that Parliament should be recalled, I received letters saying, "Obviously you are on Saddam Hussein's side." Similarly, I received letters when I commented on the action that the Government allowed to be taken in Gibraltar, saying that I was on the side of the IRA. I have never been on the side of Saddam Hussein, the IRA, or of any force of that kind—and I never will be.

Some of us spent a long time in the forces in the last war. Some of us had very distinguished records, while others of us had not so distinguished records. That does not matter, because we all bear in mind that we lost many of our friends. I shall never forget them. It is emotional for me because I remember them now. They included youngsters with whom I went to school. I have lived on borrowed time, like all of us who were in the forces. I think also of the civilians who were killed. Look what happened to our cities—London, Liverpool, Coventry and Belfast. We should remember the destruction that occurred and the killing of thousands and thousands of innocent civilians.

We had to fight that war, but Hitler was not Saddam Hussein, and Saddam Hussein is not Nasser. At least Nasser genuinely believed in a united Arab nation. Saddam Hussein is not in that category, but that still does not mean that we should want to see war come about in the belief that that is the only answer. I passionately do not believe that it is the only answer. I believe that the answer is to begin to talk and to negotiate.

I am an old shop steward, and whenever I went into a battle, I made certain that I left a door ready to be opened. If you close the door behind you, sometimes you cannot get out of the situation. I believe that we must have a door ready to be opened in the present situation—a door that will give Saddam Hussein some chance of saving some face, so that the problem can be solved by negotiation and not by war. If there is war, who knows where we shall end up? I do not know, and no one else knows. Perhaps the war would be over quickly, like the Galtieri situation.

Mr. David Winnick (Walsall, North): Will my hon. Friend give way?

Mr. Heffer: No, I am not giving way. This may well be my last speech in this House. I do not know.

We must talk in order to find a solution without going to war. I agree entirely with my hon. Friend the Member for Clackmannan (Mr. O'Neill) and with my right hon. Friend the Member for Chesterfield that there should be no question of going to war unless that is agreed by the whole of the United Nations. We should all agree on that if we cannot agree on everything else.

The last point that I want to make concerns the damn hypocrisy of some of those involved. The Secretary of State for Defence says that we stand by the law. I am old enough to remember Suez, when there were campaigns throughout the country using the slogan, "Law, not war". Then, we were, quite rightly, standing by the law, but what has happened in the past in relation to the United States? What law did America call up when it invaded Grenada or Panama? What law did it call up when it undermined the elected president of Chile and helped to get him murdered? What law did it call up when it assisted the Contras in violent means against the Nicaraguan Government? What sort of law is that? That is not law; that is interests. That is imperial interests. What worries me is whether we are going to Saudi Arabia to fight for the rights of the Kuwaitis and the people of Iraq who have been oppressed for so long——

Mr. John Marshall (Hendon, South): Still are oppressed.

Mr. Heffer: Yes, they still are oppressed. Where were Conservative Members when the likes of me were working hard to assist those people? Selling weapons.

An American senator has said that if Iraq was only growing carrots, America would not be interested. Of course it would not be. It is a question of oil and oil interests. It is capitalist oil interests. It is imperialist oil interests. That is what worries me. I want peace. I want the people to be free and genuinely free. I do not want us to be rushed into a war because of the oil companies.

10.51 am

Mr. Michael Mates (Hampshire, East): No one could fail to have been moved by the sincerity of the remarks of the hon. Member for Liverpool, Walton (Mr. Heffer), particularly in the earlier parts of his speech. We may often have disagreed with his sentiments, but never ever have we doubted that he speaks with total sincerity. He holds his views as passionately and as genuinely as we hold ours.

Two wholly admirable things have happened since 2 August. The first has been the Government's response—measured, calm, wise and underlyingly tough—to the invasion of Kuwait. I congratulate my right hon. Friends the Secretary of State for Defence and the Foreign Secretary, neither of whom have put a foot wrong during this difficult time. They deserve our thanks for the way in which they have handled the crisis. That has been the major factor in explaining to a confused British public what we are doing. That is the message that will go out from a nearly united House during the past two days of debate. It will need to be explained again and again during the coming difficult months.

The second thing that has happened has been the genuineness and totality of the international response. My right hon. Friend the Secretary of State listed those countries that had responded in kind to the international call for help for Kuwait. He did not mention the contribution of Greece, and I am sure that that was inadvertent. I was in Greece earlier this week when the frigate Limnos sailed. It was touching to see the pride of ordinary Greek people that they, for the first time since world war two, were taking part in an international call. Turkey's response has also been bold and brave. I hope that it is not too much to ask that, now that we find those two fellow NATO members on the same side with common interests in the dispute, they may be helped to solve some of their own problems.

We must also give credit to the Government for their handling of our relationships in the Gulf during the past decade, in particular our defence relationships with those states with whom we have been close for many years. The Select Committee on Defence was fortunate enough in 1986 to go to Oman to look at exercise Saif Sareea—a reinforcement exercise of massive proportions by the British in response to a call from the sultan for help in accordance with the defence agreement that we have with that country. It was the first time that the Tornados had been flown non-stop from Britain to the middle east, and that was considered a fine achievement then. I have no doubt that it has helped to make the arrangements easier and the path smoother for those who have had to carry out the reinforcements in the past weeks.

But in a way that has been the easy part. It is difficult technically to respond to a crisis, but no one is in any doubt that the job must be done. The service men, civilians, Ministers and Government will get on and to it. From now on I believe that it will get much harder, because we must be prepared for a long haul. Our service men are out there in conditions of acute discomfort. So are the service men of the United States and the others who have responded. How we are to sustain them over the coming months is a difficult logistical matter. Moreover, in the long term, it will also be expensive. Those who were arguing only a month ago for the peace dividend to be doubled or trebled by Christmas must now be eating their foolish words uttered in this place.

Not only will it be difficult to provide a tolerable standard of living for our troops, but we shall have to consider rotating them. Some who will have been there for about five months by Christmas will have to be brought home and others sent in. It will be a complex matter for my right hon. Friend the Secretary of State and all in the Ministry of Defence to maintain our commitment at the level that is thought right and, at the same time, to maintain the living conditions, the spares that will be required, training requirements, ammunition, fuel and all the other things that are necessary during what will be a difficult and dangerous period.

I shall not fall into the trap that many others have avoided of being an armchair strategist. I simply point out that there will be a tough time ahead for the Ministry of Defence, the Government and the Chancellor, who, certainly in the short term, will have to find rather more help for the defence budget than he thought when he did his sums at the beginning of the year. I am sure that he will do that with all the relish of his predecessors when they were faced with similar crises.

Naturally we are focused on the one event and the one job that our services have to do at the moment. But this is not a bad moment for some of us to stand up and remind the House of our long-term defence requirements. Just two months ago we had a two-day defence debate. From the Opposition we heard cries of, "Not enough cuts. Why aren't you sending the whole lot home? Why have we still got troops in Germany? Why haven't you wrapped the whole thing up? Everything is over. We do not need them any more." Once again, those are words for eating.

Mr. Elliot Morley (Glanford and Scunthorpe): Why do we need them in Germany?

Mr. Mates: Our troops are performing an important role in Germany and I would put a lot of money on a large slice of them being deployed in the Gulf between now and Christmas. That is why we need them there. There is certainly no room for them in this country. The hon. Gentleman's remark is born of complete and utter ignorance.

The problem remains. My right hon. Friend has had a shot at casting the future shape and size of forces during the next couple of years. He was reluctant to go further than he thought was prudent, and, my goodness me, how right he was. Now we must look at the sort of contingencies out of area and our defensive capability for the rest of the decade.

The one thing that we should say now is that it is even more urgent than it was two months ago that NATO should decide the way in which it believes that Europe needs to be defended over the coming years. Until we have had the options for change from NATO headquarters and from the other European Governments, and until we have

discussed those and agreed upon the shape of the residual forces to remain on the continent of Europe, which will be much fewer than they are now—it is the size and shape that matter—we cannot do a sensible job in planning the adequate size, shape and reserve forces so that we can come to the aid of our friends should contingencies arise elsewhere in the future, as they will.

Over the past 30 to 40 years, we have coped with all of those on the back of the major commitment to NATO —we have drawn from that. If, as I believe, the future contribution to NATO is to be much smaller, that will mean that the flexibility to respond quickly and adequately to calls for help inevitably will be much harder to manage, and that is the balance that we must get right in the future shape of our forces.

To that end, I hope that the Government will press our NATO allies to produce a sensible plan for the future defence of Europe, very much sooner than later, so that we can ensure that with our residual forces we will always have the capability to go to the help of friends, as we are doing now so admirably and so well.

11 am

Dr. John Gilbert (Dudley, East): As I wish to be punctilious, I should declare the remotest of interests in that I am an unpaid member of the advisory board of Royal Jordanian Airlines. I do not have any shares in that company.

I wholeheartedly support yesterday's speeches by the Prime Minister and my right hon. Friend the Member for Islwyn (Mr. Kinnock)—and as it is some time since I could last say that, I am rather pleased about it. I welcome the fact that the Government are considering sending a contingent of ground troops, which I always thought should be an ingredient of our contribution. I echo what the Secretary of State for Defence said about our troops. I congratulate the Americans on the speed and skill with which they have built up their forces.

Before coming to the main part of my speech, I wish to touch upon a couple of points that have already been raised in the debate. My right hon. Friend the Member for Leeds, East (Mr. Healey) asked the Secretary of State for Defence about the possible differences in interpretation of Prince Sultan's remarks. Does the Secretary of State think that Prince Sultan's remarks would apply to American seaborne forces, which are not on the territory of Saudi Arabia and therefore could mount a massive air attack and seaborne invasion? Would Prince Sultan's remarks apply to such an operation? I should be grateful if the Foreign Secretary could deal with that point during his reply.

The second point arising out of the speech of the Secretary of State for Defence was his statement that there was no question of an embargo on medical supplies for Iraq, which I fully support. However, I was alarmed that he said nothing about food. In the long run, I do not think that public opinion in Britain, in the remainder of Europe or in north America will endorse the west attempting to starve the Iraqi people into submission. I have no doubt that there will be premature and hyperbolic diatribes from Saddam Hussein claiming that babies are short of milk and that people are starving long before that is the case. However, a deliberate policy to starve the Iraqi people into submission will not work. We must remember what happened immediately after 1945 when the war came to an end: the troops in Germany refused orders not to supply food to the defeated population. Such a policy is not sustainable and I hope that the Foreign Secretary will assure us that food, as well as medical supplies, is exempt from the blockade.

Thirdly, I wish to touch on a point made by my hon. Friend the Member for Liverpool, Walton (Mr. Heffer), who has left the Chamber. He referred to oil supplies, which is one of the crucial elements in the current position. It would be a mistake to say that we are defending oil supplies in the interests of the oil companies. If the oil supplies in the Gulf are destroyed and the western world loses 40 per cent. of its supply, the oil companies will not suffer—they never do. Those who will suffer will be the old-age pensioners and the single-parent families in the constituencies of every hon. Member; it is their heating bills that will rise. Therefore, there is nothing wrong with our being in the middle east to protect our access to oil supplies.

I cannot imagine Iraq provoking an armed clash at this moment. I cannot even perceive it sending aircraft into Saudi air space. I cannot perceive it trying to provoke a confrontation on the waters of the Persian Gulf. I am afraid that we are committed to a long haul—that is, if we do not rely on starvation. It could be 12 months before the Iraqi economy finally grinds to a halt. There is a great danger of the west focusing exclusively on Saddam Hussein. I hope that no wild people in any country are trying to assassinate him behind the scenes. I do not want him to become a martyr. If he falls, who will follow? As my right hon. Friend the Member for Leeds, East said yesterday, it could be someone a great deal more unpleasant even than the unpleasant Saddam Hussein.

If it is a question not just of getting rid of the leadership but of getting rid of the Baath socialist regime, how do we do that without sending tanks all the way to Baghdad? I cannot imagine that the Government or the Americans would conceive such a policy. Surely our objective must be not, in the words of the Foreign Secretary, just to wipe the smile off Saddam Hussein's face, but to ensure that no one in Iraq—Saddam Hussein or any successor—will in future have the power or the wish to deploy nuclear, biological, chemical or conventional weapons. Whoever is in power in Iraq, there will be a burning sense of grievance about the lack of access to the Persian Gulf. Whoever is in power, there will be a continuing bitter envy of the wealth of Iraq's more fortunate neighbouring states. Both those sentiments are widely understood and supported throughout the Arab world, not least in countries whose leaderships are supporting United Nations actions.

I greatly welcome the call by the Soviet Foreign Secretary Mr. Shevardnadze for a middle eastern peace conference. It is a great opportunity in this crisis. It should deal with at least four matters. First, there must be some territorial adjustments. I will not speculate on what they should be, but it is clear that the territorial boundaries drawn up, almost in a fit of oversight, by imperial powers after the first world war are not tolerated by the people in that area. Secondly, there must be—and I recognise that it is easier said than done—a regime for the inspection and the control of nuclear, biological and chemical weapons throughout the middle east. That will be worth quite a high price. If we seek to impose such a controlling regime on Saddam Hussein, the Israelis also will have to accept control and inspection of whatever facilities they may possess, as will President Gaddafi. We cannot expect the

[Dr. John Gilbert]

Israelis to lower their guard towards the east and also towards the west without some assurance in both directions.

Thirdly—and *The Times* sneered at this the other day, and I was glad that the Foreign Secretary picked up the point—we should try to achieve a self-denying ordinance on sales of conventional armaments from the major arms-exporting countries dealing with that part of the world. I have said that many times in defence debates. Not many people have paid much attention to the argument, but now that we are looking over the edge of the abyss it is possible that something along the lines that I have suggested could be done. However, it would have to embrace not only the United States, the United Kingdom, France and the Soviet Union but China, Brazil, South Africa and other arms-exporting countries.

Fourthly, I think that there is a need for an Arab development fund through which the rich Arab states would commit themselves to major cross-border transfers of wealth. Those transfers would be based not on the political attitudes of the recipient countries but on the needs of the inhabitants of those countries. Such commitments should be made for 10 or 20 years ahead.

I would rather see a neutered and controlled Saddam Hussein—one whose people's long-standing grievances were being addressed by the international community—than a Saddam Hussein who was a martyr figure. I am confident that negotiations are going on behind the scenes, even if Her Majesty's Government are not party to them. I hope very much that that is so, anyway. Negotiations can have a hope of success only if sanctions are persisted with and military preparedness is maintained. We all pray not, but military means may have to be used. It is for that reason that I shall be supporting the Government this afternoon.

11.10 am

Mr. Cranley Onslow (Woking): The debate has proved how right it was that Parliament should be recalled. I was never in doubt from the beginning that Parliament would need to be recalled. The only question was when that should be. I think that the Government have achieved exactly the right timing. They have given an opportunity for the House to have a first-hand report on matters that are of great concern to us all. It has been provided with the opportunity for hon. Members to make some wide-ranging speeches. If the hon. Member for Liverpool, Walton (Mr. Heffer) were in his place, I would say to him that, although I disagreed with a great deal of what he said this morning, I hope that we have not heard his last speech in this place.

I am sure that all of us were glad to hear the speech of my right hon. Friend the Secretary of State for Defence, which began the continuation of the debate this morning. I thank him and, through him, all the British forces who are involved in what has been, in every way, a most convincing, prompt and correct response. I say to my right hon. Friend that our thanks should be conveyed to those who have been involved in the diplomatic discussions, which will continue to take place. Those involved should be thanked for the part which they have played. I refer especially to what has been done in the United Nations and the contribution that Sir Crispin Tickell has made so forcefully. That deserves to be recognised across the Floor of the House. I am sure that it is agreed by all my right hon. and hon. Friends and by most Opposition Members that Ministers, my right hon. Friend the Prime Minister and all others involved, deserve the thanks of the House for their handling of a difficult and unexpected situation.

It would be wrong for us to attempt to magnify out of proportion our own contribution. We are not the only country involved. We must recognise what has been done by America and President Bush, and the part that American forces are playing in the defence of Saudi Arabia. The reduction of the military threat in the Gulf is of enormous importance; there is no gainsaying that.

The debate provides us with the opportunity to make it clear to the country generally, and to the individuals who are involved, that the hostages are not forgotten. I have never been more disgusted by anything that I have seen on television than the sight of Saddam Hussein fondling the heads of the children he was using as human shields. He was like some storekeeper fondling the wares on display in his bazaar. I hope that that is understood by those who were responsible for that disgraceful abuse of human rights. I refer to the rights of our own people and all others who are involved. Hostage-taking and hostage exploitation have no part in international relations at any level. The sooner that they are eliminated the better it will be for us all.

I want to be as brief as I can, so I shall concentrate on only one theme, from which some of the preceding speeches may have diverged slightly. I wish to focus on the overriding logic of the position that faces us. We are all agreed throughout the world that aggression must not succeed, and that means that Kuwait must be liberated. There is no room for compromise and no room for negotiations. We all agree, too, that the primary means of achieving that objective should be the embargo and the sanctions which the United Nations has authorised. They must be made effective. There must be a solid embargo. There must be no loopholes and no evasion. We all hope that those means will bring Saddam Hussein to his senses, so that he understands that the world is against him and that the fruits of his aggression must be given up.

All of us know, however, that there is a limit to the period during which sanctions can be expected to achieve their objective. There may well come a time when we have to say that sanctions have not worked. If that time comes, clearly the military option cannot be ruled out. It is important that from this moment on we do not let Saddam Hussein forget that. The alternative is too awful to contemplate. It would mean the humiliation, defeat and collapse of the United Nations structure. If Saddam Hussein gets away with his aggression, we are back to the unpleasant experiences that led to the collapse of the League of Nations. We cannot allow that to happen again. The credibility of the United Nations is on the line. I believe that the potential use of force is already embodied in the resolutions and articles that the United Nations has as its authority. There can be no compromise about that.

Perhaps it has not been stated as clearly as it should that the resolution of the crisis which was caused by Iraq lies in the hands of Iraq. Iraq can withdraw from Kuwait. It can agree to submit to international law and order. The people of Iraq must never be allowed to forget that. We may think —we may be right—that Saddam Hussein is deaf to reason and that he is a man with whom it is impossible to argue. We should not take it for granted, however, that everyone

in Iraq is immune to reason. I hope very much that when my right hon. Friend the Foreign Secretary contributes to the debate he will say something about the propaganda war, which has been going on for some time. There is an urgent need to put across through the media in Britain, and internationally through the BBC World Service, the message that none of us wants to be forced into war and that it is up to Iraq to ensure that that does not happen.

11.18 am

Mr. John McWilliam (Blaydon): I shall first tell the House of the disgust and anger on Tyneside at the murder of Douglas Croskery and the inability to recover his body after a decent period. That anger persists; it is real and can be sensed in any conversation in any club, pub and anywhere where people congregate on Tyneside. There is a strong feeling that those who perpetrated that crime and were compliant in it should be brought to justice.

I entirely agreed with the remarks of my hon. Friend the Member for Clackmannan (Mr. O'Neill) and the Secretary of State for Defence when they paid tribute to our forces stationed in the Gulf. The conditions in which they work, the atmosphere, the desert and the humidity corrode men and machines. Therefore, it is obvious that individual machines and men cannot be expected to serve there for long periods, but will need to be rotated. The remarks of the hon. Member for Hampshire, East (Mr. Mates) about further deployment and rotation, and their cost, need careful consideration by the House. I was a little concerned when the Defence Secretary seemed to imply that all those costs could be found within the existing defence budget. As a member of the Select Committee on Defence I shall have ample opportunity to question him on his thoughts and pursue the matter, and I shall do so.

I was deeply concerned this morning to see the reports of the potential for cholera among the refugees in no man's land. I welcome the additional £2 million that the Prime Minister announced yesterday, but my impression is that aircraft, trucks, and people to pilot both, are needed more than money. We must get the residents of the Indian sub-continent, Egypt and Palestine back to their countries and we must get supplies to them. There is ample evidence to suggest that supplies exist but are not reaching the proper destinations. Red Crescent and the Red Cross have made appeals, to which we should respond as a nation and call on our European partners, particularly those not making a great military contribution, to weigh in and do something quickly.

Mr. David Tredinnick (Bosworth): I am grateful to the hon. Member. Does he agree that the refugee problem on the border of Jordan is perhaps the greatest threat to the stability of that country, which has been a true friend to us in the past?

Mr. McWilliam: I agree with the hon. Gentleman and feel particularly sorry for Jordan, which has an awful strain to bear. King Hussein has done his best. He tried to mediate in circumstances in which it was virtually impossible. He has been rebuffed and left with a problem on his doorstep that is not his responsibility—Jordan could not afford to deal with it anyway.

I do not understand why the Technology Development Group has not already been closed down. Its doors should be locked and barred, and the people sent out. I hope that when the Foreign Secretary replies he will have told his people in the Box to have that done so that he has news to give us. Frankly, there is no excuse for the continued existence of that organisation in London; it should be removed forthwith.

I hope that the Chancellor of the Exchequer will make an early announcement about a windfall profit tax on the oil companies. I have grave suspicions that movements in the price of petrol at the pumps do not truly reflect the reality of what is happening to the world price of oil.

Although we face a terrible situation, the potential for good is there. For the first time, both the Warsaw pact countries and the western countries are united in the United Nations in condemning naked aggression. For the first time, a truly international blockade has been set up and, for the first time, can be properly policed. Great good could come from that.

I echo the words of my right hon. Friend the Member for Islwyn (Mr. Kinnock), the Leader of the Opposition yesterday, and agree that good can come only if the practical politics of the crisis are explored as well as the legal niceties. We must bring the rest of the United Nations along with us and not be prepared to take unilateral action. That being said, we should not give any comfort to Saddam Hussein by suggesting that military means will not be employed if the sanctions are unsuccessful. We should make it plain to him that we shall seek to use military means if the sanctions are unsuccessful and he does not remove his forces from Kuwait. We should put that beyond any doubt.

The crisis focuses our attention on the chemical and biological warfare talks and the nuclear non-proliferation treaty renewal talks. It shows the urgency for concluding treaties on both. It shows the urgency, as my right hon. Friend the Member for Dudley, East (Dr. Gilbert) said, for a proper and intrusive inspection regime, particularly, but not only, in that region. It underlines the fact that dragging our heels, as we did on the chemical talks a couple of years ago, was not the right decision then.

I hope that the House will not rise today without expressing its thanks to all those people who have worked so hard to get the place ready for us to hold this most important debate. I was here on Monday when the place was a shambles; it was marvellous when we came in yesterday and, on behalf of us all, I thank those responsible.

11.27 am

Sir Michael Marshall (Arundel): I am glad to follow the hon. Member for Blaydon (Mr. McWilliam) and I shall make specific suggestions about giving assistance to international refugees on the ground which follow directly from some of his points.

I hope that the House will understand if I make my remarks today in the context of work within the Inter-Parliamentary Union, which I hope to demonstrate is of direct relevance in trying to involve the maximum number of parliamentary colleagues from both sides of the House and the other place in seeking to carry forward the continued resolutions of the IPU. Those resolutions concern the development of democratic institutions and, above all, the peaceful resolution of conflict.

I wish to report to the House immediately that the British group of the Inter-Parliamentary Union has joined the IPU in Geneva in sending resolutions to the Speaker of

[Sir Michael Marshall]

the national assembly of Iraq calling for the effective adoption of UN resolutions, involving withdrawal from Kuwait and the release of hostages.

When we consider the background, one of the first things we should try to do is to understand precisely the democratic position in Kuwait, about which there has been some rather loose talk of a condemnatory nature which does not fairly reflect on the true history and ambitions of Kuwait.

You, Mr. Speaker, will recall that, as part of our work in encouraging democratic development, in 1983 you received the Speaker of the Kuwaiti National Council in a period when Kuwait was a member for 18 years, during the past quarter of a century, of the IPU.

There has since been a hiccup and that national council was suspended in 1986. But last June there were general elections in Kuwait and in July the general secretary of that council applied to the IPU to seek reaffiliation to membership. So the burgeoning process of return to democracy in Kuwait was cut short, as were many aspects of life in that country, by the appalling violations of Saddam Hussein and the Iraqi forces at the beginning of August.

Mr. Dave Nellist (Coventry, South-East) *rose*——

Sir M. Marshall: I will not give way to the hon. Gentleman because I am anxious to keep to the spirit of the 10-minute speech rule which comes into operation shortly.

What can we do to try to foster contacts and dialogue not only with Kuwait but with all the other Arab countries that stand four square with us now? We are planning, through the offices of the IPU, to bring forward a visit that we had planned to make to the United Arab Emirates on the return of the House, and to add to that visit visits to neighbouring territories, subject to consultations already in hand with Her Majesty's Government and leaders of the Opposition parties.

In addition, at the IPU conference in Uruguay next month we shall not only be counting heads but taking the opportunity to hold discussions with other countries directly affected by the crisis. Recognising that there are some countries with which we have no diplomatic relations, we now have an opportunity to pursue relations with countries with which there is no direct Government contact. I will not specify the countries concerned, but hon. Members will appreciate that there will be opportunities to open dialogue with some countries with which we have had difficulties and in which the present situation perhaps allows new initiatives to be taken in the wider international and bilateral interest.

All such measures will take time and will have to be deployed as the situation develops. I am concerned about what we can do in the short term, and I stand four square with the thrust of the debate and what has been said from both Front Benches. I, too, wish to consider the plight of the hostages and refugees. I hope that when he replies to the debate, the Foreign Secetary will give a situation report on our nationals and the progress that has been made in achieving their release.

I wish to consider a wider aspect in relation to the international hostages who, as the hon. Member for Blaydon said, are in no man's land. I make my remarks in the context of much of the thinking that is going on in parliamentary circles, in the IPU and the UN, about ways in which the so-called peace dividend can be employed and how the military establishment of many countries can channel their resources for disaster relief.

That whole issue was aired at a conference in London in July. Countries are increasingly considering the matter because it is a way in which east-west dialogue can consider, for example, the whole question of what happens to forces from within former Warsaw pact countries and the way in which they can be channelled to provide effective assistance, and I shall make a few suggestions on the subject.

In view of that background, we should use NATO as our natural link and offer facilities through NATO—through the direct link that should be established with the UN disaster relief organisation—to seek agreement for the provision of assistance on the ground. I am thinking in terms of the military's access to communications and transport and its inbuilt facilities for the supply of medicine and food.

Perhaps we could look to NATO's secretary-general to convene a meeting, under the civil emergency procedures that are part of NATO's statutory procedures, to provide an opportunity to maximise the immediate deployment of people and resources to those from many countries now in Jordan who are grievously affected.

We should also seek, through dialogue with other parliamentarians, parallel meetings with Warsaw pact and other non-CSCE countries to see what part of their military facilities could provide that type of civil resource. All can play a part, but it is obvious that in such a wider international collaboration there could be special opportunities for countries such as Germany and Japan, where the inhibitions placed on them for the provision of direct military forces on constitutional grounds could be set aside in respect of the type of aid and direct assistance to which I am referring.

Under the United Nations disaster relief organisation we could, in using the military in the way that I am describing, introduce urgent steps to airlift relief supplies, and perhaps they could be dropped near to the refugee areas in Jordan. I support the suggestion, made earlier in the debate, that such facilities should be used as part of the airlift, which I trust we can deploy, to bring people out of the area.

Perhaps we could look to Cyprus, by agreement with the Government of that country, and the use of the British bases there, to provide a staging post, not only in the relief process but to get people out of the affected area as an interim step to returning them to their countries of origin.

In those ways, there will be oportunities not only for us to be seen to be acting in concert, but for us to work within the wider concept of the United Nations decade of international disaster relief, which began this year. I hope that we can move towards some plan and progress, which may be discussed when we have meetings at the United Nations special session with the IPU on 4 October and when the overall review takes place at the United Nations international day for natural disaster reduction on 10 October.

I have deliberately sought to be as brief as possible. I have used only headlines to put forward the way in which my mind is working. However, I am also reflecting the views of the officers and of those members of the executive of the IPU whom I have had the opportunity to consult.

If we can provide a peace dividend such as I have suggested, we shall begin to move to something that will have lasting value in the long term and that will also meet the immediate and desperate needs in the short term.

11.35 am

Mr. Merlyn Rees (Morley and Leeds, South): Like the hon. Member for Arundel (Sir M. Marshall), I will speak with headings. We have 10 minutes each, so I will not develop some of his points that are worth developing. I hope that he will forgive me.

I am glad that the House has been recalled. I believe that it should have been recalled earlier, given the serious events in the Gulf. It is right that the Government should report to the House of Commons and that we should carry out our job of questioning and probing the Executive. I want to do that briefly.

On the major issue, I will vote for the Adjournment, but I will vote on matters as they are. As events develop—and they will—it may well be a different matter. I can only make a judgment on matters so far and I will vote on that basis.

There are two issues on which I can touch only briefly. I have recently come back from India, Hong Kong and western Asia. Two matters arise there. It is not my scene, but I detected that there is a strong growth of Muslim fundamentalism. If we act wrongly with our forces and in the United Nations, we may generate a strength of feeling throughout the middle east and more widely that will undo our good intentions. When we look at the world from this country we sometimes do not understand that. I certainly did not. We ignore that at our peril.

The other issue is the question of the hostages. The Indians are very concerned about the hostages. Many suggestions have been put to the Foreign Secretary and to others. I hope that the Commonwealth can do something. If the Commonwealth is meaningful, with the Bangladeshis, with the Indians and with others, we could co-ordinate actions. It would be worth while for the Commonwealth and something that we could do. The scenes on the Jordanian border are dreadful.

I had prepared a great deal of stuff on this subject, but it will have to wait. The Kurds are another issue to consider in the next steps, when the possibility of war is over. We in this country have much to answer for over the years on the way in which we have treated the Kurds and on the redrawing of borders, and I hope that we shall look at that.

I want to raise briefly a number of issues that are, more precisely, for the Secretary of State for Defence. We are full of praise for the services, as we should be. Little of the Army is in the Gulf, but the Navy and the RAF are there. There will be a long wait. I hope that thought is being given to rest and recreation for the services out there, as it is an inhospitable part of the world. I served in the middle east for a long time during the war. Rest and recreation seem to be the last thing that people were worried about at the time, although the troops went there for months and even years on end. I understand that the Navy goes down to Mombasa, but what will be done about the others? I hope that the services are giving thought to that.

One technical problem that the Air Force had in the desert was sand. Sand got into 100 octane petrol when aircraft had to land in the desert. I was surprised to learn that 12 of our modern aircraft in the Gulf have had to return home because of the problem of sand in the turbines. I do not know whether that is true, but it has been said. That surprises me in view of all the research that we have done and of the aircraft that we have provided for Saudi Arabia. I hope that a lot of thought is being given to that.

Mr. Nigel Spearing (Newham, South): Sod's law.

Mr. Rees: It may be sod's law, but the poor chap in the aeroplane is the one who has to suffer.

We have not had a satisfactory response on the subject of command and control. The right hon. Member for Yeovil (Mr. Ashdown) was funny with my hon. Friend the Member for Linlithgow (Mr. Dalyell) when he asked about orders and terms of engagement. Of course, once the troops have landed, a second lieutenant's job is not to question but to fire his gun. However, at the beginning, someone should ask what we are doing and what our purpose is. Yesterday the noble Lord Bramall, former Chief of the Defence Staff, raised this issue. He said:

"there will have to be a proper chain of command with a good, experienced commander-in-chief to take charge of implementing the general strategy. We cannot win battles by committees, let alone by the military committee of the United Nations."

That is certainly true. He continued.

"Once the political guidelines and policy on the use of force have been established at governmental level and in the United Nations, the commander-in-chief, whoever he is—and he would have to be an American—and his subordinates must be allowed to fight their battle".

All this seems obvious. He went on:

"our Chief of Defence Staff or one of the chiefs of staff should be sent to satisfy himself—[*Official Report, House of Lords*, 6 September 1990; Vol 521, c. 1833-34.]

not that the United States knows what it is doing—I do not like this patronising attitude to the United States—but to get everything clear. The United States is in charge and it has the forces. It could decide whether to take back Kuwait.

The Secretary of State for Defence told us that 20 nations are sending forces, which made me think that there are too many ships in the Gulf. Whether there are enough soldiers is another matter. Lord Bramall raised an important point. The Secretary of State for Defence sloughed off a question from my right hon. Friend the Member for Leeds, East (Mr. Healey) about what was said by General Schwarzkopf and the Saudi commander-in-chief. Command must be clear. I know that old men are supposed to forget, but I have never forgotten the cock-up at Salerno. Books are written about it now, but it was clear at the time that there was a cock-up. I should like to know who was in charge.

Sir Jim Spicer (Dorset, West): No one.

Mr. Rees: The hon. Gentleman was probably there, and knows. Nothing that I have heard today makes me feel that it is any different in the Gulf today. I want to know who is in charge of the control of aircraft when they are airborne, and who allocates forces. It would be the first time in history if all this were being done properly, but something must be done about command.

My right hon. Friend the Member for Leeds, East spoke of the British forces in Kuwait in 1961. A few years later, when I was a Minister with responsibility for the Army and the RAF, I learnt that when our soldiers got there, they could not operate because they had gone far

[Mr. Rees]

too quickly into a hot climate. Thank God that there was not a war. Somebody had better not leave it too late, or we shall repeat the situation of 1961.

I am not satisfied with the command and control aspect. I do not want this to be left until something goes wrong and then to hear from the Government that steps will be taken. Steps must be taken now. I hope that there will be a long period of peace, but I do not think that there will. The Americans are in charge, and they will take out Kuwait. There will be a landing in Kuwait that will not be under the control of the Saudis because it will be from the sea with the marines. If that happens, do not tell us; I do not want to know that. I want to know that the chiefs of staff are discussing it.

Mr. Chris Mullin (Sunderland, South): The Minister does not know.

Mr. Rees: If he does not know, that is a different matter.

I wanted to mention command and control because I have not heard anything satisfactory about it yet. I hope that I will not be treated with the same sleight of hand as my right hon. Friend the Member for Leeds, East or the clever remark that was made by the leader of the Liberal Democrats.

11.44 am

Sir Geoffrey Johnson Smith (Wealden): It is always a pleasure to follow the right hon. Member for Morley and Leeds, South (Mr. Morley), with his experiences of the past. I could not agree more that command and control is an important aspect of the problem.

I propose to say a few words about that, but first I congratulate my right hon. Friend the Secretary of State for Defence on his speech and on the manner in which he has handled his responsibilities in the past few weeks. Rarely in British history have our defence and foreign policies been conducted in such harmony. Further, they have matched the hour, have been carried out efficiently, calmly and without bombast and with much patience and understanding. We owe a debt to my right hon. Friends the Secretaries of State for Defence and for Foreign and Commonwealth Affairs for the way in which they have conducted the policies in the past few weeks.

We received an assurance yesterday from my right hon. Friend the Prime Minister that our objective in furtherance of the United Nations resolution is to remove Iraqi forces from Kuwait, if possible without resort to armed conflict. At the back of our minds are the awful lessons we had to learn the painful way during the 1930s and 1940s of dictators who, under one pretext or another, seized territories or gained breathing space before launching into further adventures. All those points were extensively developed yesterday, and I refer to them only because I wish to give my unequivocal support for the Government's approach to the crisis.

The right hon. Member for Dudley, East (Dr. Gilbert) hinted that we are probably in for a long haul, and he may be right. Whatever happens, whether it is months, a year, or more, we shall as an alliance be exposed to stresses and strains. There is the question of compensation for the impact of sanctions, and it is to be hoped that international action will be taken to help remedy or alleviate the problems of the less-developed and poorer nations involved in this international exercise.

The other source of friction that I should like to refer to concerns command and control—the possible friction that would weaken the cohesion of the alliance and particularly the military contribution of western European nations unless command and control is properly organised. There has already been criticism from the United States about the European effort, with which it is disappointed. Such criticism is not unusual. I have been involved in the NATO assembly for the past 10 years, and over the past few years there has been criticism from the United States that Europe is not playing its fair part in its contribution to the NATO alliance and that the burden should be shared more fairly. It is not surprising that that criticism should be made in this crisis.

I am not criticising the efforts of our European allies. Many had what they considered to be perfectly valid reasons for their initially cautious military response. Some wanted to get their nationals out of Kuwait and Iraq before making any military commitments. Others, such as Germany, had consitutional reasons. France, after a slower start, is matching the United Kingdom's military contribution. Other countries feel that under the present arrangements their contributions would be far too small to have any significant effect.

The Western European Union, which worked successfully during the Iran-Iraq conflict in the Gulf, took three weeks before meeting formally to co-ordinate the military response of the western European nation states that are members of WEU. It might have been met sooner, but it has met, its co-ordination role is well under way and we should not sneeze at it.

It is difficult to define clearly the extent to which WEU has an identity in the present circumstances. I noted the way in which Ministers who attended the WEU meeting on 21 August went straight to the European Community meeting that afternoon. Therefore it is not surprising that on 22 August *The Times* commented:

"this underlined the view held by some European countries that the union is the EC's substitute for a defence policy."

By contrast, on 23 August, two days after the WEU had met, the *Financial Times* more robustly stated:

"the WEU has been much derided in the past as a superfluous body but, on this occasion, it has proved an essential forum for defining and deciding Europe's security interests."

A great deal of co-ordination has clearly gone on. One's impression is that much of what is being done effectively is being done through NATO in preference to the WEU. NATO's political committee is said to have been meeting almost daily since the crisis began. On the other hand, we know that there are problems with NATO. France's reluctance to accept NATO as an instrument of military planning still gets in the way of NATO holding meetings of its chiefs of staff.

We have not yet established in western Europe the proper organisation to enable us to do more than co-ordinate our activities. Before this crisis is out, we in western Europe will need to establish plans to do something more than co-ordinate our activities. We must consider whether the European forces should be placed under a joint command to meet this emergency. If it is too late to do that, we ought to instruct our Ministers to think about what might be done to meet future emergencies outside the NATO area.

The significance of NATO is that it has a properly integrated command structure. It is not an alliance of nations that co-ordinate their military plans from time to time when a crisis arises. NATO has an integrated permanent command, in permanent session, and it knows what its objectives are. If the WEU cannot get its act together, we shall have to consider whether NATO's remit ought to be extended to include what hitherto has been outside its area of responsibility. I am sure that if we do not do that, the European Community will step in, and that is the last thing that I would want to happen.

Another defence issue has a direct bearing on our own capabilities. In July the Government published a valuable document, "Options for Change". Hon. Members will recall that it outlined broadly the Government's plans to reduce the level of expenditure on defence and to change the structure of defence in the light of changing circumstances in Europe and the improved relationship with the Soviet Union. Implicit in the Government's thinking is the belief that if NATO's role is to be diminished, the continued instability of the world will demand other defence structures, or at least modifications to existing defence structures, that will enable western Europe to play its part in keeping the peace and defending its legitimate interests, not just in Europe but outside Europe, too. I think that the House gave its blessing to the general thrust in "Options for Change". Our armed forces, particularly the Army, would be smaller. They would play a reduced role on the continent and would be more mobile. Our armed forces would be more capable of operating overseas, well outside the NATO area.

To those who wondered why the plans were not more far reaching, the Government argued that they did not know where or when the next threat to our security might come from. They argued that we live in an unstable world —certainly in Europe, let alone elsewhere—and that therefore it was best to be prudent. How right my right hon. Friend the Prime Minister was to adopt that view. The question that I ask the Government to answer in this debate is how their thinking stands now. My view is that the Government got it about right, provided that they make it clear that these smaller, lighter, more mobile forces will not always be able adequately to meet some of the threats that might yet occur, let alone the one that faces us today, especially if we do not co-operate with our allies in reshaping the forces that we know need to be reshaped.

Any changes that we make to our forces must be as a result of full discussion and co-operation with our allies, and that also applies to any changes that they may make. Otherwise we shall be working in isolation, and if we work in isolation we in Europe will be found wanting and unable to play our full part in helping to preserve the peace.

11.54 am

Mr. John Home Robertson (East Lothian): The key question that has come to the fore today is the question of who is in command of British and other foreign troops deployed in Saudi Arabia and the Gulf. So far we have had no satisfactory answer to that question. I hope that the Foreign Secretary will say more about it when he winds up the debate; certainly, with my colleagues on the Select Committee on Defence, I shall seek further information when the Committee meets this afternoon.

As a number of hon. Members have pointed out, Saddam Hussein did not suddenly turn into an aggressive tyrant on 2 August 1990. Hussein has been in power in Iraq for a long time: as a matter of fact, he came to power in the same year as our own beloved Prime Minister—and, as Labour Members are well aware, that was a very long time ago.

During that period, countless Iraqis have been imprisoned or killed; thousands of Kurds have been killed, many by chemical weapons; and millions of people have perished as a result of the Iraqi invasion of Iran. Throughout that time, the west has turned a blind eye to the excesses of the Iraqi regime in the interests of trade —including the arms trade, as my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) pointed out earlier. I fear, therefore, that the debate contains an element of humbug.

Many hon. Members—especially, perhaps, Conservative Members—have talked about the principles of international law and the rights of small nations. Let us face up to the rather uncomfortable fact that, but for the oil factor, western Governments would have sat on their hands and the Kuwaitis would have gone the same way as the Kurds. The House should resolve to press for higher standards in the future conduct of international affairs and idealism. If nothing else comes out of this crisis, that at least will be an important step in the right direction.

Having put that on record, let me say that I wholeheartedly welcome the response of the world community—not only the response of the western democracies, but the significant response of the vast majority of Arab Governments, the Soviet Union and the entire United Nations—in confronting the intolerable aggression that has undoubtedly been employed in Kuwait. Let me add, however, that the world community really must keep a grip on the situation through the United Nations. The House must not allow the Prime Minister to indulge her instinct for brawling when British lives and interests are at stake, and when there are still other ways of dealing with the position. I must express my relief and gratitude in regard to the measured tone of her speech yesterday.

I am also worried by the possibility that the United States and the United Kingdom may seek to force the pace and raise the stakes. I am uneasy about American talk of a long-term United States role in a new middle eastern security framework. I doubt whether such a presence would be accepted by the Arabs—especially against a background of the west having deliberately sought for many decades to divide and destabilise the Arab world as a matter of calculated policy.

As a number of hon. Members on both sides of the House have pointed out, the principal instrument of that policy has been the power and expansion of the state of Israel. In the circumstances, no one should be surprised that many Palestinians believe, however mistakenly, that the United States forces in the region could pose an even greater threat than the Iraqi regime.

That may seem perverse when viewed from a British, European or North American perspective, but, Mr. Deputy Speaker, if you or I were a resident of the west bank or Gaza—after 23 years of foreign military rule and 1,000 days of brutal repression of the Intifada—we could be forgiven for raising an eyebrow when the principal sponsor of that aggressor state reacts in such spectacular fashion to an Arab aggressor a few hundred miles further east.

[Mr. John Home Robertson]

We have taken those dual standards a stage further when the United States restores arms supplies to Israel and the United Kingdom cuts ministerial contacts with the Palestinians while they and their children are still in a plight identical to that of the people of Kuwait. That is part of the historical background of western malice and duplicity which has created an environment in which a person like Saddam Hussein can come to power. We must recognise the degree of suspicion about western motives which means that any ill-judged move by the United States or its allies in that region could play straight into the hands of Saddam Hussein.

If we jump the United Nations gun we could rally people throughout the Arab world to the Iraqi cause—that is the risk, and it is a serious risk. The Foreign Secretary and all his officials in the Foreign Office should be well aware of that risk from their long experience of Arab affairs. We should be urging appropriate caution on our friends in the United States of America. They should be doing everything possible to work with friendly forces in the middle east. I cannot see the sense of driving someone like King Hussein further into the arms of the Iraqi regime ,as seems to be happening just now.

The caution that I am urging there is the caution advocated by my right hon. Friend the Leader of the Opposition in his important speech yesterday. We need scrupulous adherence to the resolutions and to the proceedings of the United Nations. By all means let us reserve the right to use force, but let us try to keep this international team together—it can and should be done. It is imperative that this international campaign be maintained as a genuine and credible United Nations undertaking, with the maximum possible Arab participation.

This is no time or place for a military ego trip by western politicians. There is far too much at stake. There are the lives of British service men, facing the threat of chemical warfare, and the lives of British and foreign hostages. I was greatly relieved this morning to hear that five-week-old baby girl, born to a couple of my constituents in Kuwait just before Iraq moved in, has arrived safely back in Britain today with her mother and twin five-year-old brothers. Her father, Derek Wright, is still in Kuwait and his parents are still there because his mother does not want to leave her elderly husband in those circumstances. Many people are still being held hostage in Kuwait and Iraq and it would be appalling if such people were to become embroiled in any hostilities if that could be avoided.

Apart from the lives at risk, we should remember our long-term interests in the middle east, both political and economic. I therefore appeal most sincerely to the Government to keep in step with the United Nations and to let sanctions work if it is at all possible. Certainly, let us keep military options open, but for goodness sake, "ca' canny"—to use a Scottish expression—and resist the temptation to indulge in reckless rhetoric which could make the situation worse for our people in that part of the world.

This international campaign can succeed with a bit of discipline on the part of the west. It it does, it will be a magnificent precedent to enable the United Nations to confront tyrants and aggressors in many parts of the world in future. It is said that every cloud has a silver lining. If we can set a precedent in these weeks which can establish the United Nations as an effective world policeman to deal with tyrants, aggressors and evil regimes throughout the world, we shall have achieved a great deal. Let us hope that we can follow that through.

12.3 pm

Mr. Robert Hayward (Kingswood): I thank you for giving me the opportunity to speak, Mr. Deputy Speaker. The House will well understand if I consider the issue from a slightly different perspective from that of many hon. Members, and I apologise now for my absence at the end of the debate. Unfortunately, I have to return to a long-standing constituency commitment.

It will prove impossible to summarise in 10 minutes the views and comments that have been made to me by friends and relatives of hostages, because there are as many views, from one extreme to the other, as there are friends and relatives. I again thank my right hon. Friend the Prime Minister for her kind comments yesterday, and the Copleys, the Brookes and British Airways, and all the helpers who have participated so enthusiastically over the past few weeks in the provision of the Gulf Support Group service. I was particularly pleased by the measured comments made during the debate of the past day and a half. On many occasions over the past few weeks, the media have given the impression that the British nation and politicians worldwide were dashing gung ho into war. Clearly that has been laid to rest by the majority of the speeches that we have heard.

In terms of the provision of the helpline and Gulf Support Group service, I pay tribute also to the many voluntary agencies that came forward, including the Samaritans, Childline, Bereavement Services, Cruse, Red Cross, and many others. However, the experience of the past few weeks has convinced me that when a problem arises that is general and not specific, we still cannot cope. Having been a Parliamentary Private Secretary in the Department of Transport at the time of the Lockerbie, Kegworth, King's Cross and Clapham disasters, it depresses me that the public believe that we are capable of providing support services at the drop of a hat, the fall of a plane, or the crash of a train. Unfortunately, that is not the case.

If one speaks to social services departments in county after county, they say that they are ready to provide services—but we had no evidence of that for two weeks. We had to kick-start the social services in most counties into operation, because the relatives and friends of hostages are spread throughout the country. There is also a general supposition—as I heard again on television this morning—that the emotional problems connected with both depression and elation affect only those returning to this country. However, anyone who has been at an airport and observed the families of returning hostages will know that concern and depression is not restricted to them, and that many of the most traumatised people are those waiting for their relatives to arrive. I hope that all services will recognise that fact. There is no shadow of doubt that the most traumatised person at Heathrow airport last Sunday was not someone returning from Kuwait or Baghdad but the father-in-law of a woman who was returning, but whose son—her husband—was not. I ask all services to direct their thoughts to those people, too.

Since the events of 2 August, there has been much criticism of the action of the Foregin Office and of British embassies in the Gulf. Although my comments are relayed in a good spirit, I hope that all those about whom I comment will consider the observations that are being made about them. We recognise that now is not the time to make a detailed analysis of what has occurred. Instead, we must address ourselves to what might happen in future. Nevertheless, we must review all events as they have evolved since early August and ask ourselves whether we could have done better.

I express my great appreciation to my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, who is present in the Chamber, for providing financial assistance and for the much improved support that the helpline has received from the Foreign Office over the past fortnight. It has provided back-up whenever we wanted it, and has offered services that, to be honest, we do not really need.

As to other agencies, I am extremely critical of the media. They seem to have forgotten the relatives and friends of the hostages. A few weeks ago, a letter was published in the *Daily Express* from a gentleman in Saltford who commented that after President Hussein, Britain seemed to be fighting a battle against the media. It seems that at every stage the media have wanted to concentrate on the distress and agony that the situation has created. The media have wanted to hype up the pain.

A headline in *The Sunday Times* quoted Hussein as saying "Babies to starve". He did not say that. I ask the editorial staff of that paper to think how such a headline played on the nerves of all the families involved. It is not just the tabloids who are to blame. In many ways the tabloids have been good. However, the television companies have wanted to show films of the agony experienced.

London Weekend Television made three telephone calls within an hour asking for the names of families so that it could show

"the distress and agony that families are going through."

It really should be ashamed of itself. Independent Television News telephoned one family 30 times up to 1 o'clock one morning because they were related to a hostage. It, too, should be ashamed of itself. There is hardly one area of the national media which I could not condemn similarly. Those who are involved in the helplines and the relatives and the hostages are sick to death of the way in which the media have portrayed the events of the past few weeks. I also want to take this opportunity to condemn everything that Jesse Jackson did at Heathrow last Sunday.

The hostages and their families are in an extremely difficult position. We in our organisation will continue to provide all the help that we can. We know that there are not only many British people out there, but many of other nationalities. Those who have come back and the families of the hostages know that other nationalities are deeply involved.

We in our organisation and, I think, all politicians, would like to say to the hostages' families that they will always be in our consciousness, but, tragically, they cannot direct our foreign policy. If they do that, President Hussein will have won. He has put them in their present position contrary to every convention of international law and practice of the past 50 years. I am sure that the families of the hostages are only too conscious of the fact that it is President Hussein who is abusing their rights. Any slight criticism that they may have of anybody else palls into insignificance against their absolute condemnation of President Hussein's treatment of their families and friends.

12.12 pm

Mr. David Lambie (Cunninghame, South): I do not want to follow the line taken by the hon. Member for Kingswood (Mr. Hayward), except to say that in any war the first casualty is always truth. Now, with organisations such as the Central Intelligence Agency covering the world, more and more disinformation is coming from American sources, to which, unfortunately, our media, including the Scottish media, have been giving great prominence.

Like most hon. Members who have spoken, I too am grateful to my right hon. Friend the Leader of the Opposition for asking for the recall. He should have done it earlier, but the past day and a half has justified the recall. However, I would have been happier if my right hon. Friend had taken the opportunity to recall the parliamentary Labour party to give it an opportunity to discuss the situation and Labour's response to it before he spoke on our behalf at the Dispatch Box.

Listening this morning to the Secretary of State for Defence, I thought that he was trying to justify the military inactivity of most countries, even those in the United Nations who voted for a military adventure in the middle east. My right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) said that he thought that the Secretary of State mentioned that 20 nations were taking part. I thought that the Secretary of State for Defence was trying to camouflage the situation, trying to convince many hon. Members that this is a United Nations venture and not just an American one.

I ask the Foreign Secretary why, after every fact-finding mission by Congress members to the middle east, the first thing that they complain about when being interviewed on American television is the lack of military support from every other country, including troops on the ground from the United Kingdom. The Secretary of State for Defence said that we now have 5,000 military personnel in the Gulf area. Will the Foreign Secretary confirm that 3,000 of them were already in the Gulf, the middle east and the eastern Mediterranean before the crisis? We have moved only a small number of personnel. The Prime Minister yesterday promised to send more forces, but from where? Will they come from Northern Ireland, where we have 10,000 troops? More people are dying in Northern Ireland than are dying in Kuwait. We need troops in Northern Ireland more than we need troops in the middle east.

Listening to the speech of my hon. Friend the Member for Clackmannan (Mr. O'Neill), I wondered to whom he was talking. Was he talking to hon. Members, to the British military establishment, or to our so-called friends across the Atlantic in the United States? I hope that Labour spokesmen are not saying to the British military establishment and to the United States that they do not need to be afraid of a future Labour Government because they would carry out the same foreign and military policies as those carried out by the Conservative Government during the past 11 years.

In the short time available to me, I wish to make two main points. This situation would never have arisen if it were not for the ending of the cold war. If there were still

[Mr. David Lambie]

two major super-powers—the Soviet Union and America—the Americans would never have dared to enter Saudi Arabia and say that they were doing so to defend Arab interests. They would have known that the Soviet Union would immediately come from the north to defend their friends in the northern part of the middle east—*[Interruption.]* Conservative Members sometimes do not like the truth. Like the thugs they are, they think that the only way to silence people is by putting them down. I hope that you, Mr. Deputy Speaker, will give some protection to independent Members.

There is now a world political vacuum. There is only one super-power, and unlike some of my right hon. and hon. Friends I have no faith in the intentions of the United States. I do not want to go over America's recent history, but, as my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) said, they range from Vietnam to Nicaragua to Grenada to the Philippines and to Panama. I have no confidence in the peaceful intentions of the United States. I hope that when Mr. Gorbachev meets President Bush he will make it clear that the Soviet Union will not support any American military attack towards the north out of Saudi Arabia.

I am sure that many right hon. and hon. Members heard Secretary Baker speaking on television last night. He told us that a land embargo and a naval blockade had been put in place and that it would not succeed as quickly as America had hoped. He then said that there might have to be a call for an air embargo on Iraq. I hope that the Foreign Secretary will state clearly that that is not the British Government's policy. I hope also that those of my right hon. and hon. Friends who have decided to support the Government, or to abstain, will consider this serious issue. Which pilot, whether American or British, will be given the first order to shoot down a civilian aircraft which refuses to turn away when it is told that there is an embargo on supplying goods and equipment, food and medical supplies by air to Iraq? I hope that the Foreign Secretary will make it clear also that the policy of Secretary Baker is not the policy of the Government and that on no account will the Royal Air Force be given the right to shoot down unarmed civilian aircraft because they are entering Iraqi air space with food and medical supplies. We could learn overnight that such an aircraft has been shot down.

I fear that there are many in the United States, including the born-again Christians who permeate the Central Intelligence Agency, who are looking for an opportunity to escalate the potential armed conflict. The shooting down of unarmed civilian aircraft could be their first attempt at escalation. I hope that we shall hear from the Foreign Secretary, or from the boss, that on no account will the British Government sanction such a policy.

I ask my right hon. and hon. Friends to stand united. Let us vote against the Government's policies. My constituents and I have more to fear from the British Prime Minister than from Saddam Hussein.

12.22 pm

Mr. Ray Whitney (Wycombe): I agree with only one part of the extraordinary contribution of the hon. Member for Cunninghame, South (Mr. Lambie), and that is that Parliament should have been recalled at an earlier stage. The reluctance of the Leader of the Opposition to exercise his right to ask for the recall of Parliament, and his slowness to do so, was perhaps explained by the speech of the hon. Member for Cunninghame, South.

It is important that the House meets at such a crucial juncture, when we face threats to the interests of the United Kingdom and to the world as a whole. The international community recognises the seriousness of the threats, as do we in this place. The House is sometimes too modest and too diffident and tends to play down the role of right hon. and hon. Members as the spokesmen of their constituents and of the United Kingdom. At such a moment it is right that we should meet to express our views. It is we, not the editors of newspapers, the writers of editorials or the pundits in the media, who speaks for Britain. We were elected to speak for Britain and we should do so. I thank God that we are doing so.

I welcome the extraordinary degree of unity which is emerging as the debate continues. We have discordant voices, but it would be absurd to expect complete unity either in the country or within the House. As a democrat, I welcome that freedom as, I am sure, do all my colleagues. However, I find it lamentable that that note of discord—with only one exception, all such notes came from Opposition Members—is heavily overlaid with primitive and naked anti-Americanism, as was demonstrated yet again by the contribution of the hon. Member for Cunninghame, South.

I am sorry to introduce an antagonistic note, but it needs to be done in view of the contributions that have been made. Opposition Members have frequently sought to draw parallels between what has happened to Kuwait and what happened as a result of American actions in Grenada and Panama. That is deeply offensive. Anyone who seeks to make such parallels should ask the common people of Panama and Grenada whether they are satisfied with what has happened or whether they would prefer a Marxist dictatorship or the corrupt dictatorship of Noriega. Having received an answer to that, they could then go to the common people of Kuwait and ask their view about the actions of America and the international community.

I wish to talk about the British and other citizens held as hostages. Many other important subjects have been covered in this debate, but I regret that not enough has been said about the hostages. I imagine that almost all of us have constituents involved in one way or another with the terrible plight of the hostages. I have no doubt that every hon. Member, whatever view he or she takes on the broader issues, shares our detestation of what is being done to the hostages, for whom our sympathy is unbounded.

I shall offer a personal note—I was held hostage as a diplomat by the Chinese from August 1967 to June 1968. One aspect of being a hostage is that one does not know how long the ordeal will last. That is one of the dreadful uncertainties, quite apart from the hostages' worry about what will happen to them. I lay claim to total sympathy with the plight of those still held in Iraq, and the plight of their relatives and friends in this country. Having said that, it cannot be right for Government policy to be dictated by it. Some 40 diplomats and their families were held hostage in China during those 11 months as a result of the sacking of our mission by the Red Guards. We were held by the Gang of Four, as they were then known, who controlled

China. There was little public attention in this country and nothing on the scale that, rightly, we have now. There was no expectation that British policy then should have been influenced with regard to Hong Kong, or any other aspect of Anglo-Chinese relations, by the fact that the Chinese held us hostage. Sadly, that must be the judgment now with regard to British and other hostages held by Saddam Hussein.

It is time to end the barbarity of hostage-taking. There are two happy sides to this awful crisis. The first is the degree of international collaboration that has so far been maintained. I pray to God that, as the hard realities are faced, that degree of international unity will be maintained. It may not be totally maintained, but we must all seek to keep the high degree of unanimity that we have. We must not sacrifice for legalisms the principles enshrined in the United Nations resolutions relating to the complete withdrawal of Iraq from Kuwait.

The post-cold war era gives the international community a great opportunity to establish a regime in which small nations can live in peace, without fear of aggression from their neighbours. It could bring an end to the whole desperate business of hostage-taking. Only recently we witnessed the horrors inflicted on Brian Keenan, and we tend not to remember as often as we should the plight of John McCarthy, Terry Waite and the other hostages. It is outrageous that we do not, week by week, bring the matter to the attention of the world. I hope that one outcome of the present whole mess will be an end to hostage taking, which is a scar on humanity. I look to those of the Muslim religion who are sincere believers in Islam to join us—sadly, hostage-taking seems at present a feature of Islamic communities—and those of other faiths in bringing the present barbarity to an end.

Above all, the debate has provided an opportunity—accepting that there are voices of discord—to show that the great call is for unanimity in proving that aggression must not be seen to pay.

12.30 pm

Mr. Giles Radice (Durham, North): This has been an excellent debate which has totally justified the recall of Parliament. It is in marked contrast to the Falklands debate on that Saturday in March 1982. I recall returning from the Anglo-German Konigswinter conference at Cambridge for the debate. When I returned to that conference, my German friends expressed amazement at the shrillness, jingoistic nature and excitability of the British Parliament in reacting to the Falklands crisis.

This debate has been sober, realistic and practical. There has been a wide consensus among hon. Members. We have all condemned the Iraqi invasion of Kuwait and its subsequent occupation and annexation. Most hon. Members have supported the impressive international response and particularly the blockade that has been undertaken in accordance with United Nations Security Council resolutions.

There has also been general recognition that we are in for a long haul. There has been little support for the idea of a quick, unilateral, surgical strike, and my right hon. Friend the Member for Leeds, East (Mr. Healey) pointed out the dangers and inadequacies of such an approach.

Most of us recognise that there may come a time when, in support of United Nations resolutions, force may have to be used. But, as the Leader of the Opposition said in his excellent speech yesterday, it is essential that any action has the widest possible international support and is taken in accordance with United Nations resolutions, the UN charter and under international law.

President Bush and his chief Ministers have so far handled the crisis with great skill and intelligence. If any of my hon. Friends doubt that—we have heard one such expression—I urge them to consider what would be the situation if President Reagan were still in office. There would not have been the concern to create such a wide-ranging international consensus, or to work through the United Nations, or the circumspection and restraint that have so far been the hallmark of the speeches and statements of President Bush and Secretary of State James Baker.

Naturally, the Americans want to protect their oil supplies—*[Interruption.]* This is a serious debate and it would be sensible for hon. Members to take it seriously. We all want to protect our oil supplies, and that goes for Japan, the countries of Europe and, as my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) said yesterday, the developing countries of the third world. We all want to protect our oil supplies and we are entitled to do so.

I do not believe that—as my right hon. Friend the Member for Chesterfield (Mr. Benn) hinted—it is the intention of the United States to set up a virtual protectorate in the Gulf. The reality, as we have seen from the tour by Secretary of State Brady, is that the United States can no longer afford permanent involvement on the scale that may well be required if security is to be maintained in the middle east.

I ask my hon. Friends to mark this point well. The new development in American foreign policy—and I believe that we must welcome it—is the realisation in the United States that although the United States remains a super-power, it must act within the widest possible international support. It is only sensible and wise for us to mark that.

My next point—the new and most welcome accord between the United States and the Soviet Union—has been mentioned by a number of hon. Members. It is not true to say that the Soviet Union is no longer a super-power if we judge that by the possession of nuclear weapons and of substantial armed forces. In that sense, the Soviet Union is a super-power. If we had had a middle east crisis on this scale five years ago, we could now be on the brink of world war. The fact that we are not marks the real change and shift that has occurred. In this crisis, the United States and the Soviet Union are co-operating in the Security Council.

The Soviet Union is taking a resolute line with Iraq, its former client. That was illustrated by the polite, but firm reception given to the Iraqi Foreign Minister in Moscow this week. This weekend, President Bush and President Gorbachev will meet in Helsinki, at the request of President Bush, to discuss common strategy over the crisis. That is an enormously welcome development.

The new relationship between the Soviet Union and the United States has breathed new life into the United Nations and has helped to make the response to the Iraqi invasion so international and so effective. We must welcome that and we must hope to build on and develop that constructive accord, which is so promising for the world and for the future of peace.

There is general agreement in the House that we must look beyond the immediate situation and that we must try

[Mr. Giles Radice]

to reach a long-term settlement in the middle east. It is interesting and significant that both Secretary of State James Baker and the Foreign Minister of the Soviet Union, Eduard Shevardnadze, have been talking about longer-term objectives and, above all, about the need to create a more stable order in the middle east, an area which is so vital to the world.

I do not have time to run over what should be included in that long-term settlement. Clearly, we must settle some of the basic disputes, especially, of course, the Palestinian issue. It is vital that we settle that. It is also vital that we come to our senses about exporting arms to the middle east. None of us should forget—and we all have a responsibility here—that the west helped to build up the military might of Iraq. We must draw the appropriate lesson from that and about chemical bans as well.

We must have a new security guarantee in the middle east. I was pleased to hear the Prime Minister talk about the possible role of the United Nations. The Arabs must be involved as well.

I will join my right hon. Friend the Leader of the Opposition in voting for the Adjournment today, not because I am giving the Government a blank cheque—none of us should give any Government a blank cheque—but because I support the Government's actions so far and, above all, because, like my right hon. Friend, I support the case for an effective international response to a clear case of aggression by Iraq.

12.39 pm

Rev. Ian Paisley (Antrim, North): The gravity of the situation cannot be overstated. All right-thinking people do not want war, hate war and want it to be avoided. However, we have to face the fact that there may be war because of Iraqi aggression against Kuwait. The debate is overshadowed by three factors that we should keep in mind. First, we are threatened with a war that will bring into play modern chemical weapons. That is to be dreaded and, if possible, avoided. Secondly, large numbers of our citizens and large numbers of the citizens of our allies are already in the hands of Saddam Hussein. We must never forget the hostages. Thirdly, Saddam has a master card. He could turn his attention to Israel and thereby unite almost all the Arab nations behind him. We should face up to those dark shadows.

Many hon. Members have used the words, "God forbid that this should happen." I echo them. I call on the Prime Minister to go to see Her Majesty the Queen and advise her that this nation should have a day of prayer and humility to ask almighty God to avert this calamity. The battle does not go to the strong or the swift. It is more honourable and ethical to ask for the avoidance of calamity than to call for deliverence from calamity once it has come.

I associate myself with the sympathy expressed to the families of our colleagues who have died since we last met. As an hon. Member representing Northern Ireland, I pay tribute to Ian Gow. He was a personal friend of Northern Ireland and the sympathy of the Province goes to his wife and sons. Ian Gow agreed with the Unionist representatives in their attitude to the Anglo-Irish Agreement.

Many people have castigated the United States and others for their attitude, but it was well for us that we had America and that it was able to do what is has done.

Mr. William Cash (Stafford): And Great Britain.

Rev. Ian Paisley: Yes. Think of what a situation we should be in if America did not have the ability to respond to the call for help from the Saudis.

I support the Prime Minister for backing America from the start. I have never advocated a blank cheque approach in support of American policies. However, there is an inconsistency which galls the Unionists. Let us suppose that an hon. Member suggested that Kuwait and Iraq should have an agreement, and that that agreement should consist of the setting up of a conference with equal numbers of representatives from Iraq and Kuwait, or that the dictator himself should preside at the conference, and that the Kuwaitis should make every effort to agree with what Iraq wants and should bend their energies to that end, and that if at any time the Kuwaiti people wanted to vote themselves into Iraq the Governments of the world should support that. Any hon. Member who said, "That is the answer", would be cried down with the fury of the House. Yet the House, by an overwhelming vote, agreed to the Anglo-Irish Agreement. Hon. Members should remember that the root cause of the trouble in Northern Ireland is a claim of territory.

It is all very well castigating other people for their remarks, but we should look to this House today. In Northern Ireland we have had 3,000 people killed and 10,000 people maimed. A warship being prepared for the Royal Navy was bombed yesterday in the Belfast shipyard. Two nights ago, the police station at Lochgall, where the IRA were defeated a year ago, was devastated in an attack. And the deaths continue. When hon. Members agree to the course that the House is rightly taking, they should have a thought for Northern Ireland and should support the efforts being made to ensure that the Anglo-Irish Agreement is set aside and a new constitutional settlement achieved in Northern Ireland.

I want to say a word about the hostages, the refugees, the countries that are suffering as a result of the embargo and especially the families of the hostages. I pay tribute to the hon. Member for Blaydon (Mr. McWilliam), who spoke of Douglas Croskery, who was an Ulsterman and the first man to die in the Kuwaiti trouble. I should like to say, on behalf of the family represented by my hon. Friend the Member for North Down (Mr. Kilfedder), that we deeply appreciate the remarks made by the hon. Member for Blaydon.

I should like to associate myself with the other remarks that have been made about the suffering of the hostages. I hope that the House will not only take into consideration the countries that are suffering as a result of the embargo, such as Egypt and Jordan, but will remember that many businesses in our country are beginning to suffer and that unemployment will be the result of the pressures of this embargo. I hope that the Government will bear that in mind. I heard on television this morning a statement from the Government that "We must stand up for our ethical principles. Therefore, if people are unemployed it is just too bad." I hope that that is not the official Government view. I hope that they are prepared to help unemployed

people who are put on the dole simply because of the embargo. They deserve the attention of the House and of the Government.

I trust that this war will be averted and that the House will keep its strength and show the world that we will not tolerate aggression. I hope and pray that the matters that we are discussing will continue to have the support of the world community. I believe that if they have worldwide support we have a sharp weapon against Hussein, who may say that this is a west-Arab struggle. That lying propaganda must not be given any credence whatever.

12.48 pm

Mr. David Winnick (Walsall, North): One thing is certain: no hon. Member who has spoken in the debate so far has criticised the recall of Parliament. When the invasion occurred on 2 August I took the view that it would be right for the House to be recalled as quickly as possible. I remembered that in 1968, when I was a Member for another constituency, the House was recalled almost immediately following the invasion of Czechoslovakia.

Earlier this year, on 5 April, I had an Adjournment debate in which I urged

"that the banning of all forms of high-level technology to Iraq should be given the highest priority and that every effort should be made urgently to seek co-operation on that, certainly from the countries of western Europe".—[*Official Report*, 5 April 1990; Vol. 170 c. 1352.]

I also argued that sanctions should include the ending of trade credits to the regime.

When the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Bristol, West (Mr. Waldegrave), who replied to the debate last night, answered my Adjournment debate he disagreed with me on trade credits. His comments were quoted this week on "Panorama". He argued that if we stopped trade credits to Iraq, other countries would step in. That is indeed a familiar argument. I believe that this country, though not so much as France or the Soviet Union, has some responsibility for the build-up of the armaments industry in Iraq. We should recognise that and learn the lessons from it for the future when allowing weapons to be supplied to dictatorships of the most brutal and terrorist kind. According to the "Panorama" progamme, it appears that the company, located in Britain, that has contributed to Iraq's nuclear build-up continues to do that work. That is something which the Government must look into urgently.

I take the view, of course, that the invasion of Kuwait was an act of outright criminality. It is, as we all know, a blatant lie that the Iraqis had been invited in by opposition elements. That lie hardly lasted a single week. Shortly after we were told that Kuwait was just another province of Iraq and that that could not be changed. People such as myself, who were not around here at the time but who know it from contemporary history, must surely recall what happened in 1938 when Nazi troops marched into Austria. It was said then that, arising from the wish of the Austrian and German people, it was one greater German nation. The same familiar lie has been repeated now in endless propaganda from a terrorist dictatorship.

I also take the view that the Security Council acted correctly and promptly. The resolutions on sanctions and the blockade that have been approved should ensure that Kuwait is freed from enemy occupation. The international community should not be satisfied with anything less. Kuwait must be freed. If that is not achieved, everything that we are doing will have been a waste of time. The primary objective is that Kuwait should be freed from occupation. There can be no negotiations, no deals on that basic demand.

I do not accept that in return for ending the occupation, some offer should be made to the criminal regime in Iraq. Various suggestions have been made on the international scene and by a few hon. Members in our debate. It has been suggested that an island here or an island there should be given to Iraq. That would be rewarding the aggressor. It is not the job of the inernational community to find ways in which a dictator can, somehow, save face. He took upon himself the responsibility of that invasion. He must bear that responsibility to his own people and to the international community.

Some have argued that what is required is an international conference—it has been said by some of my hon. Friends and a few Conservative Members—to try to settle a number of outstanding issues in the middle east, including the present crisis. I agree with some of the aims of such a conference. Much reference in the debate has been made to the Palestinian issue. I have never disagreed that that is a very important problem. I speak as one—I have never been ashamed of it—who believes that it was right in 1948 that the state of Israel should have been set up, for obvious reasons. But if the Jews have a right to a homeland of their own, so have the Palestinians. I have harshly criticised, and I shall continue to do so, the outlandish and hawkish ways in which successive Israeli Governments have acted.

I took part here in some of the exchanges in 1967. It is true that at that time Israel took upon itself that aggression, but, by heavens, it was provoked into so doing. In 1973 it did not, rightly or wrongly, take upon itself that initiative, but in 1967 it came to the conclusion, as most people did, that, as in 1948, the Arab world was going to invade. As a result, the occupied territories were taken. There were no occupied territories before then. My criticism of Israel is that, having gained those occupied territories, it should have used them for negotiating purposes, rather than taking the line that has unfortunately been taken and stating that the land is all part of Israel and should remain so.

Surely the difference between Kuwait and the occupied territories, is that since 1948 there has been a state of war between Israel and most of the Arab world; there was no state of war between Iraq and Kuwait. If Kuwait is to be criticised, it must be for the way in which, over the past few years, it has done everything possible to appease the dictatorship in Iraq, advancing loans of every conceivable kind.

When some of my hon. Friends say, "Let us have an international conference in the first place", my mind goes back to 1956. I was not a Member of Parliament then, but on Sunday 4 November I demonstrated up the road in Trafalgar square. I was deeply angered, shocked and humiliated by what the Tory Government had done: in my opinion it was a criminal act with no justification, and, although that view may have been shared by a minority in the country, it was a pretty sizeable minority.

I did not say with others opposed to the aggression then that an international conference should first take place; nor did my right hon. Friend the Member for Chesterfield (Mr. Benn), who at that time represented a different constituency. We said, first and foremost, that what the

[Mr. David Winnick]

Eden Government had brought about—criminal aggression—must be ended. For all sorts of reasons, as we know, it was ended.

If Labour Members were right to say that 34 years ago, when aggression was perpetrated by a Government in this country, how can we now be indifferent to what a terrorist dictatorship has done in Kuwait? How could we be consistent if we were not equally angry and dismayed, and as determined about the freeing of Kuwait as we were 34 years ago about the Suez operation? I see no inconsistency. I believe that we should always oppose aggression in all its forms, and I shall continue to do so.

What if the sanctions and the blockade do not achieve our objective? I have already stressed that that objective must be the freeing of Kuwait, and I accept the possibility that the sanctions and the blockade will not achieve it. I believe, however, that it is essential to allow time for sanctions—strictly applied—to work. The regime is not likely to be brought to its knees within a few weeks: it has a certain amount of reserves and resilience. Nevertheless, it appears that sanctions are already beginning to bite, and, if that is happening after such a short time, it would indeed be foolish to conclude that they are not going to work. We should give them time—and that view should, I believe, be adopted by the leading player in this matter the United States. If I had to choose between the editorials in *The Times* and those in *The Daily Telegraph*, I would opt for *The Daily Telegraph*, which has argued strongly for caution and for allowing the sanctions policy to work.

On the other hand, if sanctions ultimately do not work —I shall speak frankly; we are all responsible for our words—I believe that force should be used. To say otherwise would be inconsistent with what I have already said: that Kuwait should be freed from enemy occupation. Let me strongly urge, however, that the broad alliance that has come into being be maintained. My right hon. Friend the Leader of the Opposition was absolutely right: if force is to be used, it must be used with the approval of the United Nations.

A broad consensus should be maintained at all times to isolate the terrorist regime, and to ensure that as much international support as possible is maintained by Britain, the United States, other powers and those Arab countries that understand how essential it is for the consequences of the aggressive act committed on 2 August to be brought to an end.

12.58 pm

Sir David Price (Eastleigh): The last time I addressed the House on the subject of a crisis in the middle east was 13 September 1956. On that occasion I followed the then hon. Member for Bristol, South-East; yesterday we heard from him again wearing the rather different motley of the right hon. Member for Chesterfield (Mr. Benn). Then, as now, we took rather different views of the crisis. To put it at its simplest at this late hour in the debate, the right hon. Gentleman profoundly distrusted the Government. This time he has added his profound distrust of the Americans. On both occasions I express my trust of the Government and on this occasion of the Americans.

At this late stage in the debate the House will be relieved to hear that I shall not attempt to give my analysis of what has happened in the middle east over the past 34 years and of how we should handle the crisis. I shall raise only one or two human problems which I hope will command the attention of the House and further action by the Government.

I hope that the House will agree that it is insufficient to say that we support the implementation of the international rule of law. We must also pick up the casualties of such implementation even though the origin of their situation is Iraqi aggression.

As my right hon. Friend the Minister of State, Foreign and Commonwealth Office, said last night in his winding-up speech, we are talking about Saddam Hussein's refugees. However, the plain fact is that we have to cope with the situation as we find it. Our embassies in Kuwait and Baghdad are doing everything that they can for our own people. The criticisms that have been made are ill-placed, given the remarkably difficult circumstances in which the embassies have been working. Before this debate is over, we should make it clear that we pay the fullest tribute to what our staff there are doing.

When those British subjects get out of Iraq and Kuwait we should do more. First, when the aircraft come back full of British refugees there should not only be immigration officers to meet them but people from the Department of Social Security to offer immediate help. Although the majority have families to go to, there is evidence that some arrive penniless and dispossessed. I am sure that the House will agree that they have a call upon our resources just as our prisoners of war did at the end of the war when they came back from various camps in Germany and the far east.

Secondly, my hon. Friend the Member for Kingswood (Mr. Hayward) told the House about some of the problems that he has encountered in his self-help group. I suggest to the House that we have reached the stage at which it is insufficient to rely upon voluntary assistance, and it should be taken over officially because the scale of the numbers is too great to expect purely voluntary organisations to cope with it.

Moving from the subject of our own people to the problem of the many foreign nationals who have been caught in Kuwait and Iraq—some 2·5 million people—we have heard of the plight of many of these refugees when they reach the Jordanian border. The figures are uncertain, but it is thought that about a quarter of a million people are on the Jordanian side of the border. As part of the world community and as co-sponsors of the Security Council's resolutions, we have a responsibility for these people, and that has been acknowledged by my right hon. Friend the Prime Minister. Last night she gave us the good news that we are to increase our contributions to a certain international organisation, and that is greatly to be welcomed.

I suggest that there are four specific measures that the British people can take through the Government now. The first is to make use of that admirable body the Royal Army Medical Corps. It has field ambulances which are self-contained so that when it goes on a job it does not make any demands on the resources of the country that it is going into. It did excellent work in Nepal two years ago and this would be a proper civilian use of military personnel. One of my hon. Friends made the suggestion in general terms that the military should be used, and here is an excellent opportunity to do so at once. As I have some experience of the Royal Army Medical Corps, I can assure the House that it is excellent.

I would like us to send also members of the Royal Engineers—some field squadrons of sappers, who are extremely versatile. We talk about refugee camps, but none exist. Something must be built as temporary accommodation. The Corps of Royal Engineers is superb at that kind of task, being extremely efficient and adaptable.

Right hon. and hon. Members referred also to the need for drivers and to maintain trucks under difficult conditions in the desert. The Royal Corps of Transport is extremely experienced in such work.

Anyone who is worried that sending British soldiers to do a civilian job in Jordan would create problems with the Jordanians may be assured that that would not arise. King Hussein above all knows the merits and the capabilities of the British armed forces, having himself been trained by them and having had a long association with them. I am sure it is a challenge that our armed forces would take up willingly.

Finally, I suggest to my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs that there are surplus civilian aircraft available for charter as we come to the end of the holiday season which should be used now to take foreign nationals from the Gulf to their various home countries, such as India, Pakistan and Bangladesh.

I hope that my right hon. Friend will respond to those four specific proposals so that something can be done now. The scale of the problem is quite hideous. If we ask ourselves the old question, "Who is my neighbour?", I am clear that the refugees near Amman are my neighbours.

1.6 pm

Sir David Steel (Tweeddale, Ettrick and Lauderdale): As we near the end of our two-day debate, we can be thankful that the tone was set at the very beginning, in the speeches of the Prime Minister and the Leader of the Opposition, and has moved the House towards a fairly clear consensus on how the Government should react to the events in the Gulf.

There has been total agreement in the House that a unique attempt to obliterate a member state of the United Nations must be reversed. There has been almost total agreement in the House that the economic blockade should be supported and made effective. There is almost universal hope in the House that sanctions will work, and there is the nearly unanimous view that if they do not or circumstances make it necessary, force may have to be used on behalf of the Government and people of Kuwait.

There was also a general echo of opinion on both sides of the house that if it proves necessary to use force, the widest possible international agreement is essential. There is a widespread feeling in the House that any kind of single United States adventure, with the United Kingdom in tow, would not be welcomed. There is a broad view across the House that further agreement in the United Nations is desirable, and, if that is not available, at the very least, that all 20 nations involved in the present forces, plus the two super-powers, should have to consent to any military activity. That is why this weekend's summit between Mr. Gorbachev and President Bush will be so important.

In the light of what I perceive to be a great consensus in the House, some of us repudiate the comments made yesterday by the right hon. Member for Chesterfield (Mr. Benn). I do not doubt his sincerity in such matters, but I am not alone in resenting his suggestion that those of us who vote in the Aye Lobby this afternoon will somehow be voting for war, while he will somehow be voting for peace. That suggestion cannot be allowed to stand, because it is not true. When my right hon. and hon. Friends and I go into the Lobby this afternoon in support of the Government, we shall be saying that we acknowledge that hundreds of our own civilians, as well as thousands of our troops, are at risk in the Gulf. We recognise that the Government have access, which we do not have, to intelligence reports and, increasingly in this day and age, to satellite reports on the situation in Iraq. Therefore, Opposition Members and Government Back Benchers must wish Ministers well in the appallingly difficult judgments that they may have to make in the weeks ahead. That is the spirit in which we shall go into the Lobby today. It is nothing to do with advocating war as against peace.

I have just four points to make. First, we have not paid enough attention to the refugee problem. It is right and natural that the Government and the House should express great concern about the hundreds of our people whose lives are at risk in the Gulf. That is wholly proper. But we should also recognise that hundreds of thousands of people have been dispossessed as a result of Saddam Hussein's actions.

The right hon. Member for Chesham and Amersham (Sir I. Gilmour), who has been to Kuwait far more often than I have, made a telling point when he said that after the invasion nobody could be found in Kuwait to man a substitute Government on behalf of Saddam Hussein. The truth is that Kuwait was, as we know, a rentier economy. A great proportion of its population sent remittances home. It comprised Bangladeshis, Pakistanis, Indians, Filipinos and so on. The image that Saddam Hussein tried to create of his marching in against a privileged royal family is not true. He has wrecked the hopes and the livelihoods of thousands of the poorest people of the world.

Mr. Ian Bruce (Dorset, South): Will the right hon. Gentleman give way?

Sir David Steel: I am reluctant to give way, because, like everybody else, I want to be brief.

Welcome though the extra money announced by the Prime Minister yesterday is, the refugee problem will not be solved by the signing of cheques. I echo what the hon. Member for Eastleigh (Sir D. Price) and the right hon. Member for Old Bexley and Sidcup (Mr. Heath) have said. If we have spare aeroplanes, now is the time for them to be sent to Jordan to help in an immediate airlift to deal with the refugee problem.

Secondly, one of the lessons of this episode is that the world community must now come to grips with the appalling problem of the free sale of arms and equipment round the world. There is nothing more deeply hypocritical than the way in which the developed nations have poured arms into the middle east and then stood around collectively wringing their hands the minute they were used. We have reaped the benefits of the profits of arms sales from all round the world. The two biggest suppliers to Iraq were two of the permanent members of the Security Council—the Soviet Union and France.

My mind goes back to a speech made in 1980 at the Liberal international congress by Hans Dietrich Genscher,

[Sir David Steel]

the German Foreign Minister, calling not for a stop to arms sales—we are not as romantic as that—but at least for an international register of arms manufacturers and sales under the authority of the United Nations. It is time, 10 years on and in the light of what has happened, that that idea was firmly pursued by the world community. We cannot continue to traffic in the weapons of death for profit in the irresponsible way in which we have.

Thirdly, many hon. Members have referred to the wider situation in the middle east. It is true that the Israeli occupation of the west bank and Gaza has gone on for a long time. Again, my mind goes back to my time as a young Member of Parliament when I was dispatched as a member of the parliamentary delegation to the United Nations General Assembly in the autumn of 1967. That was the time when Lord Caradon, whose passing we all mourn this week, was our Minister at the United Nations. To him more than anyone else were attributed the efforts to secure the passing of resolution 242. That was a great act of international statesmanship. But the trouble is that, for 23 years, resolution 242 has remained nothing but a piece of paper. Action on it has not taken place. That was because of the continuation of the cold war. The Soviet Union saw in the middle east the possibility of latching on to a conflict, and using it as part of its expansionist plans. That meant that resolution 242 could never be put into effect and become a reality.

Unhappily, when the thaw came, we and the rest of the world were, understandably, taken up with other excitements. With the dismantling of the Berlin wall and events in southern Africa, we took our eyes off the middle east. But we must return to it now and admit that that area of conflict has been neglected for many years.

I agree with those who yesterday said that King Hussein of Jordan had been rather badly treated. We have not recognised the great difficulties that he, in particular, has had in his country. I do not deplore his efforts at continued dialogue and discussion, together with the Secretary-General of the United Nations. Like the Minister of State, I regret the decision of the Palestine Liberation Organisation to support Saddam Hussein, but we must analyse why that has happened. In May, I went to Tunis to meet Yasser Arafat and the Secretary-General of the Arab League. I took careful note of what they said to me. They both registered their dismay at the lack of positive response from Israel and the western powers to Yasser Arafat's initiatives. They said that most radical and extremist forces were liable to say to them, "What is the use of promising to abandon terrorism or recognising Israel's right to exist if it produces no peace?" They said that the pressure for war and terrorism thus increases, so that so-called moderate Governments in the middle east come under threat from fundamentalists hostile to the lack of progress towards a peace settlement and the lack of justice for the Palestinians.

Unhappily, those words have come true, only a few weeks after they were uttered, through the support that has been given to Saddam Hussein and the way in which he has been able to latch on to the Palestinian grievance and attempt to undermine—thankfully, so far unsuccessfully—the Governments of Jordan and Egypt.

The House has an obligation to tell the Government that, because we have such good support from so many Arab friends in the current operation, we should say to them that when the crisis is over we will recognise that we have been a little lax—especially successive Governments of the United States—and that we will deal with the Palestinian grievance and with the wider issue of the middle east peace settlement. We must return it to the front of the international agenda.

Fourthly, when in the past I have discussed with Israeli politicians the question of a demilitarised zone in the west bank, they have pooh-poohed that because of the vulnerability of their territorial position—and they had a point. However, are we now moving into a more hopeful era? I welcome what the Prime Minister said yesterday about a better world order, in which the United Nations, because of the co-operation of the super-powers, will have real bite and authority. In such a position, to talk of a long-term United Nations role in the middle east, as part of the peace settlement, is no longer fanciful but a realistic proposition.

Out of this great turmoil must come some signs of hope. I welcome what the Prime Minister said yesterday and I am glad that she has moved away from her unfortunate remarks in Helsinki when she criticised the lack of effort by our fellow Europeans, and I am glad that the Secretary of State for Defence paid tribute to them today. It was rather as though Churchill, in the middle of the last war, had said, "We do not think that the French Resistance is doing enough." The Prime Minister's observation was not helpful, and neither was her vision of NATO instead of the United States becoming the new world policeman in out-of-area operations.

What we must look for, and the Prime Minister rightly referred to this yesterday, is the possibility of the United Nations, because of the way in which it has tackled this matter, realising the dreams of its founders and becoming an effective world policeman. If that happens, some good will have come out of this terrible tragedy.

1.18 pm

Mr. Churchill (Davyhulme): It is always a pleasure to follow the right hon. Member for Tweedale, Etterick and Lauderdale (Sir D. Steel), and I congratulate him on his robust remarks. I endorse his call for Britain to take the lead in establishing an airlift to transport the refugees from Jordan.

The debate has shown a remarkable degree of unanimity in all quarters in condemning the Iraqi invasion and in expressing determination to see the liberation of Kuwait and the restoration of its legitimate Government.

I preface my remarks by joining those who have paid tribute to our late and valued colleague, Ian Gow. He was a loyal servant of this House, a courageous patriot and a dear friend to many on both sides of the House. He will be sadly missed. Our condolences go to his widow, Jane, and their two sons.

How tragic it is that just as 45 years of cold war confrontation was coming to an end, and we seemed to be moving into smoother waters, we should find ourselves confronted by a grave threat from an entirely different quarter. This is not a crisis which has crept up on us unannounced. Ten years ago, on 11 July 1980, I had occasion to warn in an article in *The Times* of the determination of the Iraqi Government to acquire weapons of mass destruction, and was the first to report the fact that the Government of France had delivered to

Iraq 72 kg of weapons grade enriched uranium, sufficient to make three nuclear weapons. It would be difficult to conceive of a more reckless or more venal action by a democratic Government.

Thus, it is not just private companies have enabled Saddam Hussein to acquire weapons of mass destruction. Governments have done so as well, including one of our principal partners within the European Community. I find that both appalling and unacceptable. Of course, a year later the Israeli air force took out the Osirak facility, thus nipping Iraq's nuclear capability in the bud and postponing its realisation for an entire decade. For that act Israel was roundly but, in my view, wrongly and regrettably condemned by the world community.

Iraq's invasion of its defenceless neighbour Kuwait was a clear act of war, a flagrant aggression and an act of defiance against the entire international community. Were Iraq to be allowed to get away with such behaviour, international relations would be back to the law of the jungle. That is why the Iraqi dictator must be stopped. Saddam Hussein has thrown down the gauntlet to the world. There can be no doubt that, but for the magnificent and swift response of the United States and Britain, Saddam Hussein's forces would today be occupying Saudi Arabia, and the United Arab Emirates would be under threat. At a stroke, he would have gained control of over half the world's proved oil reserves and posed a mortal threat to all the industrialised nations.

We owe a great debt to President Bush and our United States ally as well as to Her Majesty's Government, my right hon. Friend the Prime Minister and my right hon. Friends the Secretaries of State for Defence and Foreign and Commonwealth Affairs for their swift and sure response to the crisis. It is at times such as this that the British nation appreciates the qualities of the strong and decisive leadership of my right hon. Friend the Prime Minister.

I congratulate also the Leader of the Opposition, who has spoken so robustly for Britain and not in a party political way. He has given his wholehearted support to the Government in calling for the defeat of Saddam Hussein. It is heartening that that robustness has been echoed in every quarter of the House.

Round one has gone to the Allies. The Iraqi conquest of Saudi Arabia has been forestalled. But what next? It is possible, of course, that Iraq will strike at the allies. As each day goes by, however, that becomes less likely. Nor is it by any means impossible that Iraq, with its back to the wall and isolated even within the Arab world, will launch a surprise attack against Israel, to turn a blatant act of aggression against a Muslim and Arab neighbour into an Arab-Israeli confrontation. In either case, that would mean war.

But, what if Saddam Hussein does not strike? Of course, we all wish to see the crisis resolved without further military action, but, barring a coup in Baghdad, that seems increasingly unlikely. It is argued from many quarters that we should allow time to let sanctions work, but what

It is true that the United Nations has never been so unanimous in the face of aggression. It is important that the international coalition that has been put in place should be kept in being as far as possible. It is also true that, given Iraq's geographic position and the political line-up against her, there is greater prospect of sanctions being effective in this case than in any other. No Iraqi oil is being exported and no oil revenues earned. Even so, it will be many months before the oil embargo brings Saddam Hussein to his knees.

The logic of the position adopted by those opposed to allied military action in any circumstances is that they favour a policy of mass starvation of the Iraqi nation, and the hostages being held by Iraq, and ultimately, if that policy were to fail, there would be an ignominious withdrawal by the allies. That would leave Saddam Hussein as the victor, the conqueror of Kuwait, possessed of weapons of mass destruction posing a constant and immediate threat to Saudi Arabia and all the Gulf states. That would be a catastrophe of enormous proportions which would leave Iraq's Arab neighbours and Israel at the mercy of a monster who has chemical weapons at his disposal that he has repeatedly used against combatants and non-combatants alike in the Iran-Iraq war, and even against his own civilian population in Iraqi Kurdistan.

Today, Iraq possesses not only chemical weapons, but biological ones, together with the means of dispensing them by air, by multiple rocket launchers, with Frog and Scud missiles. The Scud missiles have been modified by the Iraqis to give them a range of 600 km and they now hold the entire population of Israel under threat. It will not be long before Iraq acquires nuclear weapons, which it has been working to secure for more than a decade.

If there is to be peace and stability in this part of the middle east, Kuwait must be liberated, Iraq deprived of its weapons of mass destruction and Saddam Hussein defeated. That will almost certainly require military action. By taking the initiative, the allies will drastically reduce the casualties to our own forces, as well as limit the suffering and loss of life among the Iraqi population that would result from a prolonged siege.

Britain's prompt deployment of Royal naval ships and Royal Air Force squadrons to the Gulf was an entirely appropriate response to deter the invasion of Saudi Arabia and enforce a naval blockade.

Mr. Flannery *rose*——

Mr. Churchill: I am sorry, but I shall not give way.

The confrontation in the Gulf is now moving into a new phase, with more than 100,000 United States forces so far deployed. If Kuwait is to be liberated, Britain must play her part on the ground as well as in the air and at sea. The time has come to deploy to the Gulf ground forces with elements of 5 Airborne Brigade, 3 Royal Marine commando brigade and armoured forces. It is becoming urgent for a unified allied military command to be established under a United States supreme allied commander. That must be a structure in which Britain, as well as Saudi Arabia, plays its part.

We have full confidence in our armed forces; there are none finer in the world. We know that they will acquit themselves with distinction if they are called upon to engage the enemy. As a precursor to the liberation of Kuwait, if our own and allied casualites are to be kept to a minimum, which is of the essence, the allies must not shirk from making a pre-emptive strike, if need be, to take out Iraq's air force, missiles and weapons of mass destruction. Thereafter, the Iraqi army, the fifth largest in the world, will be at the mercy of the high-tech weapons deployed by the allies. The crews of Iraq's 5,000 tanks will be running for all they are worth to escape their fiery coffins.

[Mr. Churchill]

Let there be no doubt that time is running out for Saddam Hussein. Let the message go out from this House today that if Her Majesty's Government and the Government of the United States decide on military action to resolve the crisis, they can count on the full-hearted support of the House and the nation.

1.29 pm

Mr. David Young (Bolton, South-East): There is little divergence of view in the House about the action that has so far been taken. But there are no winners in war. While war might eventually happen, we must give sanctions a chance and try to see that diplomacy and sanctions create the result that we want to achieve.

There is no anti-Americanism in asking that militarily we proceed under the rule of the United Nations. If a pre-emptive strike allowed it to be argued that America had used an international force to secure national oil interests, that would be the death of the United Nations for the foreseeable future.

The Arabs represent the key to achieving a solution. The average Arab sees America as the country that could have brought the Israeli Government to the conference table and, that opportunity having been ignored, he then watched on his television the smashing of the limbs of prisoners held by the Israelis.

We seek the removal of Saddam Hussein's troops from Kuwait without conditions being applied to that withdrawal. The settlement thereby achieved must represent the backcloth to future peace throughout the middle east, with countries of Arab and other nationalities conforming to the same rule of law. We are seeking not simply to put down one dictator but to preserve everlasting peace in an area in which war may come to the people not only of that area but of the whole world.

I beg that the refugees in Jordan are seen as people whose only fault was to be in the wrong place at the wrong time. The whole world must help to resolve their plight.

I have constituents who are relations of people held in Iraq. They do not want to hear threats about bringing dictators to trial. That does not make them feel that their relations, who might have to give evidence, will be safe. They appreciate that the blackmail that Saddam Hussein is attempting to inflict cannot determine British policy. But the refugees are our people and we must seek not only to get them all returned but give active Government support financially to the relations here. For example, a constituent of mine had her quarterly telephone bill doubled when her husband was mising for just 10 days. Such people require Government as well as voluntary support.

I shall support the steps that are being taken so long as we proceed under the aegis of the United Nations. In saying that, I believe that I speak for hon. Members in all parts of the House.

Mr. Speaker: I call Mr. Gerald Kaufman.

Miss Kate Hoey (Vauxhall): On a point of order, Mr. Speaker. I appreciate very much your difficulty in balancing the debate and in calling speakers. However, it is important to point out that men make wars and that women bear the consequences. Not one women Member from any party has been called——

Mr. Speaker: Order. This takes time out of the winding-up speeches. I have done my best to balance this debate. Even if we had had a four-day debate, it would have been difficult to get every hon. Member in.

Mrs. Alice Mahon (Halifax): Further to that point of order, Mr. Speaker. The whole country will have noticed that out of the many speakers, the only woman called was the Prime Minister. The country will have taken note of the fact that this institutional sexism leads to a less balanced and less representative debate.

Mr. Speaker: I believe that the whole House accepts that we are all elected here as Members of Parliament to represent our constituents.

1.35 pm

Mr. Gerald Kaufman (Manchester, Gorton): The Opposition asked for the recall of Parliament because we felt that there was an important role for the House of Commons to play in defining the nature of the crisis caused by Iraq's invasion of Kuwait, the response that our country and the world community should make to that crisis and the outcome that we wish to see. The debate has justified the recall.

Why has the world reacted so unprecedentedly to Iraq's invasion and illegal annexation of Kuwait? Some say that the response is simply a self-interested western reaction motivated by concern for oil prices and for oil supplies. I respond to those who offer that argument with a question. Why did Saddam Hussein invade Kuwait? It was not for some noble ideal and it was not even because of his grievance about the adequacy of Iraq's outlet to the Gulf. Saddam Hussein committed his aggression precisely and solely for oil—its production level and its price.

The hon. Member for Northampton, North (Mr. Marlow) said yesterday that if Kuwait grew carrots rather than pumped oil, our forces would not be there. If Kuwait grew carrots rather than pumped oil, Saddam Hussein would not have invaded Kuwait.

It is entirely proper that Saddam Hussein's aggression should receive a response, although it is far less proper that the petrol companies should so greedily seek to cash in on a grave crisis. British service men are not readily accepting the hazards and hardships of service in Saudi Arabia to defend the right of BP and of Esso to put up their prices.

The response is not solely a western response. The most significant aspect of the reaction is its near universality —from the Soviet Union, from China, from our Commonwealth partner Australia, from the non-aligned countries and from the Arab and Islamic countries. It is a global response and that is right, because the crisis is a global crisis. Saddam Hussein has not simply sought to obliterate a small neighbour. He has destabilised the Arab world and split the League of Arab States. He has destabilised the Islamic world from the Atlantic to the bay of Bengal.

Saddam Hussein has done a cynical disservice to the cause of the Palestinians whom he claims to champion. He has created a horrific refugee problem on his border with Jordan. He is callously victimising fellow Muslims and others from the third world. He has taken innocent women, children and men from many countries as hostages to act as a human shield behind which his army can hide. He has brought crisis, anguish and economic misery to third-world countries such as India, Pakistan

and Bangladesh. Above all, he has raised the spectre of a chemical and nuclear war which would not stop short at the immediate middle eastern region, but could engulf the whole world. That is why the response to his aggression has been a world response and an unprecedented response.

The response has been twofold because the problem is twofold. First, there is the determination of the United Nations Security Council to oust Iraq from Kuwait. Let us be clear. Every one of the Security Council's resolutions has specifically laid down that the withdrawal should be unconditional, and unconditional means no concessions to Iraq. Resolution 660 perfectly properly recommends intensive negotiations between Iraq and Kuwait for resolution of their differences but negotiation must be after Iraq has withdrawn. As resolution 661 lays down, it must be after

"the sovereignty, independence and territorial integrity"

of Kuwait has been restored.

When I meet the Kuwaiti Government in exile in Taif next week, I shall tell them of my party's support for that objective and the measures adopted by the United Nations to achieve that objective, including the stringent sanctions laid down in resolution 661 and the naval interception and interdiction authorised by resolution 665—a resolution for which I, on behalf of the Labour party, repeatedly pressed. I shall tell them that we shall support an air blockade if that is what the Security Council authorises. I am glad that the United States Secretary of State, Mr. James Baker, has made clear this week that an air blockade depends on obtaining a Security Council resolution. If the international community persists with these measures, and maintains its unity, sense of common purpose and determination, sanctions can succeed. We must make sure that they do succeed.

The second response has been to the threat by Iraq to Saudi Arabia. That threat is based not on the jihad—the holy war—that Saddam Hussein has belatedly proclaimed, but on his greed for Saudi oil as well and on the stranglehold on the world economy that possession of such oil would give him. There is no doubt that Saddam Hussein meant to go into Saudi Arabia. That is why it was not only proper but essential to deter such an attack by the speedy deployment of outside forces, requested by Saudi Arabia under article 51 of the United Nations charter. Earlier today, the Secretary of State for Defence made it clear that our forces in Saudi Arabia are there at the specific invitation of the Saudi Arabian Government, under article 51.

When I meet the Saudi Government the day after tomorrow, I shall tell them that the Labour party fully supports the measures taken under proper United Nations authority, to ensure that their country is not raped as Kuwait was.

Mr. Flannery: We are in the Gulf under the auspices of the United Nations, not selectively but totally. Is the Labour party now to be selective? Will we decide that article 51, which the Prime Minister loves dearly, will allow us to attack? That is the problem that worries many honourable and sincere Members.

Mr. Kaufman: My hon. Friend has raised a point to which I shall be coming in detail.

The lawful and necessary deterrence of the threatened invasion of Saudi Arabia requires the assistance—assistance invited by Saudi Arabia, as is her right—of forces from other countries, from the United States, from Egypt, from Syria, Morocco, Pakistan and Britain. When I visit members of our service units in the Gulf next week I shall tell them—our constituents and the husbands, sons and brothers of our constituents—that they have the full support of Her Majesty's Opposition in the job that they are doing to stop a second Iraqi invasion.

We in the Labour party are sure that both operations are essential and that both are clearly authorised under United Nations resolutions and the United Nations charter. From the day that this crisis broke, the Labour party has advocated and supported action to reverse Iraqi aggression and to deter further aggression. We have advocated throughout that such action should take place under the clear and unquestionable authority of the United Nations charter. We welcome the consistent record of the United Nations and the consistent record of the United Kingdom Government in taking action only under the clear and unquestionable authority of the United Nations.

If there is a vote today, we shall vote for the Adjournment of the House to express our satisfaction that all action taken so far has been of a kind that we have advocated. We shall be voting on what has been done so far. We shall not be voting to give a blank cheque for whatever action may be taken in the future. No Government in a democracy could expect such a blank cheque and no Opposition, however loyal, could sign one.

We urge that all action taken by the United Nations and by the Government will in future continue to be of the kind that we continue to advocate. If it is, we shall welcome it, as we have welcomed action so far. We believe that any further operations found necessary, such as an air blockade, should, like operations already undertaken, be clearly and unequivocally authorised by the United Nations.

When, early in the crisis, the Government informed me that they believed that United Nations authority under article 51 could be argued for a naval blockade, I, having called for a naval blockade immediately Iraq invaded, responded that being able to argue a case under article 51 was not as satisfactory as being able to demonstrate clear and unequivocal authority. By going back to the Security Council for a resolution, the Government eventually and rightly took that course. It will always be better for the Government and our other partners and allies to take that course. It is not enough to be able to argue a technical case under article 51. The Soviet Union, China, the Arab nations and many others must be convinced of the appropriateness of action if it is to win consent and carry support.

The Prime Minister said yesterday:

"We will need to look to the future, the time when Iraq has withdrawn from Kuwait, as it must, and the legitimate Government have been restored. There will then need to be arrangements to ensure Kuwait's security and that of other countries in the region. I believe that this will need to involve the United Nations." *[Official Report,* 7 September 1990; Vol. 177, c.742.]

The Prime Minister was absolutely right to say that. It is a course of action that we, too, have consistently advocated. If the United Nations is to take the action that the Prime Minister proposes, as I hope that it will, it needs to continue to maintain its coherence and its effectiveness. It can do so only if its approach since the crisis began is maintained and safeguarded. If the international consensus is broken as a result of action that key permanent members of the Security Council either cannot

[Mr. Kaufman]

support or actively oppose, not only will there not be an effective United Nations machinery available to police a settlement but there will not be a settlement to police.

It is crucial that there be such a settlement and that the objectives of the two operations now in progress be achieved, because, even if we achieve these objectives, as we must, the middle east will be no more at peace than it was five weeks ago before Saddam Hussein committed his aggression. The Palestinians will still be denied their right to self-determination and huge numbers of Palestinian refugees will still be rotting in refugee camps. Israel will still be eyeball to eyeball with Syria and in a state of war with Jordan. Lebanon will still be a tormented land, with foreign hostages, including John McCarthy, Terry Waite and Jackie Mann from Britain, held there and foreign troops from Syria and Israel installed there. The whole region will still be a bazaar in which arms are sold to the highest bidder, or doled out free to the most congenial recipient. The middle east will still be a powder keg liable to explode, as it has exploded so often before.

That is why, on behalf of our party, I have advocated that once Iraq is expelled from Kuwait—I repeat, once Iraq is expelled from Kuwait—and only after our objectives are clearly achieved, there must then be an international conference, under United Nations auspices, to negotiate a settlement of these dangerous issues.

When I made that proposal last weekend, a foolish newspaper, which used to carry some authority in this country, derided my party's policy as being somehow a kind of concession to Saddam Hussein. We cannot allow Saddam Hussein to dictate the middle east agenda, either positively or negatively.

Mr. Jonathan Sayeed (Bristol, East): Will the right hon. Gentleman give way?

Mr. Kaufman: I hope that the hon. Gentleman will forgive me for not giving way, but I do not wish to take up the Foreign Secretary's time.

An international conference on the middle east has long been advocated by the British Government. I see that the Prime Minister nods. She, on behalf of the Government, and her Foreign Secretaries have consistently advocated such a conference. It has been advocated by other permanent members of the United Nations Security Council and by the Israeli Labour party, the League of Arab States and the Palestine Liberation Organisation. I believe that this conference should seek urgent negotiations, involving all relevant participants, on a comprehensive middle east settlement.

Such a settlement should result in peace treaties between Israel and Syria, Jordan and Lebanon. It should require the withdrawal of all foreign forces from Lebanon. It should provide for Palestinian self-determination. It should make provision to find a decent solution for the running sore of the Palestinian refugees, which for so long has been an affront to common humanity. Such a settlement should be acceptable to all parties. Oil revenues can be among the sources of funds to deal with this problem. The conference should provide built-in guarantees for the security both of Israel and of all other participating countries. It should seek to rid the middle east of nuclear and chemical weapons and to prevent any further nations from acquiring a nuclear or chemical capability. An international code of practice must be adopted to limit and control arms sales in the region which, as the Iraqi invasion of Kuwait makes clear, have been an almost criminal self-indulgence by too many countries. Such an agenda is formidable and daunting. Its achievement will be extremely difficult, but we must adopt this agenda.

I was greatly encouraged when this week, addressing the House of Representatives Foreign Affairs Committee in Washington, Secretary of State James Baker said:

> "Once the present danger passes, we cannot let its lessons go unheeded . . . We seek a region in which change can occur and legitimate security concerns can be preserved and preserved peacefully"

by the building of what Secretary of State Baker called "a more durable order."

He referred particularly to making today's crisis

> "a springboard for revived efforts to resolve the conflicts, including the festering conflict between Israel and its Palestinian and Arab neighbours".

What Secretary of State Baker advocates, we on the Opposition Benches advocate.

I was greatly encouraged as well when the Soviet Foreign Minister, Eduard Shevardnadze, advocated an international conference on the middle east. It is good to see the two super-powers in harmony. We look forward to that harmony being reinforced by the Helsinki summit this weekend. It is very encouraging that it was President Bush who took the initiative in calling that summit.

This new harmony is the key to success. Many people, including right hon. and hon. Members in this debate, have asked why we should react with such vehemence and stringency to the Iraqi aggression when other aggressions in the past have not evoked a comparable response. It is very easy to understand why hon. Members who are concerned about the situation in one place or another where aggressive acts have taken place should ask why it is only now and in this instance that action has been taken, and why other instances have been allowed to go by. The reason is that in the case of those other aggressions there was division among the permanent members of the Security Council which precluded or frustrated action, or even brought about vetoes when action was attempted.

The founders of the United Nations constructed a system that would work only if the five permanent members were in agreement. For 45 years the cold war prevented such agreement; now it can be and has been achieved, and there is the possibility of a new era in international relations in which the United Nations can work as it was always meant to work. Now, when we demonstrate to Saddam Hussein that the United Nations will not allow aggression to pay, not only will it send Saddam Hussein back out of Kuwait, but it will tell anyone else in any other part of the world who wants to try the same game that they will meet the same fate.

Mr. Secretary Baker rightly drew attention to the end of the cold war as the explanation for the historic international reaction to the invasion of Kuwait. He said:

> "Together we are finding common interest which will united the East and the West. Partnership is replacing conflict".

This crisis, for which Parliament has been recalled, is the first demonstration of that partnership. The crisis remains dangerous; it will remain dangerous for some time to come —perhaps a considerable time. We shall have daunting challenges to meet and grave decisions to make, and we shall have to meet those challenges and make those decisions on the basis of the principles of the United

Nations, which has taken action to deal with this crisis. Let us hope that we can continue to make those decisions together: I am sure that that is the nation's wish.

Yet the remarkable international response to the crisis not only strengthens our resolution but gives us hope—hope that, in this new era, new aggressions can be prevented and long-standing problems can be resolved. In "Henry IV, Part I", Shakespeare put into Hotspur's mouth the words:

"Out of this nettle, danger, we pluck this flower, safety."

With resolution and unity, from the nettle of Saddam Hussein's aggression we can pluck the flower of lasting peace in the middle east.

1.57 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): This has been a strong and thoughtful debate, and the right hon. Member for Manchester, Gorton (Mr. Kaufman) has just made a strong and thoughtful speech. There have been no differences in the analysis of the aggression, or about what needs to be done to reverse it; there has been the occasional difference over how to do that but, with some tiny exceptions, we have had a calm debate.

Nevertheless, the fact is that there is anxiety, there is tension and there is danger in the air. I found the same in the Gulf when I visited our own communities there. It is worth remembering that we have many more subjects in the Gulf and the surrounding countries than any other foreign country has—nearly 40,000, in all kinds of occupations and professions. I found them overwhelmingly leading normal lives and reading with amazement the accounts of their being gripped by panic, or of the area being on the edge of war.

That is because the days of immediate, acute danger have passed, thanks to the prompt response of the United States and the United Kingdom above all. Often as I went around and listened to the thanks that we received for that action and saw the high level of trust and standing in which we are now held in those Gulf states I thought of the old proverb, "He gives twice who gives quickly". I learned that there are several Arab equivalents to that proverb.

The aggressor is still in Kuwait. The wrong has not been put right and therefore the danger is still there. We have to build up pressures on the aggressor until they become intolerable and Iraq has to leave Kuwait. I believe that there are three pressures—isolation, sanctions, and the certainty that he will lose. I shall say a word about each of those three.

First, I must pick up on one of the refrains of this debate, which was quite naturally the hostages. When I speak of hostages, I am not forgetting those held in Lebanon. There was a timely petition at the beginning of today's debate. I am not forgetting Mr. Richter who is in prison in Baghdad or Mr. Cooper who is in prison in Iran. We are in touch with the relatives of all these people.

I shall say a few words about the much larger number of hostages in Iraq and Kuwait. The House represents those people and their families. In the debate it was striking that not one hon. Member argued that because of the plight, anxiety, unhappiness and suffering of the hostages and their families we should weaken or temper this country's resistance to aggression. That is a striking and welcome fact, and I believe that they accept that. It is a hard thing to say, but a necessary thing to say. In return, they are entitled to something that they have—our undertaking that we shall not forget them or in any way relax our efforts to get them out safe and sound.

Let me give a few facts about the hostages. A total of 510 nationals have now been evacuated from Iraq and Kuwait since 1 September. The first group of 206 came on an Iraqi Airways flight from Baghdad on 1 September, and the second group of 57 came by Virgin Airways flight from Amman on the fifth. I am glad to say that, as the House knows, the third group arrived in the early hours of this morning—247 women and children from Amman on a British Airways flight. We believe that about 240 British women and children are in Baghdad waiting for exit visas from the Iraqi authorities. We and our embassy hope that we can arrange for their evacuation by Iraqi Airways to Amman and then by a British airline to London on Sunday 9 September.

Most of those people originated from Kuwait and were moved to Baghdad either in bus convoys arranged by the British embassy in Kuwait or by the Iraqis. We think it likely, although we cannot be sure, that almost all the women and children who wish to leave Kuwait have now had the opportunity to do so. Many are still there having decided, given the agonising and intolerable choice, that they would rather stay with their husbands.

I asked our ambassador, Mr. Walker, to go back to our embassy in Baghdad after the invasion. I am glad that our embassy there is at full strength. The staff there are working day and night to find the facts, to find the people and to help them home safe and sound.

At our embassy in Kuwait the ambassador and three colleagues are blockaded in. Nothing can come in as it is ringed by armed soldiers and no one can go out. Despite that, through the warden system, they have been able to organise two sizeable convoys from Kuwait to Baghdad.

My hon. Friend the Member for Kingswood (Mr. Hayward), who explained to the House why he could not be here, made an effective speech on this subject. As my right hon. Friend the Prime Minister and I have seen for ourselves, the work that he has done in the Connaught Rooms with Gulf Helpline has been notable. Of course, he is quite right and we in the Foreign Office have to learn lessons from the first few weeks after the invasion in particular. I hope that the media listened to the remarks of my hon. Friend and will have noted the strong support in all parts of the House for the points that he made, not only on his own behalf but on behalf of the hostages and, more particularly, their relatives and friends in this country.

I turn to the wider question which, quite rightly, has been a big refrain in the debate. I refer to the evacuees at the three camps in Jordan and elsewhere. They comprise Asians and Arabs, but overwhelmingly Asians who have fled from Saddam Hussein. There are now at least 60,000 new refugees or evacuees in the three camps in Jordan. A total of 190,000 refugees have so far been repatriated from Jordan by a mixture of various commercial flights and flights organised by individual Governments and the international relief organisations.

Yesterday, my right hon. Friend the Prime Minister gave details of the help that we have provided, including the £5·5 million given to the International Organisation for Migration. The IOM is organising 55 flights over the next few days to repatriate 9,000 refugees, most of them Sri Lankans and Bangladeshis.

I listened carefully to the ideas put forward in the debate, notably by hon. Friends the Member for Arundel

[Mr. Douglas Hurd]

(Sir M. Marshall) and for Eastleigh (Sir D. Price). We shall see which of those ideas are practicable. A crucial point made to me by the Crown Prince Hassan of Jordan, who has particularly interested himself in the question, is that we do not want to establish fresh camps. Jordan has enough camps full of refugees. What is needed now is to get those refugees home. Of course, they must be fed and be given the medicine that they need as soon as possible, but above all we must get them home. We want to get on with doing that as part of the international effort. We have already helped to co-ordinate evacuation flights through the IOM, and we are looking urgently——

Mr. Ron Brown (Edinburgh, Leith): Will the right hon. Gentleman give way?

Mr. Hurd: May I please get on?

We are looking urgently at further areas of help. I have asked my right hon. Friend the Minister for Overseas Development to go to Jordan early next week—on Tuesday, I hope—to supervise our part in the operation and to assess what else needs to be done.

I turn to the three pressures on the aggressor that I mentioned earlier. The first is isolation. Yesterday, the right hon. Member for Plymouth, Devonport (Dr. Owen) made a notable speech about the unique coalition that has been formed between the United States, Canada and Europe, co-ordinated through the Western European Union.

Dame Elaine Kellett-Bowman (Lancaster): Will my right hon. Friend allow me to intervene? Is he aware that I have attended every moment of this debate, both yesterday and today, because I believe that it is the most important debate since I first entered the House 20 years ago? It has been very heartening to witness the degree of support that exists in the House. Is my right hon. Friend aware also that the European Parliament is holding an emergency debate next Wednesday, when the other countries of Europe will be able to express their support for the action that has been taken, their abhorrence at the barbarity that has occurred, and their determination that no gain should come of it?

Mr. Hurd: Any expression, particularly by elected representatives in whatever Parliament, which rams home the lesson that my hon. Friend mentions—as that of the Inter-Parliamentary Union has already done—will be very welcome.

I mentioned the isolation of the aggressor and the coalition that has been formed against him. I visited some of the Gulf states and talked to some of the leaders of the Arab part of that coalition. I hope to visit Egypt—one of the other major leaders—before too long.

Mr. Ron Brown: Will the right hon. Gentleman give way now?

Mr. Hurd: No, I will not give way to the hon. Gentleman. I have a good deal of ground to cover in replying to right hon. and hon. Members who have already spoken.

I found our Arab friends—the majority of those in the Arab League—staunch in the face of the current situation. One or two, such as the Kuwait Government in exile, are naturally impatient, but in all the conversations that I had with Governments, I found an understanding that patience is needed as well as firmness. It was interesting that the journalists accompanying me were constantly asking the Arabs whether they would remain constant and firm, whereas the Arabs were constantly asking me whether we in the west would remain constant and firm. I think that the truth is that both will, but it was borne in on me how much mutual reassurance is needed all the time. I welcome the news that the right hon. Member for Gorton will be going to the middle east because he will contribute to that process.

In my conversations, particularly with King Fahd and his notable Foreign Minister, Prince Saud, I found a concern about all those who are looking for a middle way which falls short of the resolutions of the Security Council and the Arab League. I want to say a word about that, particularly in connection with what has been said in the House about Jordan.

I do not believe that the Jordanian Government or the King of Jordan have in some way been an accomplice or a tool of Saddam Hussein. In his conversations with my right hon. Friend the Prime Minister and with me the day before yesterday the king made it clear that he believed that the annexation of Kuwait was unjustified, that it must end and that Jordan must apply the mandatory sanctions.

As many hon. Members have pointed out, Jordan is an old friend and deserves of us understanding of her real problems. We have shown that understanding on the clear assumption that Jordan fully applies the mandatory sanctions.

Mr. Heffer: In that case, surely the Government could do something about organising an immediate airlift of refugees out of Jordan. If the right hon. Gentleman is saying that that is to happen, let us have some concrete action immediately.

Mr. Hurd: The hon. Gentleman must have missed what I was saying five minutes ago. That is what is happening. The money that we are contributing to the IOM is financing flights day by day. I gave the figures earlier.

Mr. Heffer: That is not enough.

Mr. Ron Brown: Will the right hon. Gentleman give way?

Mr. Hurd: No.

Mr. Brown: The right hon. Gentleman is being selective.

Mr. Hurd: Yes, I am being selective, as is my right.

What is not right or realistic—this is where we part company with the Jordanian analysis—is to search for some compromise which falls short of the full reversing of the aggression. We—the international community—cannot afford to allow Saddam Hussein to go smiling home out of Kuwait with two islands or an oilfield in his pocket. The hon. Member for Walsall, North (Mr. Winnick) was clear about that, and his analysis was very good.

Occasionally, I read in the newspapers accounts of supposed equivocation in the Saudi attitude. Prince Saud made it clear to me and to the BBC publicly that if the Arabs were to allow or to contemplate such a middle way, falling short of the reversal of aggression, the Arabs would have settled for something less, something lower than the international community was insisting on. He, one of the

prime leaders of the Arab part of our coalition, was clear that the Arabs would not, and could not afford to, go down that particular path.

Mr. Tony Benn (Chesterfield): Before the right hon. Gentleman leaves that matter, will he clarify one point that seems to be in doubt? The Prime Minister said yesterday that she felt that she had the legal authority under the charter to take military action without going back to the Security Council. Could the right hon. Gentleman tell the House whether the Government believe that they have the right to take military action against Iraq without the consent of the Saudi Government?

Mr. Hurd: I shall come to the question of military action a little later if I may.

I come now to the points made by many hon. Members about the Palestinian question and the welcome that was given to what my right hon. Friend the Prime Minister said yesterday on the subject. I have been saying the same thing on my journeys around the Gulf. This is another dispute and another, though different, set of fears and injustices. We in the western part of the coalition have to show that we understand that. Saddam Hussein has given the Palestinians a major blow and the major mistake that Mr. Arafat has made in supporting him simply illustrates the point. They have postponed the day when the question can be justly and equitably settled, and the Palestinians need to understand that. However, we need to show that we have not forgotten. I have discussed this matter twice with Mr. Baker, the United States Secretary of State, since the invasion. As the right hon. Member for Islwyn (Mr. Kinnock) and my right hon. Friend the Prime Minister did, I welcome what he said and the prominence given to his words when he spoke to the Foreign Affairs Committee of the House of Representatives. His use of the word "springboard" was apt, and we must build on it. I am sure that the House would wish us to do so.

I am sorry that I missed the speech of my right hon. Friend the Member for Woking (Mr. Onslow). He referred to a war of ideas. He was right to say that getting the right messages through to Iraq is crucial. At every port of call in the Gulf I discussed with our friends how we and they could help each other to make that happen.

Mr. Patrick Cormack (Staffordshire, South): As broadcasts in Iraq are jammed, would there be some merit in considering, with the United Nations, a leaflet drop to its population?

Mr. Hurd: My hon. Friend has already mentioned that to me, and I shall ensure that, despite the obvious difficulties, his suggestion is considered.

Several Hon. Members *rose*——

Mr. Hurd: I have a certain amount of ground still to cover, so I should prefer not to take any further interventions. Otherwise, I shall not conclude by 2.30 pm.

I come to the second form of pressure on the aggressor —that of sanctions. I draw attention to the press notice just issued by the Department of Trade and Industry, which reminds British business men of the severe penalties that they will suffer if they break the sanctions. I need not say a great deal about that as the ground was fully covered by my right hon. and hon. Friends yesterday. The oil trade on which Iraq relies for its foreign currency has been virtually stopped. Iraq will not run out of oil, but it should run out of money. Quite apart from the difficulties of getting other goods into Iraq, the number of people who would be prepared to supply Iraq without payment will be fairly limited. That illustrates the importance of the points made by the Leader of the Opposition yesterday about finances. As he said, it is crucial that the financial tap is turned off. That means that all Governments must ensure that Iraq cannot trade, cannot obtain access to Kuwait's assets and cannot find ways around UN sanctions to secure credit or cash.

We froze Kuwaiti assets in Britain within hours to prevent their seizure by Iraq. Iraqi assets were frozen by Britain and by the European Community on 4 August. We must follow up all possible signs of financial and trading violations of the United Nations sanctions, and that includes working to ensure that Iraq's financial oxygen is turned off.

I want to say a word about foodstuffs because that will be a major subject for discussion during the next few weeks. Several hon. Members have refered to that in the debate. We have a clear view on that, and on the reference in the Security Council resolution to the supply of foodstuffs on humanitarian grounds. It is necessary to establish that a humanitarian need exists. It is for the Security Council, as the author of the resolution, and not for individual states, to make that determination. The details of that are now under active discussion in the sanctions committee in New York and it may be that an objective examination of the case is needed. The House will surely agree that we cannot allow Saddam Hussein, the aggressor, to manipulate the subject to his own advantage. The humanitarian clause must be objectively assessed and decided by those who are responsible for the resolution.

I do not want, and neither do I have the time, to go into detailed questions of past dealings with Iraq. I expect that there will be occasions on which the House will return to that matter, when the historians will pore over it. I was asked about a particular office. Any office in Britain that is run by anyone is subject to our law. That has meant that no Iraqi office in the past could be used for the procurement of arms or banned technology. That has been the position since our arms embargo took effect more than 10 years ago. At present, no such office can be used for the procurement of any goods that are subject to sanctions, and they cover virtually the entire range. We must be vigilant, and my right hon. Friend the Secretary of State for Trade and Industry has to operate within our rules. If there were evidence of any office run by anyone operating against our laws, that would lead to prosecution and the consequences of that if any individual were found guilty.

Mr. Nellist: Will the Secretary of State give way on that point?

Mr. Hurd: As I warned the House, I have more ground to cover; I would rather get on with my speech.

The third pressure—

Mr. Nellist: But it affects the factory in Coventry.

Mr. Hurd: I made no reference to Coventry.

Mr. Nellist *rose*——

Mr. Speaker: Order. The hon. Member for Coventry, South-East (Mr. Nellist) must resume his seat.

Mr. Hurd: The third pressure on the aggressor should be, and is, the certainty that he will lose. The more I think about it and the more I listen to people throughout the world, the more I believe that it is the crucial pressure. The House has accepted that it is. We were told in the press that the House would be dominated by legal argument about article 51 and the basis of self-defence. That has not turned out to be so. The House has accepted—not universally, but overwhelmingly, and certainly that is the position between the two Front Benches—that the military option cannot be excluded. The Leader of the Opposition, in the legal part of his speech, accepted that one basis for that could be article 51 joined with a request from the Kuwaiti Government.

The great preoccupation with legalisms, which could have spoiled the debate substantially, has not occurred. The legal question is not for discussion. The question which is being discussed is the wisdom and efficacy of the way in which we should proceed and not so much the legal basis.

We believe that it must be right to hold together to the greatest possible extent the coalition of which I have spoken. That must be sensible and right. It must be right to time and organise measures with that aim in mind. I ask those who have emphasised that—I listened carefully to the hon. Member for Walsall, North and others who emphasised this approach—to consider a further matter. It cannot be right to put the choice entirely and wholly within the machinery of the United Nations. We know that machinery. We know that it includes vetoes and—*[Interruption.]* That reaction suggests that some hon. Members have not seriously considered the matter. We cannot leave open the possibility that necessary action against the aggressor would be blocked by such means. If we were to leave open that possibility, we would leave open the possibility that he might go away rejoicing in possession of Kuwait. The House has undertaken and said that the first priority must be to prevent that from happening.

The logic of the argument points to two conclusions. First, it must be right to keep together to the maximum extent the coalition of which we are talking. Secondly, and crucially, it cannot be right wholly to subordinate our action to the machinery of United Nations. The right hon. Member for Yeovil (Mr. Ashdown), who was the proponent of the argument, is creating an uncertainty where certainty is necessary. The certainty that the aggressor will lose—that he will be be stopped, to use the expression of my right hon. Friend the Prime Minister—is crucial to a peaceful solution. If that certainty is qualified by some doubt, by some feeling in the mind of the aggressor that he might escape with his booty, the chances of a peaceful solution are reduced.

Mr. Dalyell *rose*——

Mr. Hurd: I must get on. Some queries have been raised that I shall solve by carrying on, as I said I would do.

There have been questions about command and control. I have consulted my right hon. Friend the Secretary of State for Defence. Earlier, he spoke of the work in process to ensure that the command and control arrangements are properly co-ordinated in the region. The first priority has been to get forces into the region to ensure the defence of Saudi Arabia and other states. The work now is to ensure that the forces of the different countries are properly co-ordinated, and that work is in hand.

As for air operations, each nation retains command of its own forces, but arrangements for effective co-ordination have been made, and are being strengthened, between the Saudis, the United States and us. The naval forces are already being co-ordinated. I saw that when I visited HMS Battleaxe in Doha harbour. As more ships arrive, that work will become more complex and there will be meetings in the next few days to strengthen the co-ordination, including that taking place through the Western European Union.

There has rightly been much reference to the future. On my visit to the Gulf, I found that the more forward-looking people were looking ahead to the future, and we should do so also.

There has been some autobiography during the debate and I shall not weary the House with mine. The first time I went to the Gulf was with my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath), when we were in opposition, arguing strongly against the policy of the right hon. Member for Leeds, East (Mr. Healey) of withdrawal from the Gulf. In 1971, it was judged that it was too late to reverse that decision, and the orthodoxy for years after that was that there was no place in the collective security of the Gulf for a western effort. That orthodoxy has been challenged twice in the past few years, not by us, but by the states in the area. During the Iran-Iraq war, and again in the past few days, they have asked us back. That is the background to the discussion of the future.

There is no question of imposing a system; it has to be collective, perhaps through the United Nations, as my right hon. Friend the Prime Minister suggested. It must include the effort to deal with weapons, the dangers of which have been stressed in this debate. We cannot be more precise at present. I simply say, and I hope that the House will agree, that if there were such a collective effort, invitation and request, our history, aptitudes and interests would incline us to agree.

What is at stake has been fairly clearly identified in the House. The moving speech of the hon. Member for Liverpool, Walton (Mr. Heffer) illustrates from his angle, and with his vocabulary and experience, the point in many of our minds. We all share the hope of a better world order, and we all know that that has ceased to be a platitude and a hope so distant that we just talk about it and nothing happens. It has become almost a real hope because of the ending of the cold war, the leadership given by the United States' President and the welcome change in the policies of President Gorbachev. I shall be in Moscow next week and have an opportunity to explore those points with Mr. Shevardnadze.

Some people, particularly Opposition Members, talk of this development in terms of great aspirations and the brotherhood of man. I see it in more traditional, Tory terms, a concert of nations, and so does the right hon. Member for Leeds, East, who is a good Tory under the skin. I see it in Tory terms as an increasingly effective concert of nations acting in sensible self interest for the preservation and extension of international order. The real question for the House is whether this moment of brightness and reassurance, which the House has often discussed and which we have seen in the past 12 months across Europe, South Africa and elsewhere, is a purely fleeting moment or whether we can make it endure.

At stake is, of course, the future of Kuwait, the future of the hostages and the happiness and peace of many hundreds of thousands of people. But something else is at stake. If this coalition which has been formed against aggression holds together and reverses the aggression, the prospects of which I have been talking remain good.

If it does not—if, despite the new efficiency of the UN, despite the coalition, despite the European cohesion, despite the excellent leadership of the United States and despite the adhesion of the majority of the Arab world —then we are back into anarchy punctuated by explosions of force. The clouds would have extinguished that possible light and hope.

So we must do all we can to prevent that defeat and to secure that success and that reversal of aggression. We are working and shall work hard for that purpose. We shall work on the side of international order and, therefore, on the side of hope.

Mr. Dalyell *rose——*

It being half-past Two o'clock, MR. SPEAKER *proceeded, pursuant to the Resolution yesterday, to put the Question already proposed from the Chair.*

The House divided: Ayes 437, Noes 35.

Division No. 316] **[2.30 pm**

AYES

Aitken, Jonathan
Allason, Rupert
Allen, Graham
Alton, David
Amery, Rt Hon Julian
Amos, Alan
Anderson, Donald
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Batiste, Spencer
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blair, Tony
Blaker, Rt Hon Sir Peter
Boateng, Paul
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl't's)*
Brown, Nicholas *(Newcastle E)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butterfill, John
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Clelland, David
Coleman, Donald
Colvin, Michael
Conway, Derek
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Corbett, Robin
Cormack, Patrick
Couchman, James
Cox, Tom
Cran, James
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Currie, Mrs Edwina
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunn, Bob
Dunwoody, Hon Mrs Gwyneth
Durant, Tony
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Eggar, Tim
Emery, Sir Peter
Evans, John *(St Helens N)*
Evennett, David
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fairbairn, Sir Nicholas
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fisher, Mark
Flynn, Paul
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Franks, Cecil
Fraser, John
Fyfe, Maria
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gould, Bryan
Graham, Thomas
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Griffiths, Win *(Bridgend)*
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harman, Ms Harriet
Harris, David
Haselhurst, Alan
Hattersley, Rt Hon Roy
Hawkins, Christopher
Hayes, Jerry
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Heath, Rt Hon Edward
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Holt, Richard
Home Robertson, John
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Janner, Greville
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kinnock, Rt Hon Neil
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lawrence, Ivan
Leadbitter, Ted
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lestor, Joan *(Eccles)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
McAllion, John
McAvoy, Thomas
McCrindle, Robert
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclennan, Robert
McLoughlin, Patrick
McNamara, Kevin
McWilliam, John
Madel, David
Maginnis, Ken
Malins, Humfrey
Mans, Keith
Maples, John
Marek, Dr John
Marland, Paul

Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J. *(Springburn)*
Mates, Michael
Maude, Hon Francis
Maxton, John
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Moonie, Dr Lewis
Moore, Rt Hon John
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Onslow, Rt Hon Cranley
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Paisley, Rev Ian
Parkinson, Rt Hon Cecil
Patchett, Terry
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pendry, Tom
Porter, Barry *(Wirral S)*
Portillo, Michael
Powell, Ray *(Ogmore)*
Prescott, John
Price, Sir David
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Randall, Stuart
Redwood, John
Rees, Rt Hon Merlyn
Reid, Dr John
Renton, Rt Hon Tim
Rhodes James, Robert
Richardson, Jo
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Robertson, George
Robinson, Geoffrey
Robinson, Peter *(Belfast E)*
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rowe, Andrew
Rowlands, Ted
Ruddock, Joan
Ryder, Richard
Sainsbury, Hon Tim
Salmond, Alex
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheldon, Rt Hon Robert
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Sims, Roger
Skeet, Sir Trevor
Smith, Andrew *(Oxford E)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stott, Roger
Strang, Gavin
Straw, Jack
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Jack *(Wansbeck)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trimble, David
Trippier, David
Trotter, Neville
Turner, Dennis
Vaz, Keith
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Warren, Kenneth
Watts, John
Wells, Bowen
Welsh, Andrew *(Angus E)*
Wheeler, Sir John
Whitney, Ray
Wiggin, Jerry
Wilkinson, John
Williams, Rt Hon Alan
Wilshire, David
Winnick, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Woodcock, Dr. Mike
Yeo, Tim
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Tim Boswell and
Mr. Timothy Wood.

NOES

Abbott, Ms Diane
Barnes, Harry *(Derbyshire NE)*
Benn, Rt Hon Tony
Bidwell, Sydney
Brown, Ron *(Edinburgh Leith)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Clay, Bob
Cohen, Harry
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Dalyell, Tam
Douglas, Dick
Faulds, Andrew
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Galloway, George
Godman, Dr Norman A.
Grant, Bernie *(Tottenham)*
Heffer, Eric S.
Hinchliffe, David
Hood, Jimmy
Hughes, John *(Coventry NE)*
Lambie, David
Lamond, James
Madden, Max
Mahon, Mrs Alice
Michie, Bill *(Sheffield Heeley)*
Mullin, Chris
Nellist, Dave
Parry, Robert
Primarolo, Dawn
Skinner, Dennis
Wray, Jimmy

Tellers for the Noes:
Mr. Dennis Canavan and
Mr. Ken Livingstone.

Question accordingly agreed to.

Resolved, That this House do now adjourn.

The House, having continued to sit till sixteen minutes to Three o'clock, adjourned till Monday 15 October, pursuant to the Resolution yesterday.

House of Commons

Monday 15 October 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

WRIT ISSUED DURING THE ADJOURNMENT

MR. SPEAKER acquainted the House that he had issued, during the Adjournment, a warrant for a new writ for the borough constituency of Eastbourne in the room of Ian Reginald Edward Gow, Esq, deceased.

Oral Answers to Questions

SOCIAL SECURITY

Social Fund

1. **Mr. Wareing:** To ask the Secretary of State for Social Security how many and what percentage of income support claimants aged under 60 years are repaying social fund loans by deductions from their benefit payments.

3. **Mr. Watson:** To ask the Secretary of State for Social Security how many and what percentage of income support claimants aged under 60 years are repaying social fund loans by deductions from their benefit payments.

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): At the end of August this year 384,207 social fund loans were being recovered from income support recipients aged under 60, representing 13·3 per cent. of income support recipients in that age group.

Mr. Wareing: Now that the Government have succeeded in their objective of further impoverishing the poor, is not it time that they began to listen to their Social Security Advisory Committee which, in its seventh report, said that in no way was the social fund curing or assisting in alleviating poverty for the very poorest people? Will the Minister give an assurance that he will immediately implement the recommendation that loans for capital items should not have to be repaid, and that he will take steps to ensure that loans that are provided are repaid at a level at which poor people are not driven to go to commercial moneylenders?

Mr. Scott: I would accept neither that there has been an increase in poverty in this country in the past 10 years, nor that the social fund is not doing an important and sensitive job in meeting need where it needs to be met. Some 2·4 million loans are now being given at a cost of about £334 million and half a million grants at a cost of £131 million. They have been targeted on those who need help most.

Dame Elaine Kellett-Bowman: Will my right hon. Friend assure me that persons who applied for capital allocations under the single payment scheme year after year are not doing exactly the same for the same items under the present system? Does he recall an occasion when one of my constituents applied for over £600-worth of capital items, which she got, and the following year applied for identical items, which she did not get? What happens now? Can people now get loans for the same items, and is a careful record kept?

Mr. Scott: We keep careful records on each claimant's patterns of applications for loans. After a year, there might be a renewed need for a particular item, but we seek to counter abuse as actively as possible.

Mr. Sillars: Is the Minister of State aware that people come to my surgery who have been denied a social fund loan, not on the basis that they have no need, but because the Department's calculation is that they could not repay it. The need does not disappear. Those people then have to go to private moneylenders, where the minimum rate at the moment is 75 per cent. How can the right hon. Gentleman justify that?

Mr. Scott: I am interested that the hon. Gentleman has a number of constituents in that position, as about 1·6 per cent. of cases are turned down on the basis that the claimant is unable to repay the loan. In those circumstances, it would be wrong for us to give a loan to the applicant. Alternative sources of funds are suggested to those claimants and they are offered advice on how to manage their affairs.

Mr. Teddy Taylor: Has the Minister had time to study the case that I sent to the Secretary of State, about a young lady in Southend-on-Sea who applied for a social fund loan because she was allocated a council house in place of bed-and-breakfast accommodation, and was told that that could not be regarded as a priority within the limited budget? When I pointed out that the young lady had just come out of prison, she was given the grant because apparently that is a priority under the guidance given by the Department. While the Secretary of State is considering that case, will the Minister try to ease bureaucracy in the DSS by putting up a notice in every department saying, "If you have been to prison please advise the staff, because that could be to your financial advantage"?

Mr. Scott: My hon. Friend will not expect me to comment on the particular case that is being considered by my right hon. Friend the Secretary of State. The guidance that is issued by my right hon. Friend is supplemented by guidance on local needs that may exist in a particular area, but the final decision is made by independent social fund officers who can use their discretion and take account of that guidance as they see fit.

Mr. Meacher: How can a person on income support be expected to get by with deductions on social fund repayments when Matthew Parris, a former Tory Member of Parliament, could not get by for one week on income support, even without social fund repayments? Is not it impossibly difficult for the nearly 500,000 poorest families on social fund deductions, not only to repay their social fund loan, but to pay any housing, electricity, gas and water charge arrears and now also poll tax deductions? Have the Government reached the ultimate absurdity of denying loans to the poorest families who need them most because those families are too poor to repay?

Mr. Scott: If I may say so without referring back to the alleged experience of our previous colleague, 2·4 million loans have been made at a cost of £334 million. It seems better that that money should go interest free to people who need it than that people should be led into the hands of loan sharks, as was mentioned earlier in this exchange.

Attendance Allowance

2. **Mr. Madden:** To ask the Secretary of State for Social Security how many disabled people in Bradford have had attendance allowance suspended, pending review, over the past year; and how many have had *(a)* the decision to suspend upheld and *(b)* their review application upheld and arrears paid.

Mr. Scott: Attendance allowance is suspended pending a review only if there is reason to suspect that the claimant no longer satisfies the conditions for the benefit. Statistics are not kept on the number of those suspensions, though their numbers are likely to be very small.

Mr. Madden: Does the Minister accept that it is distressing and worrying for any benefit recipient to have benefit suspended and income cut? Will he give an assurance that his Department is not targeting disabled people in Bradford or elsewhere, because there certainly are suspicions that a cost-cutting exercise is under way and that disabled people are being made the victims of it in an unnecessary and unacceptable way?

Mr. Scott: That happens rarely, so rarely that we do not collect the statistics. Benefit would be suspended if a claimant returned his order book, if there were a change in his care needs or if a person were in hospital for longer than four weeks or in prison, and therefore was not in need of attendance allowance. Those are the circumstances in which suspension might be considered.

Mr. John Greenway: Does my right hon. Friend agree that the number of recipients of attendance allowance and other disability benefits has increased dramatically under this Government in the past 10 years? Can he tell the House what arrangements he proposes to include in the social security Bill in the next Session to ensure that those who apply for benefits have their applications dealt with smoothly and that we reduce the number of appeals?

Mr. Scott: We shall certainly improve the administration of the new disability allowance, which will subsume the present attendance allowance, and the methods of assessment, with reduced reliance on medical evidence. We shall also substantially lower the benchmark that people need to qualify for the new benefit.

Mr. Cryer: How can the Minister claim that the incidence of attendance allowances being suspended pending a review is sparse when there are no statistics to demonstrate the case one way or the other? Does he accept that there are far too many cases and that it would be fairer if the benefits were continued pending any review that the Department seeks to invoke? People feel harshly treated and must often make great sacrifices and endure hardship as a result of those reviews, most of which result in the back payments being made.

Mr. Scott: Obviously, we take account of the experiences of our local offices in deciding whether there is a problem in any benefit area. If there appears to be a problem, we move swiftly to tackle it. There is no evidence of such a problem in this instance.

Personal Pensions

5. **Mr. Donald Thompson:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers who have taken out personal pensions.

The Parliamentary Under-Secretary of State for Social Security (Mrs. Gillian Shephard): A total of 4·1 million people have so far taken out a personal pension.

Mr. Thompson: I thank my hon. Friend for that satisfactory answer. Will she comment on the Labour party's policy? Having frightened pensioners——

Mr. Speaker: Order. That is a bad habit. In this Session can we stick to the Government's policies at Question Time?

Mr. Thompson: I am sure that it will not be the Government's policy to frighten potential pensioners as it is the policy of the Labour party.

Mrs. Shephard: My hon. Friend is right. The Government's policy is to encourage choice in pensions so that people can remain in SERPS, take out a personal pension or belong to an occupational pension scheme. It would not be the Government's intention to "turn the pensions market on its head."

Mr. Frank Field: As the Government do not believe in bucking the market, will the Minister tell the House why she feels that the proposals need to be subsidised from the national insurance fund? Will she tell the House to what extent the national insurance fund has been raided in an attempt to make the scheme a success?

Mrs. Shephard: I am sure that the hon. Gentleman will agree that the Government of which he was a member also introduced incentives for changes in social security policy. He will also know that the major cost of personal pensions is not the 2 per cent. incentive but the cost of rebates, as it would be for occupational pensions. The incentive represents less than 2 per cent. of the total income of the national insurance fund.

Mr. Butler: If contracting out of the state system has proved so popular, does my hon. Friend have any plans to extend the principle?

Mrs. Shephard: I have already said that the Government are in favour of choice in pensions policy and no doubt we shall be looking for ways to extend the principle of choice.

Mr. Flynn: Will the Minister treat us to a rare moment of honesty on this matter——

Hon. Members: Oh.

Mr. Speaker: Order. That is a little harsh. Will the hon. Gentleman withdraw that phrase?

Mr. Flynn: I shall withdraw it. I did say "rare". I was not suggesting that the Minister is constantly dishonest.

Will the Minister admit that this has nothing to do with choice? The Government are trying to shuffle off their responsibility to 4·1 million people, who will find when their pensions are paid, as independent sources have

shown, that at least 1 million of them have been badly advised and bribed out of a good scheme that has been running for a long time. Will the Government give us an undertaking that all those who have been misled out of the pension scheme will be told when it is in their best interest financially to return to the national insurance scheme?

Mrs. Shephard: The matter was fully rehearsed during the passage of the Social Security Bill this year, so the hon. Gentleman will know that all those marketing personal pensions must belong to the Life Assurance and Unit Trust Regulatory Organisation or the Financial Intermediaries, Managers and Brokers Regulatory Organisation and have to observe a code of conduct about the best advice that has to be given to the customer. The hon. Gentleman and his party do not like the success of the extension of choice.

Family Credit

7. **Mr. Arbuthnot:** To ask the Secretary of State for Social Security how many families are now in receipt of family credit.

Mrs. Gillian Shephard: The number of families receiving family credit has risen in each month during 1990. The latest available information is for the end of July, by which stage the caseload had reached 323,000. That is the highest ever level since the scheme began.

Mr. Arbuthnot: Is it correct that the Government are carrying out a successful campaign to publicise family credit and does my hon. Friend agree that the Government's commitment to the family is well demonstrated by the fact that this year nearly £5,500 million is being paid in social security benefits to low-income families? Is it true that when the Labour party was in power, it cut benefits to families?

Mrs. Shephard: Family credit certainly represents an important part of the Government's policy for the family. Interestingly, on average the amounts payable in family credit come to £30 a week but over 15 per cent. of family credit recipients receive £50 or more. The advertising campaign increased not only applications but the level of awareness of that worthwhile benefit.

Mr. Pike: Is the Minister concerned about people who take part-time work and thereby become ineligible for family credit, who would be better off being out of work and claiming benefit and income support? Is not it time that the Government did something to help them?

Mrs. Shephard: I think that the hon. Gentleman is referring to the cases of certain ancillary workers, of which I am aware. The chief adjudication officer has issued further guidance for those cases and we are considering its effects carefully. It was clearly never our intention that families should find themselves unable to get income support or family credit.

Mr. Peter Bottomley: Will my hon. Friend confirm that every family who is receiving family credit is also receiving child allowance? Will she confirm that income support, whether it be family credit, supplementary benefit or other systems, has always taken the child allowance into account? Does she agree that instead of referring to child benefit, we should refer to child allowance, so that we can agree with our right hon. Friend the Prime Minister, who said on 17 March 1981 that the tax and benefits system should always take account of people who have children and that it is a matter not of income support but of child allowance?

Mrs. Shephard: I thank my hon. Friend for that contribution, which was as interesting as one has come to expect from him. All families with children receive child benefit for each child. As for the name of the benefit, I quite like child benefit.

Social Fund

8. **Mr. Michael:** To ask the Secretary of State for Social Security how many and what percentage of income support claimants aged under 60 years are repaying social fund loans by deductions from their benefit payments.

Mr. Scott: I refer the hon. Gentleman to my earlier reply to the hon. Member for Liverpool, West Derby (Mr. Wareing).

Mr. Michael: May I refer the Minister to his reply and ask that he listens to his own words? Does he agree that it is outrageous for a Minister to admit that there are people who are getting such a low income from the Government that they cannot afford to repay a loan and that therefore the Government refuse them a loan? Is not it outrageous for him to say that they will get not help but only advice from the Government? Is not he aware that he is talking about the poorest people of our society who want help, not advice from him and his Department?

Mr. Scott: As I said—perhaps the hon. Gentleman did not hear my reply—only a tiny percentage of people are refused help on the basis that they are unable to repay a loan. Some people may be refused loans but be given a community care grant instead.

Mr. McAllion: It has been alleged that the Department is about to issue instructions to the officers who administer the social fund that they must keep within budget next year on pain of disciplinary action. Will the Minister take this opportunity to deny any such possibility being considered by the Department, and does he agree that the only condition that should be applied to social fund applications is whether the applicant needs help from the social fund?

Mr. Scott: It is the duty of local office managers so to manage their budgets that they stay within them over the year. Last year, we gave extra help to local offices that were under stress, which showed the continuing flexibility of the social fund.

Maintenance

9. **Mr. Favell:** To ask the Secretary of State for Social Security what representations he has received on his proposals to ensure that fathers pay maintenance.

The Secretary of State for Social Security (Mr. Tony Newton): I have received correspondence on this subject from one of the major lone-parent organisations, members of the public and other interested parties. We shall shortly publish full details of our proposals in a White Paper.

Mr. Favell: Any plans that my right hon. Friend has to ensure that fathers recognise their duties to children, whom they helped bring into the word, will be most

welcome. Does he have any plans to point out to single mothers—mothers who have never been married—the enormous pressures that will be put on them by having children while they are unmarried? Any Member of Parliament hears from teachers, pressure groups, social workers and so on how enormously difficult it is for single mothers.

Mr. Newton: My hon. Friend's very helpful suggestions range rather wider than my specific remit for social security, but, indeed, our policies on child maintenance range beyond social security. I am concerned that we should have a clear-cut, more workable system to ensure that where maintenance can properly be expected it is paid. That is in the interests of lone parents, whatever the cause of the lone parenthood, and, above all, in the interests of children.

Ms. Abbott: Is the Minister aware that there is widespread support for the idea that fathers should take responsibility for their families but that there is also widespread fear that the proposals represent a backdoor way of cutting maintenance for single mothers? Will the right hon. Gentleman assure the House that no single mother will be worse off as a result of the proposals and of whatever legislation may arise from them than she would otherwise have been?

Mr. Newton: I think that the hon. Lady referred to cutting maintenance. Clearly, the aim of the proposals as a whole is to increase the amount of maintenance that is paid. But perhaps the hon. Lady simply made a verbal slip.

I cannot attempt today to anticipate all the details of the White Paper that we shall publish, but our aim is to improve the position of lone parents and, not least, to provide them with a better platform on the basis of which they can work if they wish.

Mrs. Roe: Can my right hon. Friend provide the House with figures to show the proportion of absent parents who are currently providing maintenance?

Mr. Newton: Yes. I can do that in round figures. Maintenance is paid in about one third of all the cases in which it might be expected. For lone parents on income support, maintenance is paid in slightly less than a quarter of cases. Both figures are too low and one of our aims will be to increase them.

Ms. Short: Everyone is in favour of fathers maintaining their children. Is the Secretary of State interested only in saving the Treasury money or does he agree with the Labour party that lone parents and their children should be helped to escape from a life of poverty and given a chance to be independent and therefore better off?

We all know that, under the present Government, increasing numbers of lone parents have been forced to live on benefits—by cuts in child benefit and by the removal of the right to claim the costs of child care when working part time. We need encouragement to fathers to pay maintenance, but surely we also need an increase in child benefit and a chance for lone parents to have access to child care and training so that they can escape from poverty and so that they and their children may be better off.

Mr. Newton: The hon. Lady may be mildly surprised to hear me say that somewhere, buried in her question, was a general proposition—about seeking to encourage independence and the like—with which I would certainly agree, although I accept that there may turn out to be detailed differences of opinion between the hon. Lady and me about precisely how those objectives are to be achieved. I hope that I shall carry her with me on this, however: the Government have already taken a number of steps to improve the working of the system, even within the existing arrangements—including, most notably, a substantial increase in the earnings disregard for lone parents in respect of housing benefit, which has taken place this very month.

Mr. Burns: Is my right hon. Friend aware that any proposals that come before the House will take a considerable time to be implemented because of the pressure of parliamentary business? In the meantime, my constituents and those of other hon. Members will suffer severely because their ex-husbands refuse to pay them maintenance and can use delaying tactics in the court—for example, in the provision of the relevant and necessary proof of earnings and so on—and so evade giving any funding for their former families. Is there anything that my right hon. Friend and his Department can do in the meantime to help those ladies who are in genuine financial difficulties as a result of that practice?

Mr. Newton: I do not think that we can solve these problems entirely without the proposals that we shall be bringing forward, which will obviously take a little time. But there are things that we can do and, indeed, that we are doing. The Social Security Act 1990, which was passed during the summer and of which the relevant provisions are just coming into effect, gives us power to transfer DSS maintenance orders to a claimant who is going off income support and gives the DSS power to enforce a claimant's own maintenance order if that would be helpful. Both those provisions are directed at solving precisely the problems to which my hon. Friend referred.

Carers

10. **Mr. Cousins:** To ask the Secretary of State for Social Security what steps he will take to investigate the problems of full-time carers.

Mr. Newton: A report based on research commissioned by the Department into the effectiveness of invalid care allowance as an income-maintenance benefit is expected to be published in the next few months. Our concern to improve the support available to carers, is reflected in a range of Government policies, including the extension of invalid care allowance to married women and the introduction earlier this month of a carers premium in the income-related benefits.

Mr. Cousins: Does the Minister recognise that without the help of about 1 million full-time carers, the hospitals and social services systems in this country would have collapsed long ago and that, for the most part, all that work goes unrewarded and unrecognised? Does he also recognise that the invalid care allowance is a very limited contribution and the extension to married women was wrung out of the Government by the European Court? Will the Minister now make the extension of a care allowance system to all carers an absolute priority? As a basic minimum, will he offer all full-time carers national

insurance credits so that they are not disadvantaged for pensions and unemployment benefit when their period of full-time caring ceases?

Mr. Newton: The hon. Gentleman may seek to minimise what has been done, but when this Government took office, the number of people receiving invalid care allowance was less than 10,000. It is now well over 100,000 and that is making a substantial contribution. That, together with the other improvements that we have made, including the increased earnings disregard for those on invalid care allowance, which was introduced last April, and the carers premium, which is being introduced this month, show our real concern to help those about whom the hon. Gentleman is also rightly concerned.

Mr. Conway: Will my right hon. Friend remind the House about the change of provision for those requiring full-time care who are suffering from terminal diseases such as cancer? Will he also pay credit to organisations like the Macmillan nurses, which enable those suffferers to have dignity in their own homes at that stressful time and which very much welcome the changes the Department is making to ensure that help arrives in time and is worth while?

Mr. Newton: I should very much like to join in that tribute and I met a Macmillan nurse in my constituency on Saturday. The contribution made to the support of carers, which goes well beyond the social security system, is an important and encouraging feature of what is happening in our health and social services.

With regard to my hon. Friend's first point, I am delighted that we have been able to extend attendance allowance, without the old time limit, to the terminally ill. My hon. Friend might like to know that we expect 6,000 successful awards of invalid care allowance—in other words, a further increase in recipients of that benefit—to follow the extension of attendance allowance.

Dr. Godman: Will the Minister assure the House that he will do his level best to ensure that applications for that allowance are assessed as quickly as possible? At my surgeries I have found that informal carers have had to wait far too long for the assessment of their applications. Will the Minister look again at the too-harsh criteria by which such applications are assessed by his officials?

Mr. Newton: I am always looking for ways to improve that and other parts of the social security system. I shall bear in mind what the hon. Gentleman has said. With regard to the first part of the hon. Gentleman's question, I can give him an unequivocal yes. There is no doubt that delays in processing ICA, partly because of the rapid expansion of the benefit, became longer than we wished and we will continue to do everything possible to reduce them.

National Insurance

13. **Mr. David Nicholson:** To ask the Secretary of State for Social Security what is the latest estimate of the number of standard rate taxpayers who would be affected by the abolition of the upper earnings limit on national insurance contributions.

Mr. Newton: If the upper earnings limit for employees' national insurance contributions were removed, about 3·3 million people would pay more contributions, of whom about 2·1 million would be standard rate taxpayers and about another 500,000 self-employed people, of whom about 200,000 would be standard rate taxpayers, would pay more contributions if the upper profits limit were also removed.

Mr. Nicholson: I am grateful for that valuable information, which my hon. Friends and I will certainly wish to use in the coming months. Does my right hon. Friend recall a previous occasion when rash and extravagant promises were made to sections of the electorate as bribes by the Labour party and then, once the Labour party had obtained power, those electors paid for those promises in higher inflation and taxation? Does my right hon. Friend believe that the British people will be taken in yet again?

Mr. Newton: I certainly do not believe that the British people will be taken in by a number of the things that were said in Blackpool 10 days ago and on several other occasions by the hon. Members for Oldham, West (Mr. Meacher) and for Birmingham, Ladywood (Ms. Short). It is relevant that the figures that I have just given the House clearly show how spurious was the attempt to pretend that basic rate taxpayers would not face extra bills as a result of Labour party policy.

Mr. Meacher: As the abolition of the upper earnings limit is intended to finance a desperately needed pension increase, is the Secretary of State ashamed that the 2 million poorest pensioners, who have no income but the state retirement pension or income support, have had a zero increase in their pension in real terms over the past 11 years? Is the right hon. Gentleman or the Prime Minister proud that, since 1979, all tax cuts to the rich have been paid for as a result of the Tory Government's breaking of the uprating link with earnings? Given that the Government have purloined £22 billion owing to pensioners over the past 11 years, is not it about time that the Government gave priority to the poorest pensioners rather than to the richest taxpayers?

Mr. Newton: The hon. Gentleman has not only a rare talent for hyperbole but a very short memory indeed. It is just a year, almost to the day, since the present Government put £200 million extra public money into increasing premiums in the income support system for older and more disabled pensioners. That is a clear indication of our concern to improve their position.

Disabled People

14. **Sir David Price:** To ask the Secretary of State for Social Security if he will make a statement about spending on disabled people since 1979.

Mr. Scott: Social security help for long-term sick and disabled people has increased in real terms by more than £4 billion since 1978-79 to a total of £8·3 billion in 1989-90. The proposals we outlined in "The Way Ahead", along with the changes announced in October 1989, will add some £300 million by 1993-94 and will give extra help to an estimated 850,000 people.

Sir David Price: Does my right hon. Friend accept that it would be churlish of the House not to acknowledge the improvements that he and his colleagues have made? Does

he accept also that we have a long way to go before any of us can feel really satisfied that we are doing right by our disabled brethren and sisters? Will my right hon. Friend therefore acknowledge that many hon. Members, including myself for as long as I am in this House, will come back, like Oliver Twist, asking for more for the disabled until we feel that justice is really done?

Mr. Scott: I certainly agree that there are continuing needs for disabled people, despite the dramatic improvements that have been made over the past 10 years. They are not restricted simply to benefits. We also need a more co-ordinated approach to services for disabled people, improved access to our public buildings, and further efforts to bring technology to the service of people with disabilities.

Pensioners' Incomes

15. **Mr. Robert G. Hughes:** To ask the Secretary of State for Social Security what is his estimate of the latest trend in pensioners' real incomes since 1979.

Mrs. Gillian Shephard: I am pleased to be able to tell my hon. Friend that the latest available information shows that pensioners' average total net incomes grew by over 31 per cent. in real terms in the Government's first eight years of office.

Mr. Hughes: I thank my hon. Friend for her reply. Does she agree that it is very good news for pensioners? They will now know that, over a long period, the Government have taken seriously the standard of living of pensioners. Does my hon. Friend agree also that people who are just above benefit level are nevertheless living on small amounts of money and that, therefore, it is right that the Government should concentrate help on them and not make promises such as those made by Labour Members which they know that they cannot keep?

Mrs. Shephard: My hon. Friend is right when he says that there is a need to target help for pensioners, as for other groups. Pensioners with incomes from savings have seen their incomes increase by 130 per cent. Occupational pension income has also gone up, by 77 per cent. in that time. However, the Government are conscious that not all pensioners have been able to benefit from those increases in income, and that is why my right hon. Friend the Secretary of State has just drawn the attention of the House to the £200 million package last year which helped 2·6 million pensioners.

Mr. Campbell-Savours: May we have an assurance that in next year's uprating of social security benefits and pensions the calculation will be based on this year's September year-on-year retail prices index? May we have an unconditional assurance on that matter from the Dispatch Box?

Mrs. Shephard: The hon. Gentleman knows that the current historical method of calculating upratings ensures that the benefits are protected against price increases over a measured period. In years when inflation falls after the new rates are set pensioners gain—that will be the case this year.

Benefit Payments

16. **Mr. Knapman:** To ask the Secretary of State for Social Security what assessment has been made of the effect on financial incentives to work of changes over the past five years in social security benefit payments.

Mrs. Gillian Shephard: One of the major aims of our policies in social security has been to maintain and, where possible, improve financial incentives to work, and we are constantly monitoring the effects of policy changes in this area.

Mr. Knapman: Does my hon. Friend agree that, as a result of our reforms, help is being targeted to where it is most needed and that, in particular, low-paid and wage-earning families cannot be worse off now because they work?

Mrs. Shepard: I agree. We have reformed the income-related benefits and restructured national insurance. We have also improved earnings disregards. By those means we have virtually eliminated the worst effects of the poverty trap and considerably alleviated the unemployment trap.

ATTORNEY-GENERAL

Hilda Murrell

53. **Mr. Dalyell:** To ask the Attorney-General if he will make a statement on his actions in relation to the investigation by West Mercia police into the case of Hilda Murrell.

The Attorney-General (Sir Patrick Mayhew): As I informed the hon. Gentleman on 6 September, the Director of Public Prosecutions has decided that the available evidence in this case is insufficient to sustain a charge of murder against any person and has notified the chief constable of West Mercia accordingly. My own actions have been restricted to answering the hon. Gentleman's questions regarding the matter and writing to him to inform him of the Director's decision.

Mr. Dalyell: May I ask the Attorney-General a careful question of which I have given him notice? In the light of the convictions of Mr. McKenzie in respect of two murders based on his own confessions, why has the decision been taken not to prosecute him for the alleged murder of Hilda Murrell based on his own confession?

The Attorney-General: Mr. McKenzie was convicted of manslaughter on the ground of diminished responsibility, not of murder. The convictions are currently the subject of an appeal by Mr. McKenzie and are therefore sub judice. In the Murrell case further lines of inquiry suggested by the Director of Public Prosecutions did not produce evidence warranting the prosecution of Mr. McKenzie.

Mr. Fraser: Does the insufficiency of the evidence mean that the police are therefore looking for another suspect?

The Attorney-General: It means that there is no evidence sufficient to warrant a prosecution against anybody and, therefore, the case remains open.

Government Documents

57. **Mr. Kennedy:** To ask the Attorney-General if there are any plans to review the guidelines to Government Departments for the selection of documents for permanent preservation by the Public Record Office,.

The Solicitor-General (Sir Nicholas Lyell): No, Sir. The guidelines on the selection of public records for permanent preservation are kept under review by the Public Record Office, for which the Lord Chancellor has ministerial responsibility. There are no current plans to make any alterations of substance to the guidelines.

Mr. Kennedy: May I bring to the attention of the Solicitor-General the written answers from each Government Department that were given to my hon. Friend the Member for Southport (Mr. Fearn) earlier this year? With the single exception of the Department of Trade and Industry, those Departments evaded answering directly what percentage of their files were passed on intact to the Public Record Office. The DTI admitted that, in 1989, under 5 per cent. of its files were passed over intact. Surely that suggests, once again, excessive secrecy at the heart of Whitehall. Should not more of those files be made available in their full form for the purpose of future records? Does the Solicitor-General recognise that, contrary to his response to my question, the shortfall in the number of intact files passed on highlights the need for a review of the system?

The Solicitor-General: I doubt whether that figure conveys the full picture. A large number of such files deal with personal instances, which are simply too numerous to be maintained in the public records. I find it hard to believe that the 5 per cent. figure arises except from the fact that the great majority have to be destroyed after 30 years. The guidelines are updated about every 10 years; they were updated in 1958, 1962, 1971 and 1983, and can be expected to be updated in about three or four years' time.

Mr. Beaumont-Dark: Does my right hon. and learned Friend accept that I was amazed, if not astounded, when a constituent of mine who had been a prisoner-of-war in 1940—50 years ago—was told that he could not obtain his records for at least another 25 years because of state security? Is it possible that, in the world in which we live, 50 years on is too short a time and everybody has to wait 75 years before they can have the records of what they said then? How can such records in any way affect state security?

The Solicitor-General: If my hon. Friend looks at "Modern Public Records", the White Paper published in 1982, he will see that it explains the criteria for the selection of such records. Obviously, I do not know the position of my hon. Friend's constituent. It might well be that his records had been destroyed simply on the basis that they were personal.

Mr. Beaumont-Dark: No.

Mr. Skinner: Why do not the Government bring the records really up to date and release the record of the statements and conversations between the ex-Prime Minister, the right hon. Member for Old Bexley and Sidcup (Mr. Heath) and the Foreign Secretary? Why do not they release those statements today to clear up the arguments that we hear between those two?

The Solicitor-General: The hon. Gentleman looks fit and well, and I am sure that in 30, 40 or 50 years' time he will enjoy reading those records.

SOCIAL SECURITY

Community Care

17. **Mrs. Mahon:** To ask the Secretary of State for Social Security what proportion of applications for community care grants were refused in 1988-89, 1989-90 and the first half of 1990-91.

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): The proportion of community care grants refused in 1988-89 was 48 per cent., in 1989-90 it was 54 per cent. and in the period April to August 1990 it was 55 per cent.

Mrs. Mahon: I am sure that the House will agree that those are disgusting statistics. Is the Minister aware that those shameful statistics represent people in need who, under the old system, would have been entitled to something? What preparations will be made and what money will be put into the system to meet the needs of the people who will be caught up in the imminent recession?

Mr. Scott: Only 4·4 per cent. of applications for community care grants were turned down because they were of insufficient priority—the substantial majority were turned down because they did not meet the basic eligibility test for the community care grant system. The statistics that I read out should be seen against the background of an increase of 66 per cent. for applications for community care grants and an increase of 50 per cent. in awards.

Mr. Dickens: Is not it a fact that the grants have to be examined very closely indeed because the Government are the custodians of taxpayers' money, and taxpayers do not have a bottomless pit of money? Therefore, the Government's policy of directing resources and targeting them closely on where they are needed is right and preserves the taxpayers' rights.

Mr. Scott: Of course we must be careful and prudent with the taxpayers' money. We also have to be careful to meet need where it exists. Some 500,000 community care grants have been given and effectively targeted since the introduction of the scheme.

Child Benefit

19. **Mr. Wallace:** To ask the Secretary of State for Social Security if he will make it his policy annually to uprate child benefit in line with inflation.

The Secretary of State for Social Security (Mr. Tony Newton): I will continue to carry out my statutory duty by reviewing the rate of child benefit annually and considering its future level in the light of all the relevant circumstances.

Mr. Wallace: I thank the Secretary of State for that reply, which I could scarcely describe as helpful. He knows that this question comes up annually and will not go away, because of the serious way in which inflation has eroded the real value of child benefit over many years. That benefit is well directed to help families, and has almost a 100 per cent. take-up. Given the current rate of inflation,

will the Secretary of State accept that if the Government are to be true to their claim to be the party that supports the family, we need something much more positive than the answer that he has just given?

Mr. Newton: I think that the hon. Gentleman knows full well the reason for the answer that I gave, precisely because it is this particular time of year. Having been pursued around Bournemouth last week at intervals by people inviting me to speculate on this self-same subject —and, finally, having drawn from one of our most distinguished television political commentators the remark, "It sounds as if even your 'no comment' is off the record"—I do not propose to be drawn further this afternoon.

Disabled People

20. **Mr. Paice:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers of people who will benefit from the measures outlined in "The Way Ahead".

Mr. Scott: We estimate that some 850,000 people will benefit from the proposals set out in "The Way Ahead" and the interim measures that we announced in October 1989.

Mr. Paice: Does my right hon. Friend agree that that extra number of people, and the extra £300 million to be spent on implementing the proposals—on top of the fact that we have doubled expenditure in real terms on the long-term sick and disabled since 1978-79—demonstrate clearly that this Government are the caring Government, and that those who would say otherwise have failed when they have had the chance to prove it?

Mr. Scott: Certainly I agree. One of the most interesting statistics—using money at constant prices—shows that the last Labour Government managed to increase spending on the long-term sick and disabled by some £220 million a year; we have increased it by £370 million.

OVERSEAS DEVELOPMENT

Tropical Forests

58. **Mr. Wallace:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to review the operation of the tropical forestry action plan; and if he will make a statement.

The Minister for Overseas Development (Mrs. Lynda Chalker): We have endorsed the strengthening and reform of the tropical forestry action plan—the TFAP—called for by the independent review of the plan commissioned by the United Nations Food and Agriculture Organisation —the FAO. We are working to see reform implemented; a good start was made at the FAO's committee on forestry last month.

Mr. Wallace: The plan has perhaps been a disappointment, although we recognise that it was set up in good faith and with good objectives. The right hon. Lady has been quoted as saying that she will not let up pressure to change it; will she tell us in which direction she would like the change to move? Does she agree that the local pressures for the exploitation of the forests can be abated only if, at the same time, we tackle the fundamental problems of poverty, trade and aid?

Mrs. Chalker: The local problems of forestry are uppermost in our minds. We seek to tackle sustainable development and the whole question of the poverty of those people living in the forest. As part of the reform we have urged strongly—and I have got my EC colleagues to do likewise—that the forest people should be involved in the plans for forestry. The review called for a greater priority for the tropical forestry action plan within the FAO. The TFAP covers 81 countries, and is far more than the FAO. We have asked for revised guidelines for clearer aims and objectives. We also asked, as did the review, for better collaboration among the co-financing organisations —the World Bank, the FAO and the World Resources Institute. We have asked for increased and more timely resources to strengthen tropical forestry countries' own ability in planning policy expertise and implementation. We now await the meeting in November of officials of the FAO to see those reforms implemented in full.

Mr. Jacques Arnold: Are not there more ways than one of assisting the preservation of the tropical rain forest? Should not we be looking beyond merely this action plan to the bilateral work that Britain has been doing in assisting the Latin American countries in the Amazon basin in preserving their rain forests? Will my right hon. Friend commend the project that is now going ahead in Brazil?

Mrs. Chalker: I most certainly commend that project, and I hope to visit Brazil at the end of this month. Britain now has some 200 projects under way or in preparation at a cost to the aid programme of £160 million—56 of those are through non-governmental organisations concerned with the environment, and 40 are research programmes. There are many ways in which we can help the environment further and my hon. Friend will find them in "Environment and British aid programme" and chapter 4 of "This Common Inheritance".

Mr. Dalyell: What is the time scale for the reform, particularly as the position is extremely urgent—as the Minister knows—for Sarawak and Sabah and the rest of the islands of Borneo?

Mrs. Chalker: I hope that the reforms will be in place by early next year. As the hon. Gentleman knows, there is some concern—that I share—that the FAO has been resistant to the types of changes that are wanted by all the donor countries. Given that there was such unanimity in the committee on forestry which met in September in Rome—I have put it on the EC development committee's agenda for the beginning of November—I have some hope that we will see fast implementation and then implementation in national forestry programmes, which is what the hon. Gentleman wants.

Developing Countries

59. **Mr. Paice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what fresh measures he is proposing to assist developing countries to deal with environmental problems.

65. **Mr. Summerson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what fresh measures he is proposing to assist developing countries to deal with environmental problems.

Mrs. Chalker: We have launched initiatives to develop new bilateral projects and to promote new multilateral measures in relation to environmental concerns such as forestry, energy efficiency, biological diversity, the ozone layer, and climate change.

Our policies are set out in the White Paper on the environment and in the ODA booklet "The Environment and the British Aid Programme".

Mr. Paice: Does my right hon. Friend agree that the opportunity that many of us have recently had to visit countries in eastern Europe demonstrated to us the importance of developing countries assuming a capitalist economic system to meet their environmental imperatives, such as sustainable management of the rain forests? What support is her Department giving to the World Conservation Monitoring Centre in Cambridge and to its work in supporting our overall objectives?

Mrs. Chalker: We do indeed support the World Conservation Monitoring Centre. It is supplied jointly by the International Union for Conservation of Nature and Natural Resources, the United Nations Environmental Programme, the World Wide Fund for Nature and ourselves. The centre has an important continuous function of collection, analysis, interpretation and dissemination of data, and we have involved it in our tropical managed areas assessment project. On our behalf, it is giving advice to the Government of India on conservation monitoring; it is preparing a manual on centres of plant diversity; it is involved in the biological diversity status report; and it is doing work on the conservation and management of biodiversity.

The centre is a thoroughly excellent organisation, supported not just by us but by worldwide organisations.

Mrs. Clywd: What assistance does the Minister propose to give to Cambodia, with its considerable environmental problems, which include landmines that are daily killing and maiming innocent people? Can she tell us whether British forces were in any way involved in training those who laid the mines, as some people allege; and what military and other expertise we can now give the Cambodian men, women and children to de-mine thousands of square miles of their country's land which are virtually unusable because they are unsafe?

Mrs. Chalker: That has nothing to do with the original question. The hon. Lady will find that I have answered today a question on Cambodia asked by my hon. Friend the Member for Broxtowe (Mr. Lester). We are indeed concerned, and we are giving additional help to the non-governmental organisations to help civil-war-displaced persons in Cambodia.

The question that the hon. Lady has asked has nothing to do with me and it contains no fact. It is purely part of her campaign to discredit honourable people, including a very honourable member of the Foreign and Commonwealth Office whom she attacked at the Labour party conference, who cannot answer for himself and about whom she and her hon. Friend the Member for Sunderland, South (Mr. Mullin) have made disgraceful allegations which are untrue.

Mrs. Clwyd *rose*——

Mr. Speaker: Order.

Emergency Relief

62. **Mr. John Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on emergency relief aid expended under the United Kingdom's aid programme.

Mrs. Chalker: Providing immediate and effective humanitarian assistance is one of the key areas of the aid programme. Last year we spent more than £61 million in disaster relief, help for refugees and emergency food aid.

Mr. Marshall: Does my right hon. Friend realise that her answer will be warmly welcomed, and that her warm-hearted response to the problems of these countries is supported by the vast majority of people of this country?

Mrs. Chalker: I thank my hon. Friend for his comments. The outlook in Ethiopia for next year is bleak. The FAO and US Agency for International Development crop assessment mission will give donors more detailed reports at the end of next month. Meanwhile, I have just announced 19,000 further tonnes of food aid for Ethiopia through the World Food Programme; a further 5,000 tonnes of cereals to the NGO CARE; £500,000 to the Save the Children Fund for the purchase of trucks and spares for the southern line operation; and £600,000 worth of vegetable oil to the UNHCR for Somalian and Sudanese refugees in Ethiopia. We shall continue to monitor the situation extremely carefully and provide further help. Our total emergency aid for Ethiopia so far this year is more than £16·5 million.

Population Growth

64. **Mr. Mans:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the contribution made by United Kingdom aid towards reducing growth in the world's population.

Mrs. Chalker: Helping to reduce rapid population growth has high priority in our aid programme. I aim to increase the level and quality of all population-related assistance. We will focus bilateral support on a number of countries to improve the quality and delivery of their family planning services and to improve the health, education, income and status of women.

Business of the House

3.30 pm

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): With permission, Mr. Speaker, I should like to make a short business statement about the business of the House on Friday. The business for Friday 19 October will be as follows:

A debate on the transitional measures relating to the EC consequences of German unification on a take-note motion. Relevant documents will be shown in the *Official Report. [See Written Answers to Questions tomorrow.]*

Mr. Derek Foster (Bishop Auckland): I thank the Leader of the House for the business statement and also for arranging for the Chancellor to make a statement this afternoon on the exchange rate mechanism.

Since the decision to enter was clearly taken for political reasons, will the right hon. and learned Gentleman use his full authority to drag the Prime Minister to the Dispatch Box in a full debate next week to explain her Government's deep divisions over Europe? Will he arrange for the Foreign Secretary to make a full statement on his return on the latest developments in the Gulf crisis and on his consultations about the United Nations' resolutions on the shootings?

Sir Geoffrey Howe: I shall leave the hon. Gentleman's first point to be dealt with on its merits through the usual channels. I appreciate his gratitude for the fact that the Chancellor of the Exchequer will make a statement about the exchange rate mechanism immediately following this one. The House will know that my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs is currently in the middle east. I shall bring to his attention the points raised by the hon. Gentleman. The question of a statement or a possible statement can most usefully be considered when my right hon. Friend returns to Britain.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that questions on this statement should be confined to the business on Friday.

Mr. Alan Williams (Swansea, West): Does not the Leader of the House realise that his statement is totally inadequate? My hon. Friend the Member for Bishop Auckland (Mr. Foster) is absolutely right. During the recess, we had one of the most important economic statements in recent years and as this is a quiet week, Friday should have been used for a debate, led by the Prime Minister, in which she could have explained this extremely important decision. More importantly, she could have explained the differences between herself and the Chancellor and the Foreign Secretary in their perceptions of the long-term significance of ERM membership. Perhaps, in winding up, the Leader of the House could have explained the difference between himself and all three of them on the long-term implications.

Sir Geoffrey Howe: The right hon. Gentleman has got it completely wrong. The less questioning that takes place now about the statement that I have just made, the more quickly the House can get on to discuss with the Chancellor of the Exchequer the statement that he will make on the point raised by the right hon. Gentleman. It is idle to pretend that the subject that I have announced for debate on Friday is unimportant. We shall debate transitional measures following the conclusion of the conflict with Germany and German unification. These are important matters and it is right to discuss them on Friday.

Mr. Peter Bottomley (Eltham): If my right hon. and learned Friend rejects the blandishments of the hon. Member for Bishop Auckland (Mr. Foster) and our right hon. Friend the Prime Minister does not speak, does that mean that we would not have to listen to the Leader of the Opposition? Many of us would be happy with that. If there is an additional gap on Friday and I were to table an early-day motion in support of my right hon. Friend the Prime Minister's expressed views in 1981 to 1983 on child benefit, would there be time to discuss that? It would be a useful debate.

Sir Geoffrey Howe: My hon. Friend's enthusiasms are well known, but they do not relate directly to the business of the House on Friday.

Mr. Nigel Spearing (Newham, South): Will the Leader of the House confirm that the documents that he mentioned relating to Friday's debate constitute some 23 individual proposals, for each of which the Government have provided an explanatory memorandum? Will he further confirm that, if the Select Committee on European Legislation believes that any one of those documents should be considered on its own, those documents will not be deemed to have been dealt with in one debate on Friday?

Sir Geoffrey Howe: I understand the hon. Gentleman's close, serious and professional interest in these matters. The documents are summarised in paragraphs 6 and 7 of Cmnd. 1246—the Government's observations on the report of the Foreign Affairs Committee on German unification. I know that the Scrutiny Committee will be considering these matters tomorrow, and the precise shape of next Friday's debate may take account of the hon. Gentleman's recommendations, although I cannot promise to meet him in precisely the way that he suggested.

Mr. Tony Banks (Newham, North-West): Which Ministers will be involved in the debate? Will the Leader of the House use his good offices with Mr. Speaker to ensure that the right hon. Member for Cirencester and Tewksbury (Mr. Ridley) can play a full part in the debate?

Sir Geoffrey Howe: The hon. Gentleman, as always, has more than one objective in mind. The appropriate Ministers will speak in the debate, no doubt including at the outset a Foreign Office Minister. The question of who else will speak in the debate is entirely a matter for Mr. Speaker.

Mr. Bob Cryer (Bradford, South): May we have a statement on Friday, or earlier if possible, on the substance of the Central Television programme on Cambodia, which demonstrated beyond challenge that the Government are giving aid and comfort to the Khmer Rouge, including the Pol Pot faction? Is not that small, impoverished country, which threatens nobody, being virtually squeezed out of existence? Is there not the possibility of mass annihilation if Pol Pot and his faction reach the capital, which they are likely to do within the next few months?

Sir Geoffrey Howe: The hon. Gentleman is tenacious, but absurd in his continued tenacity. The Government have many times denied the allegations to which he referred, and there is no substance to them.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall call the two hon. Members who are standing, but I ask them to confine their questions to what is likely to happen on Friday, and not to discuss more general issues.

Dr. Norman A. Godman (Greenock and Port Glasgow): It is right and proper that on Friday we should debate the unification of Germany. However, at the risk of sounding excessively parochial, I must stress that the unification of Germany has profound implications for, among others, those who live in our maritime communities. I hope that, on Friday, the appropriate Minister will offer a comment or two on the role that will be played by a grossly enlarged German fishing fleet and the consequences for the interests of our fishing communities.

Sir Geoffrey Howe: Certainly, in so far as that issue may emerge from the documents to which I have referred, it will be an appropriate subject for the hon. Gentleman to raise in the debate on Friday.

Mr. Dennis Skinner (Bolsover): Why does not the Leader of the House admit that the real reason why the Prime Minister will not reply to the debate on Friday, or on any other day, is because the right hon. and learned Gentleman cannot guarantee a 10-minute standing ovation before she begins?

Sir Geoffrey Howe: I suspect that, if challenged, I could.

Exchange Rate Mechanism

3.38 pm

The Chancellor of the Exchequer (Mr. John Major): I should like to make a statement about sterling's entry to the exchange rate mechanism of the European monetary system, which took effect on Monday, 8 October.

Sterling now has a fixed central rate against each of the other currencies in the ERM. The entry rate is set against the ecu and translates to a central rate against the deutschmark of DM 2.95. That was marginally above the market level when the decision to enter was announced on Friday, 5 October and is a little below the current market rate.

Sterling is able to move by a maximum of 6 per cent. above or below the central rates. Our choice of the wider 6 per cent. margins is intended to allow sterling to settle into the system, and follows recent precedent. In due course, we will move to the narrow band of 2¼ per cent. margins. The terms of entry we have agreed with our partners are those that we sought.

The Government have long made it clear that sterling would enter the exchange rate mechanism during stage 1 of economic and monetary union, which began in July. It has now done do, at the earliest appropriate time. I would like to explain how our decision fits into the Government's wider economic strategy.

It has become abundantly clear that policy is now reducing inflationary pressures in the economy. Monetary growth on all measures has fallen sharply, and the growth of narrow money is within its target range. The growth of demand has slowed. Although the rise in oil prices will continue to feed through for a while, the prospect is for a substantial reduction in inflation over the coming year. That will be so both in absolute terms and in relation to inflation in other European countries. It was for those reasons that we felt able to reduce interest rates by 1 per cent.

A firm exchange rate is a vital part of our policy to maintain tight monetary conditions in order to reduce inflation. As I have repeatedly made clear, membership of the exchange rate machanism will be an additional discipline for the United Kingdom economy. In no sense is it a soft option. Monetary policy will remain tight. I must emphasise that I will not make a further reduction in interest rates until I am sure that it is safe and prudent to do so.

Membership has important implications for British companies and their employees. They must contain their costs. If they fail to do so, they will not be bailed out by a devaluation of the currency. That is the key message for those engaged in pay bargaining this autumn and subsequently.

But in addition to acting as a discipline on costs, membership of the exchange rate mechanism offers significant benefits for British industry. It will help to provide greater stability of exchange rates with our main trading partners and thus the certainty that business needs to plan for the future. It will also make Britain even more attractive for inward investment.

Although entry to the narrow band of the exchange rate mechanism will fulfil our obligations under stage 1 of economic and monetary union, it does not imply any change in our opposition to the imposition of a single currency. In the intergovernmental conference in

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December, we shall continue to argue against that plan and for the proposals that I first set out in June. As the House knows, they propose an evolutionary and market-based approach, based on the creation of a new European monetary fund and a common currency—the hard ecu.

In summary, the mechanism has a proven record of success over recent years in producing greater stability of exchange rates and lower inflation. The Government believe that Britain too will benefit from membership. The exchange rate mechanism will reinforce our counter-inflationary policies, help to provide the stability and certainty that industry needs, and set the right framework for a resumption of soundlybased and non-inflationary growth. I commend entry to the House.

Mr. John Smith (Monklands, East): As the Chancellor is aware, the Labour party welcomes the decision that sterling should join the exchange rate mechanism, not least because of the potential benefit that a more stable exchange rate could bring to the process of Britain's much-needed economic recovery. However, it will not of itself lead Britain out of the economic cul-de-sac of high and rising inflation, recession, increasing unemployment and serious balance of payments deficits to which the Government's policies have led.

I want to ask the Chancellor first about the celebrated Madrid conditions into which the Prime Minister entered in June 1989, and which she reported to the House formally on 29 June last year. At that time, the Prime Minister was in no doubt that the rate of inflation was too high for Britain to enter the exchange rate mechanism. In a reply to a question from my right hon. Friend the Leader of the Opposition, she said:

"On the exchange rate mechanism, our promise has been that we would go in when the time was right. I"—

note, "I"—

"put conditions on that and made it much clearer that when those conditions were met we should be able to go in. One condition depends on us, which is that we get inflation well down".

Earlier, she said:

"we must first get our inflation down."—[*Official Report*, 29 June 1989; Vol. 155, c. 1111, 1110.]

Every time that she has been asked since then, the Prime Minister has repeated the condition. In July 1989, inflation was to be "significantly lower". The Chancellor said on 26 March this year:

"we wish to see inflation fall before we enter the mechanism."—[*Official Report*, 26 March 1990; Vol. 170, c. 117.]

Only two weeks ago, the Prime Minister was reported as saying in Switzerland:

"The Madrid conditions won't be changed and they include getting inflation nearer the European average."

The Prime Minister's role is crucial—she invented the Madrid conditions. They were not imposed on her by other members of the European Community. The present Chancellor was not in Madrid when these conditions were suggested by the Prime Minister, and neither was his predecessor, the former Chancellor. It was the Prime Minister herself, assisted by the then Foreign Secretary, who is now Leader of the House, and who accompanied her to the Madrid summit. Sadly, his views do not seem to coincide with those of the Prime Minister or of the present Chancellor.

But if the condition is clear—and it could hardly be made more clear—that inflation had to be reduced before we entered the exchange rate mechanism, it is equally clear that it has not been fulfilled. Headline inflation in June 1989 was 8·3 per cent. and is now 10·9 per cent. If we take inflation on the basis that the Chancellor likes to take it —by excluding completely mortgage rates and the poll tax, which is a favourable estimate from the Government's point of view—then, it was 5·8 per cent. and now, it is 7·9 per cent.

I ask the Chancellor to explain why there has been such a humiliating U-turn by the Prime Minister who was the inventor of the Madrid conditions and is now their arch-destroyer. Is it not simply because the Government, due to their appalling mismanagement of our economy, have been forced to concede that they could not achieve the inflation target which they had set for themselves?

Why does not the Chancellor admit this in his statement to the House, on television and elsewhere? Why does not the Prime Minister—whose role is so crucial in this affair that she must take part in the debate which we hope to have in the House—admit it? If our parliamentary accountability is as important as she frequently claims in this context, why is she reluctant to take part in the debate? Is it not because she would find it impossible to justify the abandonment of a commitment that she made to the House on 29 June last year?

Would not the Chancellor have been wiser to admit that our economy is in dire trouble, rather than to pretend, as he did once again today, that all would soon be well and to claim, as he did on Channel 4 television on the day of his announcement, that at that time there was

"an ideal conjunction of events"

Ideal, when inflation was twice as high as that in the rest of the countries in the exchange rate mechanism? Ideal, when the economic consequences of the Gulf crisis are quite unknown? If these conditions were ideal, what were the Government waiting for during all the years when inflation was low and during all the years when there was no Gulf crisis?

Does the Chancellor not understand that nonsense like this not only fuels scepticism in the markets and elsewhere, but fosters downright incredulity about statements by Ministers? Is is not clear that the Government, baulked and cornered by their economic failure, have joined the exchange rate mechanism as a last resort?

Now that Britain has joined, will the Chancellor give us his estimate of the consequences for our economy? I hope that he will answer these questions directly. Given our serious balance of payments problems, is it his judgment that the rate at which we agreed to join is sustainable? What is his estimate of the effect on the balance of payments over the period ahead? Will the balance of payments deficit be progressively reduced? Is he satisfied that the arrangements through the central banks under the Basle-Nyborg agreements will be adequate to sustain the management of a currency as widely traded as sterling? Why did he not seek a strengthening of regional policy in the Community as one means of helping to bridge the gap between countries with more successful economies and countries, such as Britain, which are in difficulties?

Finally, I wish to ask the Chancellor—*[Interruption.]*

Mr. Speaker: Order.

Mr. Smith: This is an extremely important matter of economic and political policy, and the Government should

not complain when they are asked questions by an Opposition whose function it is to do precisely that. The questions that I want to ask the Chancellor flow from how economic policy is to be directed now that we are subject to the disciplines of the ERM.

First, is it not clear that, between now and the next election, responsible economic management will not permit cuts both in interest rates and in personal income tax? To build confidence over the period ahead, will the Chancellor today rule out the possibility of personal income tax cuts before the general election as too wildly irresponsible to be seriously contemplated by any sensible Government? Does he not yet understand that, in the new situation, the supply side policies advocated by this side of the House are even more crucial? Unless we end the debilitating neglect of trading, the collapse of regional policy and the failure to advance new technology—in short, unless we adopt an industrial strategy—is it not clear that we shall not succeed within the ERM, just as we have failed outside it?

Mr. Major: I am grateful to the right hon. and learned Member for Monklands, East (Mr. Smith) for his initial welcome for our decision. We both agree that it is the right decision for the British economy. He spent so much time on the Madrid conditions because he knows that we are right to enter the mechanism. As recently as a few weeks ago, he said:

"We believe that we should enter the ERM at an early date."

The Government agree with him, and we have done so.

Several conditions were set out in Madrid. The first concerned the abolition of exchange controls, which is substantially completed. The second related to the single market, and the majority of the measures are now concluded and more are in hand. The third related to progress on financial services, which is also nearly concluded. The fourth was progress on competition policy, on which the Commission, on this at least is acting firmly. The only remaining condition was the need for inflation convergence, and it is now clear that we are moving away from divergence in inflation to convergence in inflation. *[Interruption.]* If the hon. Gentlemen listen longer, they will learn a little more.

The right hon. and learned Gentleman then asked why we were waiting for a conjunction of events and what they might be. We were waiting essentially for three events: first, the right market conditions and the right market rate, and that we had; secondly, a clear indication that monetary aggregates were coming into line, and that they have; thirdly, signs in the real economy of close and certain disinflation, and that we had. The combination of those factors made this the right time to enter the mechanism.

The right hon. and learned Gentleman asked about the consequences for the economy. The first and most certain consequence is that entry of the ERM will reinforce monetary policy and help us push inflation lower, which is our central policy aim. He asked whether the rate was sustainable, and I share his view that that is an important question. I am confident that a central rate of DM2·95 is sustainable, for a series of reasons which I will set out now, if the House will do me the courtesy of listening.

First, DM2·95 is the average inflation-adjusted real rate of the past decade. It is the recent market rate and, as a number of analysts have pointed out, the pound's purchasing power parity—in essence, the rate at which the prices of our goods would be equal to the prices of German goods—is above DM2·95. Three analysts have calculated it specially: one at DM3·30, one at DM3·19 and one at DM2·95. Similarly, as the right hon. and learned Gentleman may know, the International Monetary Fund has released figures that suggest that industry will be competitive at DM2·95.

Mr. Ron Leighton (Newham, North-East): When has it ever been right?

Mr. Major: When has the hon. Gentleman ever been right?

I understand the concern that underlies the question. The truth is that the trade gap is the result of domestic demand outstripping supply and not an uncompetitive exchange rate. That is the reality of what has happened.

The right hon. and learned Gentleman's next question concerned the central banks. I am content that the central bank agreement is satisfactory and I think that the right hon. and learned Gentleman is aware of that. I did not regard stronger regional policies as necessary or negotiable in my discussions with my partners in Europe.

On the responsibility for future economic management, the right hon. and learned Gentleman referred to the possibility of interest rate cuts and tax cuts. I made clear a few moments ago the position on interest rate cuts. Tax cuts are a matter for the Budget and not before.

Mr. Terence Higgins (Worthing): My right hon. Friend the Chancellor is reported to have said that a remark by Mr. Delors that we joined the ERM in order to slow down EMU is "rather rum". Is that not a good description of Mr. Delors's position, given that we have been in the lead in implementing the single market and that my right hon. Friend's proposals for a hard ecu are a far more practical, effective and better way forward than Mr. Delors's proposals for stages 2 and 3?

Mr. Major: I am grateful to my right hon. Friend for those remarks. I agree entirely. The hard ecu moves us in the direction of a market-led approach, which I believe is the only sustainable way forward.

Mr. James Molyneaux (Lagan Valley): As Parliament —both sides of the House of Commons—has rendered itself impotent on these matters, is it not imperative that there should be no further erosion of Britain's position until the electorate have been consulted at a general election?

Mr. Major: With respect to the right hon. Gentleman, I do not agree with his underlying premise.

Sir William Clark (Croydon, South): Now that the euphoria of the markets has subsided, will my right hon. Friend re-emphasise that joining the ERM is not a soft option, and that it is essential for us to keep tight monetary control? Does he agree that there has been a wide welcome for the fact that we do not agree with a single currency and that at the new meetings the hard ecu suggestion will be put forward?

Mr. Major: I certainly agree with my right hon. Friend's final point, and I confirm it. I think that the euphoria of the markets was overdone both before and immediately after entry and, in some cases, the gloom is

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now being overdone. Entry into the exchange rate mechanism is an additional discipline to underpin monetary policy. It is that and no more.

Mr. Peter Shore (Bethnal Green and Stepney): The Chancellor will be aware that this is one of the most serious decisions affecting the jobs and livelihoods of millions of people in this country. He maintains that he has got the right exchange rate. That view is not shared by the vast majority of experts, academics and others in this country.

I shall ask two questions. First, if it turns out that the right hon. Gentleman is wrong on this vital matter, what powers does he have left to change the exchange rate now that it has been agreed with the ERM? Secondly, now that we are part of the ERM, taking account of all he said about tighter discipline, will he spell out what average increase in earnings in the United Kingdom is compatible with retaining what competitiveness we have already?

Mr. Major: On the final point, it depends on the individual company and the individual company's productivity. On the substantive—*[Interruption.]* It is the question of averages that has got this country into so much trouble over the past 20 years. On the right hon. Gentleman's central point of jobs and livelihoods, the most important thing for jobs and livelihoods in the future is, first, to obtain a firm downward pressure on inflation and, secondly, to keep it. That is the central reason for entering the exchange rate mechanism.

On whether the rate is sustainable, I set out in some detail the arguments in favour of that a few moments ago. As to what opportunities will arise in the unlikely event of the right hon. Gentleman's next premise being correct, we intend to stay within the bands to which we have committed ourselves. That was the purpose of setting the bands in the first place.

Mr. William Cash (Stafford): Does my right hon. Friend agree that the acid test is to ensure that the British economy is as competitive as possible, and in doing so to remind the right hon. and learned Member for Monklands, East (Mr. Smith) that the views and expressions of Mr. Tuffin, in repudiating any attempt to hold down wages, are a prescription for our not being competitive? Furthermore, does he agree that the views of Mr. Sam Brittan in the *Financial Times* that he hopes that British monetary policy will be made in Berlin must be repudiated?

Mr. Major: As my hon. Friend says, the wages round is important. Wage settlements above that which is affordable would have a short-term effect on inflation but a far more fundamental effect on the number of jobs in the economy. That, essentially, is the message that employers and employees must grasp when deciding what increases should be. As my hon. Friends know, we have committed ourselves to stay within the bands that we have set and we shall use monetary policy for that purpose.

Mr. Alan Beith (Berwick-upon-Tweed): Does the Chancellor recognise that inflation and interest rates would have been lower in this country in the past year if we had been in the exchange rate mechanism a year or more earlier, when Labour opposed it as strongly as the Prime Minister? Will he explain how he and the Prime Minister can continue to talk about tax cuts when the fiscal policy that may need to operate inside the exchange rate mechanism could require him to increase taxes in some circumstances? Does he rule that out? As the Prime Minister's objections to joining the exchange rate mechanism before inflation was down to the level of our partners have been blown away like confetti in a gale, may we hope that her objections to a single currency and a more independent European central bank will go the same way?

Mr. Major: On the last point, I think the hon. Gentleman is unlikely to see that, and I think that he is unlikely to see that among my right hon. and hon. Friends either. On his first proposition, that inflation would have been lower if we had been in the exchange rate mechanism, if the conditions had been there for us to have been in the exchange rate mechanism, the hon. Gentleman might have been right, because the inflationary record of countries within the exchange rate mechanism is better than those not in it. The conditions for entry were not present. A year or so ago, monetary aggregates were not falling and the real economy was not slowing. We were heading for a position where inflation was going up, not down. Clearly, one could not have entered then.

Mr. Teddy Taylor (Southend, East): Does the Chancellor recall that, when his predecessor joined informally, we had significant reductions in interest rates and inflation for several months, but a period of regular increases in interest rates to the present savage levels after that period of joy? That was apparently because Britain is almost unique in Europe in having a chronic balance of trade deficit with the EEC. Was not this confirmed by Hoare Govett, which has just published a splendid paper suggesting of the initial good news:

"As with all magic, it is hocus pocus—and would be unlikely to last for more than a year."

If by any chance my right hon. Friend, who has our great respect, and the Government are wrong and such critics are right, what powers are available to the Government to do anything? Can we withdraw from the ERM? Can we realign the currency ourselves; or will we be stuck with a situation in which interest rates go up and down all the time depending on our relationship with the deutschmark?

Mr. Major: With great respect to my hon. Friend, the concerns that he expressed were expressed in a number of countries when they entered the exchange rate mechanism in earlier years, and subsequent events have shown that those concerns were not justified. I reiterate: those countries that have been within the exchange rate mechanism and have kept to the admittedly difficult disciplines of the exchange rate mechanism have had a better inflation record over a period than we have. I wish this country to have that better inflation record—for British industry, British commerce and the British consumer. That is why I believe that it is right for us to enter and why I believe that the move will be successful.

Mr. Robert Sheldon (Ashton-under-Lyne): I accept the need for entry, so that we are not excluded from influencing developments within the Community, but is the Chancellor aware that, of itself, entry at an over-valuation will do nothing for our balance of payments, nothing for manufacturing industry, nothing to

help us to get more skills in our enterprises and nothing for investment? Is he aware that what he has produced is just a panacea—a panacea of hope and nothing else?

Mr. Major: The right hon. Gentleman's question is based entirely on a false premise. I am the last person who needs telling that entry into the ERM is not a panacea, because it was I who coined that phrase a year ago.

Mr. David Howell: Will my right hon. Friend accept that he took the decision that the pound should enter the ERM with considerable skill, and that he deserves warm congratulations on that, even though we shall have a tough struggle to keep the pound where it is? Entry into the ERM ends a long period during which the pound has been kicked around the exchange rate market like a football, and we should be thankful for that.

Does my right hon. Friend recognise that, if the ERM discipline is to work, we shall require much stronger monetary methods and techniques than we have had in the past—techniques of the kind that he and his colleagues were considering back in January? Will he undertake to pursue methods of strengthening our monetary control in this country—including reviewing, and possibly strengthening, the status of our own central monetary authority, the Bank of England?

Mr. Major: I am grateful to my right hon. Friend for his remarks about our entry into the exchange rate mechanism. We are certainly clear in our minds that we need to ensure that monetary policy is a safe and secure discipline, and I shall certainly continue to do whatever I can to ensure that it is.

Mr. Nigel Spearing (Newham, South): Does the Chancellor agree that when he uses the word "discipline" he means "decisions taken elsewhere"? And is it not a fact that a nation entering a fixed or near-rigid exchange rate mechanism with a heavy and persistent balance of trade deficit ceases to be a nation of that characteristic and, in the end, becomes a depressed area of a new economic nation?

Mr. Major: When I use the term "discipline" I mean no devaluation and no constant descent into the easy option. In the 1990s, we cannot afford the easy option and, we are determined not to have it.

Sir Peter Hordern (Horsham): May I congratulate my right hon. Friend on providing a much-needed extra discipline for the control of inflation, and on putting an end to the widespread perception that wage costs could continue to increase for ever and that we could continue to be bailed out by a declining currency? I also congratulate my right hon. Friend on climbing into the driver's cab of that notorious gravy train, the European Commission, with the prospect of putting an end to Mr. Delors's ambitions.

Mr. Major: I am grateful to my hon. Friend for his comments about our entry into the exchange rate mechanism, and I share the views that he has expressed about it. On economic and monetary union, I share my hon. Friend's concern about the destination for which some in the European Community are heading at present. I believe that our proposals represent the right way to proceed, and we shall argue for them very strongly indeed in the intergovernmental conference.

Mr. Leighton: Is the Chancellor aware that pegging sterling at nearly DM3 to the pound is virtually equivalent to signing the death warrant of British manufacturing industry? Is he aware that it is a crazy, stupid and misguided policy? I prophesy that he has it wrong and that the pound will not stay at DM2·95.

Is the right hon. Gentleman also aware that going into the ERM makes absolutely no sense if we do not want stages 2 and 3 of the Delors plan? I am glad that the Prime Minister is paying attention, because she blusters, huffs and puffs, but in the end always gives way. That is what she has done again.

Mr. Major: I did not notice my right hon. Friend the Prime Minister giving way and accepting the European budget which the Labour party left us in 1979.

With regard to competitiveness, I have a good deal more confidence in British industry than do Opposition Members. I simply do not understand why Opposition Members persistently talk down the capacity of our industry to compete.

Mr. Michael Grylls (Surrey, North-West): Does not my right hon. Friend agree that the tightening of money since mid-1988 has done a good job—no one can ever say again that high interest rates do not work in bearing down on inflation—and that that is why he took his decision on the ERM last week? Does not my right hon. Friend also agree that the Opposition's policy of trying always to suggest an alternative to high interest rates, such as discredited credit controls, proves again that the Opposition are wrong?

Mr. Major: I entirely agree. Our inflationary problem was substantially the result of the dramatic growth of demand. Monetary policy has brought that growth of demand down and will increasingly bring down inflation.

Dr. David Owen (Plymouth, Devonport): Can we assume that the Government are opposed only to the imposition of a single currency and that they would go along with an optional single currency? Is not such flexibility over monetary union essential if we are to enlarge, as I think we must, to include Czechoslovakia, Hungary and Poland? By insisting on a single currency for everyone, we are effectively ensuring that the European Community will remain only a 12-member Community.

Mr. Major: On the second point, I entirely agree with the right hon. Gentleman. We believe that it is in the longer-term interests of Europe to ensure that the Community of 12 can become a larger Community to admit the increasingly emergent democracies in eastern Europe. We would be wise to do nothing to inhibit their entry at a later stage by decisions taken at an early stage.

An imposed single currency is not only difficult in terms of the concerns of the House of Commons, with which I have full agreement, but also has real econonic dangers for many European nations and we will continue to make those plain. For that reason, we believe that the market-led hard ecu approach is right.

Mr. Ian Taylor (Esher): Does my right hon. Friend share my dismay about the fact that the right hon. and learned Member for Monklands, East (Mr. Smith) appeared to judge only one criterion of the level of inflation—the RPI—when a much better guide to the trend is the tightening of monetary aggregates? Will my right hon. Friend take credit for taking sterling into the

[Mr. Ian Taylor]

exchange rate mechanism at the earliest possible time when it was clear that monetary aggregates would lead to declining inflation?

Will he also repeat and underline the fact that, on a purchasing power parity basis, the DM2·95 central rate will not render British industry uncompetitive and that British industry must now take that rate into account when judging future costs and wage rounds?

Mr. Major: On purchasing power parity, my hon. Friend is entirely right. I quoted some figures earlier which are a clear illustration of that. I am grateful for my hon. Friend's earlier remarks.

Mr. Giles Radice (Durham, North): Despite the potential advantages of joining the ERM, is not the trouble with the Government's decision of 5 October the fact that it was taken at the wrong time, for the wrong reasons and at the wrong rate? In view of all the suspicions and concerns of our Community partners, would it not be good for the Government to say that they intend to be a bona fide member of the exchange rate mechanism and that they intend to take a constructive attitude at the intergovernmental conference in November?

Mr. Major: We will take a constructive line at the intergovernmental conference in November, but a constructive line for the future of Europe does not necessarily mean agreeing to each and every plan that may be promoted by one part of the European Community. A constructive line may well mean standing up for British interests and what we see as the long-term interests of Europe. I give the hon. Gentleman an undertaking that we will do that. We will certainly be bona fide members of the exchange rate mechanism. I made it clear today that, as soon as it is appropriate, we will move to the narrow bands. I do not share the hon. Gentleman's view that it was the wrong time to enter. I believe that it was the right time to enter, and that is why I did so.

Mr. Ian Stewart (Herefordshire, North): Will my right hon. Friend confirm that it was his view that it was appropriate for a first reduction in interest rates to be made which led to his decision to enter the ERM at that time, and not the other way round, as has been generally suggested against his momentous decision? Despite the constraints of the EMS in future, can he assure us that he will do his best not to be pressed into any reductions in interest rates unless and until he judges that they are appropriate in the light of domestic economic and monetary circumstances?

Mr. Major: I certainly confirm the latter point. On the first of the important points that my right hon. Friend made, I think that it was the right time to cut interest rates and to enter the exchange rate mechanism. Indeed, the monetary conditions—first, the fact that narrow money is in its target range; secondly, the fact that broad money growth has fallen every single month since January; and thirdly, the fact that bank lending is now decelerating and the indications that one can see of the flat housing market and other matters in the real economy—were classic signs that interest rates needed to be cut by 1 per cent.

I also felt that it was the right time to enter the mechanism. I also had to bear in mind the fact that, since an interest rate cut was clearly justified, if it had preceded entry, it might have been seen as an attempt to drive the exchange rate down in advance of entry or, alternatively, a signal that we were not going to enter for some time. Both of those would have caused market turbulence. Fortunately, it was the right time to do both, and we did.

Mr. Harry Ewing (Falkirk, East): Is the Chancellor aware that it ill becomes Conservative Members who apparently cannot survive on £26,500 a year to lecture the workers of this country about the need to accept low wage increases in the present pay round? May I be the third hon. Member to ask the Chancellor—on two or three occasions, he has mentioned devaluing the currency—to spell out to the House and the country what powers are available to correct his own mistake if he has got it wrong? If he refuses to explain that, we can only assume that he has left himself without any power.

Mr. Major: On the hon. Gentleman's first point, the requirement to spell out clearly the implications of unaffordable pay increases is clear. If people do not know that avoidably large wage increases will cost jobs, they may then negotiate wage increases that would create unemployment, and nobody wishes to do so.

On the second point, I do not accept the hon. Gentleman's premise that we have gone in either at the wrong time or at the wrong rate, and events will bear that out.

Mr. Anthony Nelson (Chichester): I congratulate my right hon. Friend on the most welcome statement that he has made today. Does he agree that most people in this country, in addition to lower mortgage interest rates, want to be paid and to save in a currency which is strong, stable and valuable? Does my right hon. Friend agree that, having taken the momentous decision to join the exchange rate mechanism, we have taken a most important step towards economic and monetary union from which there can be no turning back?

Mr. Major: I am grateful to my hon. Friend for his kind remarks about our entry into the exchange rate mechanism. The exchange rate mechanism will play a significant part in assisting other aspects of policy to bring down the rate of inflation so that savings will have a secure value. I entirely share my hon. Friend's view on that matter. I do not necessarily draw the same conclusion about future developments towards monetary union.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): If it is such a favourable exchange rate, does the Chancellor now expect a favourable balance of trade, particularly with West Germany?

Mr. Major: As I have pointed out on several occasions during the past few moments, the purchasing power parity rate, which is what matters, is more favourable than many other people have yet considered. If the hon. Gentleman will wait and see, events will give him his answer.

Mr. Quentin Davies (Stamford and Spalding): I congratulate the Chancellor on his momentous decision. Does he agree that this is the first time since the Labour devaluation in 1967 that British industry faces the disciplines of a regime of credibly stable exchange rates? It is also absolutely clear from this afternoon's proceedings that the Labour party remains at heart a party of

devaluationists. The vital thing is for both sides of British industry to take on board the full enormous importance of the changed circumstances that they now face.

Mr. Major: It could not be put more clearly, and I entirely agree with my hon. Friend.

Mr. Jim Sillars (Glasgow, Govan): Does the Chancellor recall quoting the experiences of other countries entering the ERM? Does he agree that it is a fair parallel to cite the French experience—another weak currency like our own—on entering the ERM? Is it not the case that the French had not only to maintain very high interest rates and introduce credit controls, but to tighten their fiscal policy? Why does the Chancellor think that he can get away with a very loose fiscal policy, when the French had to tighten theirs?

Mr. Major: I think that the hon. Gentleman is overlooking several facts. First, we have a very tight fiscal policy and fiscal surplus, which the French did not; secondly, we have put in place a whole series of supply side improvements, but the French have not; thirdly, they have a socialist Government pursuing socialist policies and we have not.

Mr. Hugh Dykes (Harrow, East): Is my right hon. Friend aware that his decision 10 days ago has been almost universally welcomed in this country? It is a significant step forward, as is his reminder yet again today that the eventual single currency will be reached by agreement, not imposition, which is, after all, the Community habit and was at the specific request of Heads of Government when they asked Mr. Delors to draw up the plans.

Mr. Major: I am grateful to my hon. Friend for his support on those matters, which I greatly welcome.

Ms. Clare Short (Birmingham, Ladywood): Is not the truth about the timing and level of our entry to the ERM the short-term interests of the Conservative party? The Chancellor thinks that, via an overvalued exchange rate, he will buy, for a short time, a cut in inflation and the stability to cut interest rates. After the election has been called, we shall see a terrible recession because the exchange rate is overvalued. Surely the danger for the Chancellor is that the markets have read all this, and that therefore the pound will drop in value. He will not get his desired outcome—the cut in interest rates—as the whole strategy will blow up in his face. That will be the price he pays for acting in the interests of the Tory party rather than the British economy.

Mr. Major: The hon. Lady and her party should not judge us by their standards. Entry into the ERM is not about short-term advantages and long-term costs—in reality it is almost precisely the reverse. There will be short-term restrictions on policy in return for the long-term advantage of lower inflation. That is the right way to proceed.

Mr. George Walden (Buckingham): May I congratulate my right hon. Friend on making it clear in his speeches, notably at the party conference, that the success or otherwise of the ERM ultimately depends on self-discipline within the economy? I note his hope, his appeal and his wish for lower wage rates. Will he also make it clear to the country that there must be no resurgence of the bloated house prices that played such a large part in our inflation in the first place if this policy is to succeed?

Mr. Major: I absolutely share the views that my hon. Friend has expressed. The way in which house prices took off a couple of years ago added significantly to our difficulties—they took off after the election, so they did not help us win—and they represented a considerable complication in policy.

My hon. Friend is entirely right as well in what he says about wage rates, which should apply to management as well as the work force.

Mr. Doug Hoyle (Warrington, North): Will not the Chancellor admit that, despite his brave words, British manufacturing industry is not competitive, at almost DM3 to the pound? If it is not competitive, what will the result be? In the early 1980s, the Government destroyed almost 30 per cent. of British manufacturing industry, now the rest of British industry will also go down the plughole because of the Chancellor's folly, dictated not by reliance on economic strategy but by political expediency.

Mr. Major: The hon. Gentleman may feel that, but if he does, he is wrong. In addition, I do not agree with his remarks about competitiveness. I reiterate my point that the size of the trade gap—which I have publicly stated I regret—is essentially the result of excess demand over our capacity to supply at home, no lack of competitiveness. That is why our export performance has been so good.

Mr. Ivan Lawrence (Burton): Will my right hon. Friend acknowledge that, necessary and commendable as entry into the ERM may be, there is nevertheless widespread concern in the country that it will inevitably lead not only to economic and monetary union but to a form of single currency and centralised banking control, and of control over our economy and taxation policies that will take away this nation's national sovereignty and replace it with the elements of a European super-federal state? Will he make it absolutely clear that under no circumstances will the Government's policies end at that destination?

Mr. Major: I am happy to tell my hon. and learned Friend that I see no prospect of us moving towards a federal state.

Mr. Graham Allen (Nottingham, North): Does ERM mean exchange rate mechanism of election rigging manoeuvre? Will the Chancellor explain clearly and simply to the House what mechanism exists to devalue the pound within the ERM?

Mr. Major: I will tell the hon. Gentleman precisely what ERM means—it means an assistance towards low inflation. I am not contemplating devaluation, which is the traditional policy of Opposition parties, not a Conservative Government.

Mr. Andrew Rowe (Mid-Kent): My right hon. Friend is of course aware that the belated conversion of the Labour party's Front Bench spokesmen to welcoming membership of the European Community reflects their hope that by doing so they will belong to a socialist Europe. Does he accept that, although many of us welcome the fact that we are being moved closer to Europe, we wish to see a

[Mr. Andrew Rowe]

Conservative Europe and welcome his latest manoeuvre because it gives us a voice in the central policies of the European Community?

Mr. Major: I am grateful to my hon. Friend. What has become crystal clear during this questioning, to a greater extent than I imagined, is that the Opposition are split on the issue of the exchange rate mechanism. Their Front Bench spokesmen want to go in, but their Back Benchers are already asking how to come out—that is how split they are.

Several Hon. Members *rose*——

Mr. Speaker: Order. I have to have regard for the subsequent business, an important debate on financial services and the European market, in which some hon. Members now standing wish to participate. I shall take three more questions from each side and then we must move on.

Ms. Joyce Quin (Gateshead, East): Is the Chancellor aware that a document that the House will be considering shortly—the Government's official response to the report of the Select Committee on Trade and Industry on the EC and financial services—clearly states that ERM entry will be considered only

"when the level of United Kingdom inflation is significantly lower."

In view of that statement, will the Chancellor admit that, for political reasons, the Government have made a complete about-turn?

Mr. Major: That is a very charming attempt, but I will not. The relevant factor is not the historic inflation rate when we were not in the exchange rate mechanism but what the inflation rate will be when we are in the exchange rate mechanism.

Mr. Edward Leigh (Gainsborough and Horncastle): Does my right hon. Friend agree that membership of the ERM makes sense to a Government committed to national economic sovereignty only if it is seen not so much as a cosy support system but as a measure of fiscal rectitude equivalent to the old gold standard? In that sense, what hope would there be for any Government who retained membership of the ERM but pursued policies of high spending, borrowing and taxation, and low interest rates, as a Labour Government would? Would not that send the pound not so much floating as crashing through the floorboards?

Mr. Major: That, of course, crisply put by my hon. Friend, is why Opposition Back Benchers hate the idea of the exchange rate mechanism and would never, in practice, have let a Labour Government enter and, in the unlikely event of a Labour Government coming to power, they would seek to bring them out. I hope that the markets and our colleagues in Europe understand that.

Mr. Robert Litherland (Manchester, Central): The Chancellor puts great emphasis on self-discipline. If voluntary wage restraint did not come up to his expectations, however, would he ever consider a wage freeze?

Mr. Major: I do not think that the experience of wage freezes in the past 20 years—under Governments of both major parties—has been at all satisfactory, and I do not envisage our taking such action. The reason why I set out so clearly the importance of the wage round is that the sooner that it is clearly understood by both sides of industry that it is necessary for wage increases to be only those that are affordable, the less will be the impact in the form of job losses.

Mr. Graham Riddick (Colne Valley): Does my right hon. Friend agree that one of the more distasteful aspects of the whole ERM debate has been the way in which Mr. Jacques Delors has been saying that the inevitable next step is a single currency whether Britain likes it or not? Will my right hon. Friend confirm once again that the inevitable next step is no such thing, and that the present Government will not be dictated to by this Brussels bureaucrat?

Mr. Major: I am happy to reiterate to my hon. Friend that we are not at all in favour of stage 3 of the Delors plan, and that we intend to pursue very fiercely our own plans for a market-led approach.

Mr. Win Griffiths (Bridgend): Everyone knows that the Government have been thinking about joining the exchange rate mechanism for 11 years, and that they have been looking into it particularly deeply during the past five. Given this amazing conjunction of events, and the Chancellor's emphasis on the reduction in inflation, can he tell us the expected rate of inflation on a quarterly basis until October next year, and also what estimate has been made of the rate of unemployment in the same period?

Mr. Major: I shall do that in the Autumn Statement —as is traditional—at some stage in November; the precise date is as yet unclear.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend accept that many of us were disappointed by the rather churlish response of the right hon. and learned Member for Monklands, East (Mr. Smith)—for whom many of us have considerable regard —when my right hon. Friend has done precisely what was asked of him only a week ago, by reducing interest rates and joining the ERM? Is this because the Opposition have recognised—it has been brought home to them—that what we must have are the same kind of wage increases, in relation to productivity, as other European countries; and that, if Rover and Ford car workers ask for 13 per cent. when Benz and Volkswagen workers are asking for 3 per cent., there is no way in which that can prove successful, whoever are in office?

Mr. Major: My hon. Friend is smack on the button: I entirely agree. I confess, however, to feeling some sympathy for the right hon. and learned Member for Monklands, East. It is not easy to try to ride two horses in that circus.

Shootings (Jerusalem)

4.33 pm

Mr. Dave Nellist (Coventry, South-East): I seek to move the Adjournment of the House under Standing Order No. 20, to consider an urgent and specific matter which should have immediate attention, namely,

"Britain's relations with the Government of Israel following the massacre at the Al-Aqsa mosque".

Last Monday, 8 October, was the bloodiest day so far in Israel's 23-year occupation of Jerusalem, the West Bank and the Gaza Strip. Twenty-one Palestinians were slaughtered and 150 were injured when live ammunition was again used against civilians in the area of the old city which the Jews call the Temple Mount and the Moslems call the Noble Sanctuary; 11 Jewish worshippers were injured by stones in the lower area known as the western wall.

For five days last week, the United Nations laboured mightily—and, in my view, brought forth a mouse. The House should consider urgently whether three assistants from the Secretary General's office, sent as a mission 23 years after Israel's occupation, really constitute a serious response. Certainly, millions will contrast the rapid deployment of a task force to the Gulf following Iraq's invasion of Kuwait with the fact that, 23 years after Israel's invasion of the west bank and the Gaza strip, and after nearly three years of intifada, during which more than 800 Palestinians have been killed, the Secretary General is sending three assistants.

Should you, Mr. Speaker, grant it, the debate could and should illuminate this by considering the words of the former United States Assistant Defence Secretary, Laurence Korb, who said that the Gulf task force was obviously about oil because,

"if Kuwait grew carrots, we wouldn't give a damn."

Well, the Palestinians may not grow many carrots, but they certainly grow olives and citrus fruit, and it seems that the world, or at least the bit represented in the Security Council of the United Nations, does not give a damn.

Yesterday, *The Observer* reported Palestinian doctors who treated survivors as saying that medical evidence showed that the police had fired wildly; and Doctor Mustapha Bargouti of the Al Makassed hospital, whom I had the honour of meeting in Jerusalem about 18 months ago, spoke of

"indiscriminate shooting and in one case we found 14 bullets in one man".

Of 120 people treated at his hospital, 32 were still being treated, including a four-year-old with a rubber bullet in his brain. What security risk was posed by a four-year-old seven days ago in the Noble Sanctuary to result in a rubber bullet in his brain?

I end with a call for a debate. There was no excuse for the slaughter. The middle east needs an end to these slaughters and to the occupation. As a socialist, I think that we need a federal solution that guarantees rights to a homeland for Palestinians and the state of Israel. Israel must come out of the occupied territories and these slaughters must end.

Mr. Speaker: The hon. Member for Coventry, South-East (Mr. Nellist) asks leave to move the Adjournment of the House, under Standing Order No. 20, for the purposes of discussing a specific and important matter that he believes should have urgent consideration, namely,

"Britain's relations with the Government of Israel following the massacre at the Al-Aqsa mosque."

I have listened with care to the matter that the hon. Gentleman has raised. As he knows, I have to decide whether to give his application precedence over the business set down for today or tomorrow. I hope that at some stage it will be possible to debate these important matters, but I have to say that the matter that he has raised today does not meet the requirements of the Standing Order and I therefore cannot submit his application to the House.

STATUTORY INSTRUMENTS, &c.

Ordered,

That the draft Hovercraft (Application of Enactments) (Amendment) Order 1990 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Boswell.]*

Financial Services and the Single European Market

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Boswell.]*

[Relevant documents: The fifth report from the Trade and Industry Committee (House of Commons Paper No. 256 of Session 1988/89) on Financial Services and the Single European Market and the Government Reply contained in the Committee's second special report (House of Commons Paper No. 598 of Session 1988/89).

European Community documents Nos. 4454/89 on guarantees issued by credit institutions or insurance undertakings, 6208/90 on "Capital Adequacy of Investment Firms and Credit Institutions", and the unnumbered explanatory memorandum submitted by the Department of Trade and Industry on 13 July on investment services.]

4.37 pm

The Secretary of State for Trade and Industry (Mr. Peter Lilley): I welcome this opportunity to debate the development of the single financial area in Europe. Before I begin, I wish to apologise to the hon. Members for Gateshead, East (Ms. Quin) and for Redcar (Ms. Mowlam) if there has been a failure of communication on my part, although it has the happy result, from my point of view, that I have the opportunity to debate with them. I suspect that we shall find that, although we may have occasional disagreements over measures, we shall have a large measure of agreement on our final objectives.

I begin by paying tribute to the work of the Select Committee on Trade and Industry, whose excellent report forms the prelude to this debate. The Government agree with the bulk of the Committee's findings, as we made clear in our response. Like the Committee, we believe that the creation of a single European financial area should open up opportunities for one of Britain's most important industries. Indeed, the British Government have been the foremost exponent and supporter of the single market programme as a whole and of the single financial area in particular.

The single market is a natural extension of the policies of competition, deregulation and free markets which we have implemented domestically, and the single market programme was largely the brainchild of the British Commissioner Lord Cockfield. The unique and original feature of the single market programme was the idea of mutual recognition. Essentially, once a business or process has been authorised and is supervised in one country, all other member states agree to recognise that the business is duly regulated. It will therefore be allowed to do business or to set up branches in their states without undergoing further authorisation. This paradigm is particularly applicable in the financial services industry, as we shall see.

Implementing the single market in financial services is of special importance to the United Kingdom. Financial services are an area in which the United Kingdom has a relative advantage; that is clear from the Cecchini report, which shows that in many aspects of financial services United Kingdom industries' costs are lowest and their financial products are the most competitive.

The importance of the financial services industry to the United Kingdom's economy is shown by the number of people that it employs—some 2·7 million as against 1·6 million only 10 years ago. I refer advisedly to the United Kingdom financial services and not just those of the City of London, because the United Kingdom also contains Scotland, which is our second most important financial centre. The financial services industry is already the largest industry in Scotland, having increased employment by 40 per cent. since 1979. Its contribution to Scottish GDP has grown at the rate of 6·3 per cent. per annum compound. The City of London is one of Britain's most important economic assets. It has the world's largest foreign exchange market, more cross-border equity transactions are carried out in London than in any other world market centre, and the Lloyd's insurance market is unique.

Mr. D. N. Campbell-Savours (Workington): It is now generally recognised throughout the City that the exchange rate mechanism statement and the base rate cut were leaked. Evidence of that is to be found in the FTSE 100 index, which went up 16 points, from 2,035 to 2,051, in the 90 minutes before the Chancellor's statement. We are told that the City is properly regulated. Will there be a leak inquiry and will the Minister ask the stock exchange surveillance department for a report on what happened during those one and a half hours so that there can be the fullest possible inquiry? May we have an assurance that this matter will not be brushed under the carpet, because many dealers and speculators in the market made millions of pounds in that 90 minutes as a result of having price-sensitive information.

Mr. Lilley: The hon. Gentleman has an unattractive habit of assuming that any allegation is automatically true. Allegations are examined by the authorities that we have established. I shall deal with that later.

All these businesses in the United Kingdom produce a total net income for the balance of payments of more than £6·5 billion per annum and the Government continue to create the conditions for further success. Taxes on business and on individuals have been brought down to more internationally competitive levels and the Chancellor's forthcoming abolition of stamp duty and the change of basis for the taxation of futures and options represent two further breakthroughs for our financial markets.

The strength of the British industry has been accumulated over generations, but it has been based particularly on two factors—its relative openness to competition and the rest of the world and its relatively high standards of integrity and reliability for which the London market is renowned. The Government have been particularly keen to reinforce both strengths. Hence, on the competitive side, the abolition of exchange controls and the removal of restrictive practices prior to big bang. Both these changes intensified domestic competition, encouraged more international players to base themselves in Britain, and consolidated London as the great world financial centre in this time zone.

Raising the standards of probity in financial markets and seeing that these higher standards were properly enforced has been a Government priority since our inception. In 1980, we brought in the first legislation against insider dealing. In 1981 we appointed Professor Gower to review the whole body of law on financial services and investor protection. His report led to the Financial Services Act 1986.

In 1988 we set up the Serious Fraud Office, with its special powers under the Criminal Justice Act 1987, and

we reorganised my Department's investigatory and prosecution functions by creating a new investigations division.

The Companies Act 1989 improved international co-operation with the establishment of memoranda of understanding with the USA and Japan in the securities area and the provision of new powers to assist overseas regulators. This is a real record of achievement and contrasts with that of the previous Government, who made no improvements whatever to the regulatory environment. We have strengthened the framework to tackle abuse and dishonesty in the City and other financial markets. The fact that a number of offences and alleged offences have been brought to light in recent years is not evidence that City standards have declined; it is proof that higher standards are being more vigorously enforced. Moreover, some of the more disturbing events took place under the old regime, and would have been more easily detected and therefore deterred under present arrangements.

In creating the main part of the regulatory framework —the Financial Services Act—it was important to strike a balance between the needs to ensure effective investor protection and to avoid a system so onerous and rigid that it would damage businesses and stifle innovation. With the later fine tuning introduced in the Companies Act 1989, we are getting the balance right.

Our system is based firmly in statute, but it also incorporates a significant degree of practitioner involvement. This gives flexibility and the scope for regulation to be sensitive to market needs. It is no accident that much of the regulatory reform at present going on in other EC member states is based on a similar approach. Having put the structure in place, we now look to the regulators and practitioners to make it work. They must do that in as cost-effective and flexible a way as possible, consistent with providing real protection to investors.

Our first priority has been to ensure that our own domestic arrangements are soundly based, but in negotiating the directives that open up the single financial area—the SFA—we have had similar objectives. The keystone to creating an SFA in Europe was the capital liberalisation directive. It came into force on 1 July 1990, by which time exchange controls were abolished in all the main EC countries.

An invaluable aspect of the capital liberalisation directive is that it requires member states to abolish restrictions on foreign exchange transactions not just between member states but erga omnes—that is, with the world as a whole.

Mr. Barry Porter (Wirral, South): Very good.

Mr. Lilley: I had to look it up.

Following that, the second banking directive was adopted in December 1989. It will take effect on 1 January 1993. It incorporates the mutual recognition principle, and we hope that it will be the paradigm for all directives in this sector.

Essentially, banks and building societies will be given a passport to sell their services across borders and to establish branches, authorised and supervised by the monetary authorities in their home state.

Mr. Anthony Nelson (Chichester): Everyone recognises the importance and the fast progress that has been made in negotiating and agreeing these directives. Does my right hon. Friend agree that, important as the directives are, it is equally important that they be observed in the same way in each country? It is one thing to have a single passport or a level playing field, but it is quite another to translate that into the same degree of observance in each member state. Although there is commonality in the trade in agricultural products, other countries frequently flout the rules.

Mr. Robin Maxwell-Hyslop (Tiverton): Lamb in France.

Mr. Nelson: Lamb in France is an example. What guarantees or sureties are there that not only will the directives be enforced but that they will be interpreted in the same way in each country?

Mr. Lilley: My hon. Friend makes a good point. The United Kingdom is always in the forefront in implementing directives once they have been agreed, even though we may have difficulties with them when they are being negotiated. We are also in the forefront in enforcing them properly, objectively and effectively. We expect to see similar practices followed by our partners in the Community and, of course, they are subject to the European Court of Justice if they fail to do so.

As I have said, the second banking directive will give banks a passport to offer investment services as well as normal banking services, but specialist investment service companies that are not part of banking groups are not covered by that directive.

The investment services directive is intended to entitle them, too, to a single passport. On the continent, most investment advisers are parts of large banking groups and only the United Kingdom has a sizeable number of specialist investment firms outside banking. Hence this directive is particularly important to the United Kingdom.

One of our key objectives has been to ensure that the second banking directive and the investment services directives come into force simultaneously. Any delay in the investment services directive would put our independent investment services firms at a disadvantage to competitors that are part of big banking groups. Happily, negotiations on this directive are proceeding apace, and the United Kingdom welcomes the goal of the Italian presidency to reach a common position among member states by the end of this year.

However, the House will understand that agreeing this directive is a negotiating process and we still have some very important work to do to achieve the right provisions. Some of these provisions, such as those affecting the position of the professions and independent financial advisers, depend on the outcome of the capital adequacy directive. I should like to see them given a passport under the investment services directive.

The position of appointed representatives is another area where we have not yet reached agreement. Under United Kingdom law, appointed representatives of investment firms do not need to be separately authorised. The directive, as currently drafted, would require them to be authorised and I know that this is causing the industry some concern. However, I hope that we shall be able to resolve that point satisfactorily.

The concomitant of the second banking directive and the investment services directive is the capital adequacy directive, which ensures that all financial services supervisors enforce certain minimum standards of capital

[Mr. Lilley]

adequacy to prevent regulatory arbitrage. However, it is important that the final capital adequacy directive should relate capital requirements for each type of business to the risks that firms actually accept. That means not overburdening existing firms or closing the market to new firms. Equally, I do not want such a level of reserves that business is lost from the whole Community.

The third measure—the proposed regulation on guarantees—is also a market-opening measure, but it is not yet one that we can support. It would oblige public bodies to accept guarantees offered by any credit institution or insurance company authorised in the European Community. The Government appreciate the intention behind the draft regulation—which I understand to be to prohibit discrimination on the ground of nationality—but we believe that it is unnecessary, because discrimination on the ground of nationality is already prohibited by the treaty of Rome.

As drafted, the regulation is seriously flawed and unworkable. It would require a public body to accept any guarantee offered, irrespective of the financial standing of the institution offering the guarantee. It would have to be accepted, regardless of whether the guarantee was unreasonably large in relation to the size of the institution offering it; regardless of its terms; and regardless of the merits of competing prospective offers, which would have to be ignored. Those concerns have been put to the Commission, which, we believe, recognises some force in them. It is reconsidering the terms of the regulation and we await further proposals.

The Select Committee expressed particular concern about the lack of progress in the liberalisation of insurance. While some progress has been made, the Government fully share the Committee's concern. There has been freedom since the 1970s for establishments to set up branches and subsidiaries in the Community, but that freedom has been subject to regulation by the host state. Some host states have used that supervisory role to control tariffs and the terms of the policies that may be sold. The result has been to protect home markets from price competition and from the innovation in which the United Kingdom industry excels.

The Cecchini report noted a wide disparity of prices for insurance throughout the Community which could not be explained by differing risks. Freedom of services is especially important for the British insurance industry. Last year, the insurance sector contributed almost £3 billion in invisible earnings—about half of the total of all financial institutions. It employs 340,000 people in the United Kingdom, a quarter of them in Scotland and the north of England.

The second non-life insurance directive, which came into force this year, provided genuine liberalisation of the market for large commercial and industrial risks, but outside that area the picture is not bright, at least in the short term. We are far from a position in which every European consumer has a free choice in purchasing any insurance policy that he wants from an authorised insurance company. That denial of freedom of choice is said to be justified on consumer protection grounds, but sometimes it appears to be more like producer protection.

However, at the end of last year, Sir Leon Brittan announced that the Commission intended to adopt for the insurance market the principle of the single licence, or single European passport, which has already been introduced for other financial service sectors. That approach is embodied in the Commission's proposal for the non-life insurance framework directive. It was formally presented to the Council by Sir Leon Brittan on 17 September, and it will shortly be undergoing the usual scrutiny procedures of the House.

The single licence will enable insurers to provide all types of non-life insurance throughout the EC. They will be able to establish local branches in other member states and transact business across frontiers, subject to the authorisation of and prudential supervision by the authorities of their home state alone. Control of British insurers' prices, tariffs and policies by other member states will end and there will be genuine freedom of choice. That is good news for European consumers and also for British industry.

Mr. Stan Crowther (Rotherham): Does the Secretary of State agree that that happy state of affairs will not happen by 1993?

Mr. Lilley: I agree that it is unlikely to be implemented by then, but I hope that agreement can be reached on the directives.

Mr. Spencer Batiste (Elmet): My right hon. Friend rightly stressed the importance of all the directives to the financial services industry, but even more important is the impact on the wider Community—the investors and the businesses that want to take advantage of the single market. One of the great problems in Britain is the considerable delay in clearing payments between one country and another. I understand that a discussion paper published by the Commission, that was recently given to my right hon. Friend, dealt with possible methods of speeding up payments. That would be of great benefit to small businesses and investors in this country. What is my right hon. Friend's attitude to that discussion paper?

Mr. Lilley: My hon. Friend has made a good point about an important aspect of business across frontiers. We shall consider the discussion paper, but it would be wrong to give an off-the-cuff response.

British industry has welcomed our approach to liberalisation, and it is for it to take advantage of the new opportunities in prospect. The Commission is due to bring forward, by the end of the year, a parallel proposal for the life assurance framework directive. That will extend the single licence principle to the life assurance sector. We welcome the Commission's declared intention to give the highest priority to achieving its early adoption. It is essential that insurance is treated on a par with other financial services.

Mr. Maxwell-Hyslop: Is my right hon. Friend seized of the point that time is of the essence in reciprocity? While German banks can sell German life insurance in Britain, but British life insurance companies cannot sell their policies in France, there is unequal competition.

On the question of fraud, will my right hon. Friend comment on the recommendation in paragraph 82 that actions for damages should be justiciable in the country in which the person who suffers lives? People with modest means have access to legal aid for an action in this country, but they cannot sue a Greek insurance company in Greece with British legal aid.

Mr. Lilley: I agree that it is important that we reach agreement as soon as possible. The Commission is now seeking to do that, and we are giving every support. Of course, for as long as we fail to have the directive in place, the position described by my hon. Friend will pertain. In general, British insurance companies have the edge over foreign competitors, so it is they who want access to foreign markets, rather than the reverse. I think that I accept my hon. Friend's point on justiciability, but I want to consider it further. My hon. Friend the Under-Secretary may give him an answer when he replies to the debate.

Mr. Tam Dalyell (Linlithgow): The Secretary of State said that British insurance firms have the edge, and I do not doubt that that is true. Is not that also precisely why —quite frankly, this is anecdotal—a number of Scottish firms are worried about doing business in Europe? They believe that barriers are being put up by people who know that we have the edge. That is especially true with medical insurance. Has the right hon. Gentleman received any representations from medical insurers?

Mr. Lilley: I have. I have visited Scotland twice in the past fortnight and that point was made on each occasion. The Scottish institutions are at the forefront of the industry, and if they have any specific evidence of obstacles being put in their way, I hope that they will bring it to the Government's attention. We will use it as further evidence of the need for progress.

Sir Anthony Grant (Cambridgeshire, South-West): Is my right hon. Friend aware that the Germans are saying that they do not understand the concept of insurance broking, and therefore would have to pass special legislation before Germany could achieve the same standards as Britain? Does he agree that that is largely an excuse for delay? Will he do everything possible to ensure that the Germans do not use that bogus reason for delaying progress?

Mr. Lilley: It is true that insurance broking is not as developed in Germany as it is in this country, which is one reason why our insurance industry could benefit from the liberalisation of the Germany market. I agree that there should not be any artificial restrictions, and the absence of legislation should not be taken as an absence of permission to trade under Common Market rules. We would be hostile to any such legal interpretation.

For the Government, an important aspect of the debate will be the contributions from many hon. Members who have expertise and interest in this subject.

Progress with the single financial area is moving in the right direction, and we have avoided the dangers and pitfalls that might have presented themselves. We avoided also the over-rigorous harmonisation of sectors, which could have meant that idiosyncratic institutions and those perculiar to the United Kingdom—such as discount houses, gilt-edged market makers, and so on—would have suffered. We obtained proper permission to allow them to continue operating.

We also avoided the Fortress Europe approach and placing too much emphasis on reciprocity provisions with others outside Europe. We have ensured that the main emphasis is on mutual recognition of supervision by different member states, so that we are in the business of deregulating and of freeing up the market rather than otherwise.

The greatest changes will be those that result from the psychological changes that the directives bring about. I mean by that a greater willingness by producers and consumers alike to think beyond their own national borders. It is very much up to our industry to take advantage now of the opportunities that have already been opened up, to prepare for those that have yet to present themselves, and to respond to the change in the psychological climate. It will be immensely to the advantage of the industry and to this country if that is done.

5 pm

Ms. Marjorie Mowlam (Redcar): I welcome the new Secretary of State of Trade and Industry and congratulate him on his appointment. This week, we read in our newspapers that only 2 per cent. of the public knew who he was.

Mr. Lilley: That is a higher proportion than the percentage of the general public with whom I am familiar.

Ms. Mowlam: I am sure that that is so, but that is the Secretary of State's problem, not the public's. The right hon. Gentleman is the Secretary of State for Trade and Industry, and the public are not.

If only 2 per cent. of the public know anything about the Secretary of State, one must hope that he will double that figure by the time of the next general election. If so, he will be progressing as fast as inflation under the present Government.

The Secretary of State's speech was marked by a great deal of complacency. He said that regulation is in place and working, but has he forgotten Barlow Clowes, House of Fraser, Dunsdale Securities, Blue Arrow, Polly Peck, Guinness, and British and Commonwealth?

The right hon. Gentleman said also that he hoped that a "psychological change" would flow from the directives, and that the City would wake up to that change. However, as the many questions from all parts of the House show, the insurance industry does not need a psychological change. It is worried about the built-in structural differences that pose difficulties to British insurance companies. It does not need a psychological change, and for the right hon. Gentleman to suggest that one should be the main focus of the directives is very worrying.

Mr. Quentin Davies (Stamford and Spalding): Does the hon. Lady appreciate that the Barlow Clowes scandal and the others to which she referred occurred under the previous regulatory regime, before the existing financial services structure was put in place and before the single market regime came into effect?

Ms. Mowlam: I am sure that the hon. Gentleman acknowledges that the same degree of complacency was evident before the new legislation's implementation in 1986. There is no substance to the point that he makes. The Blue Arrow case is to go before the courts this week, and in that instance the compliance officers were operating as a consequence of the Financial Services Act 1986. Other cases that have arisen since then include British and Commonwealth and Polly Peck. I accept that the Guinness and Barlow Clowes scandals, together with others, were perpetrated before that legislation, but of the six or seven instances that I cited, the majority have occurred since the Act was implemented.

Mr. Campbell-Savours: Perhaps I may add to my hon. Friend's list the case that I raised before. I refer to the leaking of price-sensitive information relating to the cut in the base rate a week last Friday. It is known by City dealers that a firm named Barclays de Zoete Wedd and another named Salomon Brothers were both active in the market in the one and a half hours before the Chancellor's statement. People are asking questions about those companies' actions, and if only to clear their reputation, if that is possible, the Government should order an inquiry into how that price-sensitive information got into the hands of people in the City.

Is it true that a senior Minister had dinner the evening before with a director of a major City bank, when the imminent cut in the interest rate was discussed? I only want to know the truth. Did that happen, or did it not?

Mr. Ian Bruce (Dorset, South): Answer.

Ms. Mowlam: I thank my hon. Friend for raising that point.

Mr. Bruce: Answer.

Ms. Mowlam: I will answer, if the hon. Gentleman will permit me. I am sure that the Secretary of State listened carefully to my hon. Friend's remarks, and I hope that he will fully cover them when he winds up the debate.

As the House knows, we welcome the move towards a single market. At the same time, we accept the widely held view that the pace of change will be slow as a result of the many aspects that the Secretary of State mentioned, including derogation, different regulatory systems, and cultural and linguistic barriers.

Mr. Batiste: The hon. Lady welcomes the creation of a single market, but does she accept that the introduction of credit restrictions in the United Kingdom would severely weaken our banks and financial institutions at the very time that they need to perform at their best? Will she completely dissociate the Labour party from the introduction of any system of credit control?

Ms. Mowlam: I am sure that the hon. Gentleman is aware that the proposals contained in our three-pronged approach to the country's economic problems are no different in respect of credit controls from those of the French and Germans, so clearly that will not be a problem in the single market.

It would be helpful if the Government would take into account and recognise the contribution by the City and the financial services sector to the British economy, and that it is in the interests of all British people that Government policies—including those of the next Labour Government—help to maintain the financial services industry's quality and vitality.

Contrary to the assertions by the Secretary of State last week, the Labour party is happy to be an ally of the City, provided that the City is happy to be an ally of the British people. The aims and values that the Labour party conference openly embraced state that we welcome the open market wherever its free operation achieves the end of providing real choice for the consumer. The difference between our attitude and that often displayed by the Government is that they and the Tory party have become hypnotised by their own obsessions with the single market and have forgotten its ultimate purpose. The open market has become for the Government an end in itself. For us, it is the means to an end. Only at the point at which the single market fails to deliver that end will we intervene.

That view does not detract from our concerns about the failure of long-term investment in British industry—but no doubt a debate on the implications of taking the short-term approach will take place on another occasion. From the principle that I have stated flow our two main objectives—to ensure a positive enabling approach to UK financial services in Europe, and to maintain a firm commitment to investor protection for consumers of financial services in the UK.

From the negotiations leading to the big bang, to the introduction of the Financial Services Act 1986, one Minister after another has tried to convince the industry that the Government have been doing a good job. As has already been pointed out, the new Secretary of State for Trade and Industry is the ninth in as many years. I am sure that the new Secretary of State believes, like his predecessors, that he can do an even better job and that only a few changes are required to correct the minor errors that remain.

The reality is very different. Over the past year, I have spent a considerable amount of time listening to people in the financial community voicing their growing resentment of the failure of strategies executed or supported by the Department of Trade and Industry over the past 10 years. Examples include the selection of the wrong market maker system in SEAQ to the virtually complete re-writing of the FSA rules and structure, where the Government blundered along without direction.

The same is true of the Government's dealings in respect of Europe. Despite their recent trumpeting about co-ordinating international bodies, which the right hon. Gentleman repeated today, successive Ministers failed to rationalise the dissemination of information in the real business of enforcement. Ministers have gone to the United States and to Japan, and have returned only with agreements that had already been reached between the regulatory bodies of those countries and of this country.

How can the City have faith in a Government who pay minimal attention in the directive on undertakings for collective investment in transferable securities to the problems confronting our unit trust industry, which the Secretary of State failed to mention, because of the unfair advantage enjoyed by our competitors who have, as the Germans do, tied distribution channels, so making access for our industry more difficult and problematic?

Secondly, as the Minister mentioned, there are the difficulties in the insurance industry, which faces structural problems. Banks in Germany and France make it difficult for competitors to get into the market, as they are an addition, and it worries them greatly. Then there are the problems of greater vulnerability to takeovers in the industry when faced with French and German conglomerates.

Thirdly, there is the question of the future for our intermediaries when they are faced with the high capital adequacy levels demanded in the capital adequacy directive that the Minister referred to. Labour wants the London market to remain the lead financial centre in Europe. It is quite clearly a national asset of considerable value.

Mr. Jeremy Hanley (Richmond and Barnes): Will the hon. Lady give way?

Ms. Mowlam: Yes, but it is the last time.

Mr. Hanley: I am grateful, and I declare any interest which might be published in *The Observer* colour magazine.

Will the hon. Lady make it absolutely clear whether her party's major policy is that of direct intervention by the state, or whether she will still uphold the Government's policy, which is basically self-regulation under supervision from the state?

Ms. Mowlam: I have answered that in principle, and I shall answer it in detail in a minute.

The London market is of essential importance to this country and we want it to continue. The difficulty—this was evident from the Secretary of State's remarks on the insurance industry—and what the Secretary of State does not seem to realise, is that, when other representatives in the EC talk about level playing fields, they send 12 players to the negotiations. The Government send our team without even a goalie. That is the sort of problem we face in negotiations in Europe. If the Government do not do what the French Government are doing for Paris and what the Germans are doing for Frankfurt, however hard the City competes for business in the single market its prospects will be scuppered.

Our greatest concern must be the Government's cavalier attitude towards consumers' interests. The Government were primarily motivated to promote wider share ownership as a cheap way of trying to popularise privatisations. Having created those investors for their own convenience, the Government must now have a responsibility for their interests.

What have the Government done to avoid the situation in which the number of brokers prepared to deal with private clients has plummeted? There has been no mention of that today. The minimum size of deals now accepted by some brokers is as high as £50,000 or £100,000.

If the investment services directive, to which the Secretary of State referred, is accepted as it now stands, investors who put their money into other European firms may not be entitled to the same sort of protection for their money as investors in British firms. In the years ahead, we could well be hearing of another Barlow Clowes, and even if it was a Barlow Clowes with a French, Spanish or Italian accent, the outcome for British investors will be exactly the same.

The major area where the Government have failed to protect the British people in the open market—it is amazing that the Minister got through his speech without even mentioning it in passing—is by ignoring the need for a consumers directive to be implemented at the same time as other directives in 1993. When I mention the interests of the British people, I mean the British people, not some small group of people dealing in an obscure market. I mean the 41 million people who have building society or bank accounts, the 24 million people with car insurance and the 18 million with life assurance. They need to know what rights and protections they have if they purchase services from other European countries. At present, the Government will fail to tell them.

Let us turn briefly to what the City is saying. Today, the Minister described why he thinks that the Government should be proud of their record on regulation and investor protection. The Government have introduced a cycle of regulation followed by deregulation. Let us look back to the curtailment of powers of business investors to take civil actions when firms breach self-regulatory organisations' rules, which was once described—the Secretary of State grins—as the cornerstone of the Financial Services Act 1986. That is one of the many U-turns which the Government have implemented and the industry has had to survive.

There is no doubt that a quality product, produced in this country, needs defending and that its standards need to be maintained. If self-regulation cannot enhance and maintain that quality, the Government should act as quality controller.

The structure of regulation of financial services in this country requires amendment. It seems that everyone except the Government agrees with that. On this side of the House, we are not interested in change for change's sake. Quite clearly, the present structure is young and needs a period of stability to bed down, but several major weaknesses have been exposed in the existing system which need changing, both in the duplication of regulatory agencies and in the detection of fraud. What the Government and the Secretary of State have failed to acknowledge today is that, unless these problems are dealt with, the integrity of the present regulatory regime will be undermined.

We are not arguing for more regulation: we want more effective and precise regulation. If one talks and listens to people in the City, one realises that that is the problem that they and the investors are facing.

Sir Robert McCrindle (Brentwood and Ongar) *rose*——

Ms. Mowlam: I am sorry, but I have given way too often, and many hon. Members wish to speak.

Consumers are heavily dependent on other people's skill and integrity when buying a financial service. Therefore, it is as well, in some senses, that the Government are not offering financial services. Investors are bombarded by cross-selling between banks and building societies, and are exposed to the highly dubious practice of cold calling. We need to know what has happened to the attempt to agree even minimal harmonisation of regulatory rules across host nations so that consumer protection is maintained.

In its place, we have conduct of business rules, which, as the Secretary of State mentioned earlier, are designed to protect the consumer. The Secretary of State failed to tell the House that these rules can be challenged by non-British firms in the courts on the basis of whether or not they serve the "general good". If that happens and the case is taken to court, it could take a number of years. The person who suffers in the interim is the British investor. In the meantime, EC firms will come here and our firms will suffer for lack of a competitive advantage.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): Could the hon. Lady clarify for us which regulatory bodies the Opposition would abolish, and which ones they would set up and strengthen?

Ms. Mowlam: I was not referring specifically to financial bodies. I made two points very clearly. First, under the present system of regulation, there are a number of regulatory bodies, and they need streamlining—talk to anyone in the City and they will confirm that. As the Minister well knows, the Association of Futures Brokers

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and Dealers and the Securities Association are in negotiations, and other negotiations have been considered and will be considered, so streamlining is already under way.

Secondly, I referred to the regulation of serious fraud. About a dozen bodies deal with that. The Select Committee—not the report that we are discussing today, so this is not really relevant, but I shall answer the Minister's question—stated quite clearly that, in company investigations, a centralised computer-based system was needed. The Minister is so concerned about what we shall do with those regulatory bodies, but it will be equally interesting if he can answer whether that centralised database will be provided. The regulatory bodies need that degree of communication.

It would also help, if the right hon. Gentleman is interested in answering, if he told us how he advises Japanese and United States regulatory bodies when they come to this country. I have been to the States and talked to such bodies. With the present Government's regulatory structure, it is impossible for such bodies to know whether they should talk to the Serious Fraud Office, the Department of Trade and Industry, TSA or the Securities and Investments Board. Clearly, under our present system, that is a problem which we would address. It will be interesting to see if the Minister has any suggestions to make about what he would do.

Sir Robert McCrindle *rose*——

Ms. Mowlam: I am sorry, but I gave way to the Minister as a matter of courtesy and I shall not give way any more.

The point that I was making about business rules, which is central to consumers in this country, is that we have a set of rules that can be taken to the courts and as a result the protection that we consider essential for our consumers could be rejected on the grounds of general good. That is not just my worry. The British Bankers Association, which made a submission for this debate, is particularly worried about that point, not just for consumers, but for the competitive disadvantage to British industry.

The Minister knows, but failed to tell the House today, that in reality, without a consumers' directive but with the list of directives that he gave us, we shall get a harmonising down in consumer protection to the lowest common denominator of the European countries. When the Labour party comes to power, it will fight hard for a consumers directive. In the interim, the least that the Government can do is ensure that clients' assets are not available to the liquidator in the event of an investment firm becoming insolvent. Clearly that is not a problem here, but because of some structural conditions in other countries, it will present difficulties in harmonisation.

The Government should further ensure that all EC firms must disclose the nature of their compensation scheme by telling investors at the point of sale exactly what scheme applies, so what compensation they are entitled to. The minimum that the Government should achieve is that compensation schemes throughout Europe meet strict criteria, such as the index-linking of any limits on compensation and cheap, easy access to such claims.

The problems of cross-frontier dealing create considerable difficulties for British consumers. In 1987, there was a case before the European Court of a British person living in Spain dealing with a Swiss insurance company about a problem with his car in Italy. It was not clear under which country's law that particular consumer should make his complaint. Such a problem is a legal nightmare for the individual. It is enough to make any British consumer break out in a cold sweat. They now face the prospect of recurrent cosmopolitan nightmares under the present regulations without that directive.

Consumers will not be alone in suffering from sleepless nights if the future of London as the lead financial centre is called into question. The House is well aware of the City's present clear advantages: in-depth experience, a range of specialist markets and greater liquidity than elsewhere. They need to be supplemented with Government assistance and encouragement not only to improve infrastructure and to supply trained and qualified staff, but to integrate technological infrastructures and to extend communications, such as the countrywide broad-band network.

Without those changes, the City will struggle to keep its competitive edge. The Labour party is pledged to give that support. The disengagement of Department of Trade and Industry Ministers is pervasive, yet the task is so central that it is left to the chair of TSA, Stanislov Yassukovich, to suggest that City of London corporation should set up a research unit to fund the problems of infrastructure in the City of London. If the Department of enterprise illustrated half the enterprise that it expects of others and dealt with that problem, the City would not face its present difficulties.

The Government in their response not just to Europe but to the City may go down in history as so complacent —perfectly illustrated by the Secretary of State's speech today—that the map of the square mile must undergo a humiliating boundary review as we reach the next century.

5.23 pm

Mr. Kenneth Warren (Hastings and Rye): I congratulate my right hon. Friend the Secretary of State on his first speech in his new post from the Dispatch Box. Whatever the stupidity of the 2 per cent., he is admired by 100 per cent. of Conservative Members, who believe that he is the man for the job.

I declare a formal interest in the debate. I doubt whether any hon. Member with outside interests is not affected by the developments as we move increasingly fast towards 1992. I hope that the business managers on both sides will note my regret that Back-Bench Members are to be given only 70 or 80 minutes to debate this important subject. The benefit of that to those present is that my speech will be severely truncated. It is important that more time should be given to these important issues.

I am not so much concerned that it has taken 16 months for this matter to come to the Floor of the House. When a Select Committee report is published, it is good to give the House and those outside who are interested in it time to review what is going on. It may be uncharacteristic for a Select Committee member to do so, but I thank the Department of Trade and Industry for the efficiency with which it has made available in time for this debate several papers which we requested. We trust that that is a foretaste of how it will assist us in future. Today's papers state that the Confederation of British Industry will investigate the

DTI. After that, the light cavalry of the Select Committee may investigate the CBI. We are grateful to the DTI for its response.

In my short speech today I shall touch on three items: the Export Credits Guarantee Department, which is causing considerable concern inside and outside the European Community, in terms of our competitiveness compared with other Government-sponsored organisations within the EC; the regulatory organisations which were touched on by the hon. Member for Redcar (Ms. Mowlam); and banking. I shall leave insurance to my elders and betters.

The report and this debate seek fair and equal access for firms to EC and worldwide markets.

Mr. Maxwell-Hyslop: At the same time.

Mr. Warren: My hon. Friend is always at my right hand with the apposite words.

I hope that my right hon. Friend the Secretary of State will recognise that, in all discussions and negotiations in the EC, we must not merely focus on what Brussels says. British companies must operate across the world. The threat from Tokyo and New York to the acknowledged supremacy of London is constant and growing. My right hon. Friend and his colleagues are well aware that, within the EC, Frankfurt is breathing increasingly hotly down our neck, with Paris and Amsterdam not far behind keeping the pressure on us.

We must see ourselves not just within the EC. We must recognise that disparities in competition must be measured on a worldwide scale. We may understand that, but I am not sure whether Mr. Delors and his merry troop see further than the gates of Brussels. I hope that the Government will bring it to their attention that we seek to operate within the world market, as should the whole EC.

One of the benefits of giving a report time to settle is that various authorities have a chance of telling us how they see the developments to which we have drawn attention. There is absolutely no question but that the lack of a proper working regime for the ECGD worries British exporters more than anything else. There is unquestionable evidence that the ECGD premiums are higher than those charged to our competitors by their national credit insurers. The Select Committee and those in industry are worried that the portfolio management system as it is proposed will not enable us to remain competitive with other nation states.

The Government—even a non-interventionist Government—must recognise that they are in partnership with all those who seek to export. They cannot escape that liability. Unless they campaign within the EC for reductions by organisations, such as Hermes and COFACE, in their methods of operation in parallel with our own, in seeking to provide more private enterprise, we shall destroy it.

Hon. Members have referred to regulatory bodies. When my hon. Friend the Under-Secretary of State for Corporate Affairs intervened to ask the hon. Lady which bodies she would like to get rid of, I wondered whether I could stand up and say anything about that. I have a shopping list and I shall run quickly through it.

There are six financial service regulators, nine professional bodies, seven recognised investment exchanges, two clearing houses, the Bank of England and a partridge in a pear tree. We have 24 separate regulatory bodies. When my hon. Friend the Minister replies to the debate it would be worth looking at that and seeing whether, after some years of working, the Banking Act 1987 and the Financial Services Act 1986 can be improved. The Government must maintain a competitive stance in parallel with the efforts of our exporters of visible and invisible goods.

The Securities and Investments Board is doing quite a good job but if we look at some of the other organisations it is extraordinary to find the number of staff they have in relation to the number of firms they serve. I shall throw a few acronyms around and hope that hon. Members will be able to translate them immediately in order to save time. The AFBD—Association of Futures Brokers and Dealers—has one member of staff for eight member firms. However, FIMBRA—the Financial Intermediaries, Managers and Brokers Regulatory Organisation—has one member of staff for 400 member firms. LAUTRO—the Life Assurance and Unit Trust Regulatory Organisation—has one member of staff for 10 member firms. IMRO—the Investment Management Regulatory Organisation—has one member of staff for 130 member firms and TSA—the Securities Association—has one member of staff for five member firms. There is something wrong that so many regulatory bodies are needed. Something should be done to try to sift them down, because for the financial service regulators alone, there are 800 staff costing 46 million.

On rare occasions, Select Committee members are invited to sumptuous dinners in the City. We are not regarded as highly as my right hon. Friend the Secretary of State and his colleagues, but on those occasions we are told that one of the penalties of the Financial Services Act which is now becoming apparent is that it is costing more to compete and that therefore we are not achieving the sort of service that my right hon. Friend and his colleagues intended in order to make the country and the City more competitive.

Mr. Nelson: This is an important point, about which some of us have written to my hon. Friend in his capacity as Chairman of the Select Committee, and I hope that he will answer me. My hon. Friend mentioned the cost that falls on many firms. Part of that cost is that they pay subscriptions to the Securities and Investments Board to keep it running. Although my hon. Friend has said that the SIB is doing a good job, many firms feel aggrieved that there is little accountability for the way the money is spent or the administration of that body. The Select Committee on Trade and Industry has done an excellent job in producing the report. Why does it not ensure that the SIB is brought before it annually for proper scrutiny and press for a debate at least every year on the annual report of that body?

Mr. Warren: I have taken note of my hon. Friend's letter and I have brought it to the Committee's attention. We have a busy schedule, but my hon. Friend has reinforced his concern and we shall consider it as we come to our new programme in the month ahead.

Britain has over 330 banks of various types and they are almost unanimous, as are many other organisations, in that they are pleased with the responsiveness of the Department of Trade and Industry and the Government to representations made to them. However, they are

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concerned that the dialogue should go on and on and that it should not be simply an occasional meeting. There must be a continual flow of information.

If the trade associations are to function properly, they must get good and efficient feedback to their members. The banks feel that there are still considerable problems in investment services, capital adequacy directives and others. If time permitted, I would have gone into detail. I shall not do so now, except to say that I hope to have an opportunity to write to my right hon. Friend the Secretary of State about the concerns.

The Government are pursuing the negotiations towards 1992. As my hon. Friend the hon. Member for Tiverton (Mr. Maxwell-Hyslop) is repeatedly pointing out, 1992 first becomes effective in 1993, and other hon. Members have pointed out that it will become effective much later than that as some of the German insurance companies are brought to heel and become as competitive as we are. I hope that the Government will recognise that the negotiations must look at the world context, which I mentioned at the beginning of my speech. In the negotiations proceeding with the European economic space, which the Select Committee has recently investigated, I hope that it will be seen that the new dimension provides partnerships which will be of interest to this country in the furtherance of its objectives in the EC.

In terms of the Government as a partner, it must be said that the criticism that often flows from the Select Committee is that it must be more efficient in terms of its regulations and negotiations. This is about ordinary people—the customer, the person with the bank account and those who invest in the privatisations that occur nicely and regularly. Above all, it is about the need for the Government to ensure that quality is available for all customers at home and those from across the world who want to invest.

5.35 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I congratulate the Secretary of State on his promotion. When the lights in the Chamber suddenly brightened alarmingly, I thought that it was a belated attempt to give him the star billing that he achieved at the Conservative party conference. However, as it happened during the speech of the hon. Member for Redcar (Ms. Mowlam) I thought that perhaps Peter Mandelson had made his way into the building and that sweet music would shortly follow. Fortunately, all has been restored to normal, which is better for the rest of us who may not be improved by the shining of brighter lights.

I congratulate the Chairman of the Select Committee, the hon. Member for Hastings and Rye (Mr. Warren), on the excellent report, massive though it is. It said that we should join the exchange rate mechanism as soon as possible. It was published on 12 July 1989. Between that date and now there have been some competitive exchange rates at which we could have joined. I hope that the hon. Gentleman's recommendations are implemented more quickly in future.

We welcome the single market in all aspects, financial services and others, and seek to bring it to reality as soon as possible. In general, I support and approve of what the Government are doing in that respect. However, the Government are wrong in their rhetoric. They have not really helped the British public understand what this is all about. Despite all the publicity produced by the Department of Trade and Industry, so much of what Ministers and Back Benchers say is about meddling Brussels bureaucrats daring to interfere in how we organise things in Britain.

In reality, much of it is about trying to harmonise standards so that no one country's products are disadvantaged in the market of another. Sometimes, that works against our immediate interest. However, the Government should not constantly deride, attack and ridicule that process. If they do so, people will never understand that, as with French lamb, in insurance services it is in Britain's interests that there is proper harmonisation and uniform enforcement of rules so that we have access to markets in other countries.

The test we should apply to harmonisation is whether it advances the interests of the single market. Of course it does not always do so, and we can criticise it on those grounds. Putting VAT on the acquisition of lifeboat equipment by the Royal National Lifeboat Institution would do nothing to improve the single market; nor does general VAT harmonisation seem to be necessary to the achievement of a single market. Some harmonisation of standards is required to ensure that our products are not put at a disadvantage by the imposition of different and, in some cases, artificial restrictions by other member countries. No doubt they will think the same about us from time to time.

I want to remind the Government about several areas of concern, some of which are in their minds already. The first is the position of independent advisers, including sole traders. That includes many FIMBRA members. They are the subject of the new regulations system, but their position is different from that in other member countries. Independent financial advisers have had a hard time of late in several respects, not least of which is that the rules of disclosure that apply to them have been more demanding than those applied to building societies where tied assurance arrangements are becoming widespread.

People are taking on insurance commitments without realising the financial advantages that have accrued to the people who sold them, even though it is sometimes a body as respectable as a building society. Against that background, independent financial advisers, who quite properly are subject to a developed system of regulation, need some assurance that their interests are being looked after and that their opportunities to trade will continue.

Mr. Hugh Dykes (Harrow, East): Should we not quickly make further progress to ensure proper, clear disclosure of insurance brokers' commissions on the premiums of underwriting insurance companies' policies?

Mr. Beith: I agree absolutely. Whether it be brokers, building societies or any other bodies, disclosure is essential if a customer is to know what is going on, not least a customer who has started on the road to obtaining a mortgage but starts to realise some way down that road the financial transactions that lie behind the insurance that is being offered.

The second point that I want to draw to the Government's attention is the position of the insurance industry in general, and I was glad that the Secretary of State referred to it. The insurance industry provides

substantial regional employment in England and key employment in Scotland. In Edinburgh, increasingly in Glasgow and even in places such as Stirling, the insurance industry is a big employer. In the regional capitals of England such as Liverpool, Bristol and Norwich——

Mr. Doug Hoyle (Warrington, North): Manchester.

Mr. Beith: Yes, but central Manchester is no longer the centre that it was because companies have moved further out into the leafy suburbs. Nevertheless, the insurance industry is an important regional employer and it is at specific disadvantages trading in Europe, of which the Minister is well aware and which must be removed if there is to be a genuine single market.

I have a worry about the passport system for all the various categories of financial trader, whether it be an insurance company, a security company or anything else. Certification in a company's own country being valid elsewhere is the right way to make rapid progress, but I should not like us to move towards a flag of convenience pattern, whereby companies are invited to move to a country of less stringent regulation, thus obtaining the passport to trade anywhere and yet be subject to less effective controls. The passport system must be accompanied by steadily growing uniformity of standard and regulation. We do not want a Liberia or Panama of the insurance or security industry world, whereby a country is attractive for a company to base its operations because regulation is less stringent and the consumer less well protected.

There is a further concern to which the Minister referred—ensuring that securities companies are able to trade and are not subject to unfair competition from the security operations owned by banks in other member countries. This revolves around getting the simultaneous approval of several directives. I was not clear whether, by suggesting that this is "proceeding apace", the Minister is confident that from day one of the financial single market there will be fair competition. We must ensure fair competition, and companies are seeking to do so, but we should like some assurance that it will be achieved.

A further concern is the takeover and merger differences between this country and other countries. British companies are severely subject to the threat of takeover and merger—a threat which is not present in some other member countries. That represents a significant distortion of the market, and we must address it. It is difficult, because in some respects the pressure for takeovers aned mergers in this country is oppressive, although it can also be argued that it is one means of promoting management efficiency, and its absence in some other member countries allows inefficiency to flourish. We must ensure that the extent of exposure to takeover, which is characteristic of British companies, does not place them at a disadvantage in the competitive market.

That raises some of the wider issues about how industry is financed and how financial institutions operate, because there are further differences between practice here and in other European countries. It is a common cry of industry in this country that a more long-term view is taken by German financial institutions than British ones and that their attitude to borrowing is different. The single market is an opportunity for us to enter that debate and to see whether we can change some of the short-termism that Ministers have criticised, while opening up financial markets. That is one aspect from which we may be able to learn from other countries in Europe.

The last point that I wish to make concerns the position of the City of London in the system. Competition is brewing between London, Paris and Frankfurt. The decision to enter the exchange rate mechanism helps to secure the position that London has already earned because of the scale of transactions and the free market in London. It is my firm view that that position would be better enhanced if Britain were clearly committed to the single currency and to European monetary union in more than the nominal sense in which the Prime Minister accepts that concept. London will lose out badly without that commitment.

I think that it was a Deutsche bank adviser who said that the ideal European currency would be a currency with a French name, managed according to German principles from a central bank based in London. That is exactly what I want to see—a currency based in London, but managed with the attitudes to price stability and prudence that have characterised the Bundesbank for many years since the war. It is time that the Government, who are supposed to be in favour of combating inflation, took that principle on board. If we are, in the words of the Leader of the House, in the ticket office or the back carriage of the train, we impede London's opportunities to be the financial capital of Europe, which in so many respects it so obviously deserves to be.

5.45 pm

Mr. Barry Porter (Wirral, South): I shall do my best to be brief. That is normally a precursor to a very long speech, but it is a very long report from the Select Committee on Trade and Industry.

After months of modest meals and hard work, the Select Committee reached 20 conclusions and 37 recommendations. In retrospect, perhaps we involved ourselves in a scatter-gun approach, and it might have been better if we had brought those things together, but the fact that the Committee reached 20 conclusions and 37 recommendations shows the mind-bending complexity of the problem that we are considering. I should not dream of taking hon. Members from one to 20 or one to 37, but I shall emphasise those matters that seem of importance.

If we are using Latin tags, the Minister may recall the simplistic philosphical observation cogito ergo sum, which for his benefit means: I think, therefore I am. That cannot be applied to every hon. Member of this assembly. I have just invented something that might be appropriate to the Brussels directorate—directamus ergo existo. If I remember the Latin word for table, tablamus, it could be tablamus ergo existo, which clearly is not true. The fact that there is a directive or something is tabled does not necessarily mean that it exists in the real world, and certainly not in the financial world.

May I deal with the point made by the hon. Member for Berwick-upon-Tweed (Mr. Beith)? The Committee did not say that we should join the ERM as a matter of urgency. It said:

> "United Kingdom membership of the ERM or the use of a common currency would help to promote a single market in financial services but the absence of either"

is not a major barrier to such a single market. We are 50 per cent. of the way there, although I suspect for different reasons.

Mr. Beith: The Committee said in a recommendation printed in heavy type that Britain should

"join the Exchange Rate Mechanism of the EMS as soon as possible at a competitive exchange rate."

Mr. Porter: We are halfway there; 50 per cent. is not bad and I shall agree on that basis.

The Select Committee said that the policy of the Department of Trade and Industry of raising awareness of the single market has been timely and essential. It is important to avoid giving the impression that the single market in financial services will be complete or even approaching completion by 1 January 1993. That point has been made by the Chairman of the Select Committee and other hon. Members, but I repeat and emphasise it. No doubt 1993 has many attributes, but it will not happen in 1993.

I am sorry that the Government have been accused of complacency, although I must say that there has been an element of that. I am sorry, too, that the hon. Member for Redcar (Ms. Mowlam) went to the lengths of making a party attack on the Government, as our report was written on an all-party basis. Nevertheless, there was something in what the hon. Lady said and it deserves consideration by the Government. They may be well advised to apply the phrase that I heard in a seaside place last week—"Good enough, but not really good enough yet," or words to that effect.

Mr. Lilley: "Good, but not good enough."

Mr. Porter: That is it. Perhaps my right hon. Friend was listening more carefully than me because he had to.

We concluded that the single market will offer wider choice and potentially lower costs for consumers throughout the Community, but that such results may not be fully apparent by 1993. That is absolutely true. We should not pretend to the outside world that suddenly, on that day in 1993, all will be well; it will not.

I should like to emphasise a point to which hon. Members have already alluded: the slowness of the programme for achieving a single market in insurance seriously undermines the credibility of the single market programme in financial services generally. I know that, since the Committee reached that conclusion last year, a proposed directive has been tabled in relation to non-life insurance. That proposed directive, designed to widen a consumer market worth hundred of billions of ecu a year,

"seems certain to arouse fierce resistance in such countries as Belgium and West Germany."

That is a quotation from *The Sunday Times*, so it must be right.

It is all too true that fierce resistance will be aroused in such countries and even though the proposed directive has been tabled, it will not necessarily be implemented in the foreseeable future. The only country that would benefit if the proposals were implemented in the next year would be the United Kingdom. There is no doubt that Germany, Belgium and other countries will resist their implementation vigorously. I urge the Government to oppose that resistance and to win.

People have already talked about Frankfurt and Paris as potential competitors for the City of London. I do not take such talk all that seriously. I do not think that Paris will be in the same league, although Frankfurt could be. I still believe that the single market, as and when it arrives, will not be a problem but an enormous opportunity for the City of London. Its history, traditions and expertise will ensure that.

Hon. Members have referred to the question whether there should be a change in the regulatory structure created by the Financial Services Act 1986. I do not know; I receive contradictory comments and advice about it, although a particularly vigorous and authoritative source tells me that the structure is not working well from anyone's perspective and that it needs radical reform. Although the hon. Member for Redcar was asked about that matter, she did not come up with a suggestion, and I am not making a suggestion either: what I shall outline is a suggestion made by someone else.

The two-tier structure of the Securities and Investments Board and the self-regulatory organisations is redundant. The Financial Intermediaries, Managers and Brokers Regulatory Organisation, the Life Assurance and Unit Trust Regulatory Organisation and the Investment Management Regulatory Organisation should be abolished and their role subsumed entirely within the SIB. The Securities Association has a better case for survival. A centralised system would be more efficient, effective and consistent, and I am pleased to note that even the building societies are now calling for a common system of regulation for banks and building societies. Perhaps my hon. Friend the Minister will address his considerable intellect to those suggestions. He might even find an answer to the question.

This is a complex problem, but the sooner we get on with it, the sooner we shall achieve a single market. At the moment, progress is too slow and we are being held back in various matters by those who wish to protect their national interest even though they may spout the rhetoric of the new Europe. I agree with the Government that we are the ones who get on with implementing directives. But let us not fool ourselves into thinking that those in the other capitals of Europe are as enthusiastic as they say they are in public. It is certainly not what they say in private.

5.56 pm

Mr. Stan Crowther (Rotherham): It is a rare pleasure to find the Government accepting so many of the recommendations in a report of the Select Committee on Trade and Industry. They have accepted so many that I am beginning to wonder where we went wrong.

I support the view expressed by the hon. Member for Hastings and Rye (Mr. Warren) that the time allowed for the debate is too short. This is an extremely important subject and we all recognise the very important role in the economy that the financial services industry plays. Not all of us are quite convinced that the extent to which some people in the industry are rewarded is entirely justified. Ministers constantly complain about demands for what they regard as excessive pay increases in manufacturing. They would do well to take into account the fact that, according to *The Daily Telegraph* at least, salaries in the stock exchange rose on average by 49 per cent. last year. Perhaps Ministers would care to comment on that.

I propose to refer to one aspect of the report—the part that deals with takeovers and mergers. I express my unreserved support for the Committee's recommendations especially that dealing with the vulnerability of United Kingdom companies. However, I do not agree with the

view held by some of my colleagues on the Committee, and certainly by the Government and the Commission, that takeovers and mergers are marvellous in principle and that all barriers should be removed as soon as possible. There has not been much evidence in recent years that bigger is necessarily better. One field in which the creation of bigger and bigger firms, many of them now conglomerates, is positively unhealthy is accountancy. A mere handful of very large firms now audit the accounts of the great majority of large companies throughout the western world. That cannot be a healthy state of affairs. It is a dangerous tendency and any further mergers among accountancy companies should be examined most carefully.

The fact that the firms have increased their size enormously in recent years by developing and expanding in management and tax consultancy activities must make the danger of a serious conflict of interest considerable —especially in view of the Law Lords' ruling not so long ago that auditors have no duty of care to individual shareholders or potential investors. Given that ruling, and given that an accountancy firm may be doing the auditing as well as offering management consultancy services, we are getting into dangerous waters.

It is high time that auditors were not merely allowed but legally required to report to the appropriate authorities anything suspicious that they find in the books of any company whose accounts they are auditing, even if they hope to do business with that company in another capacity —as management consultants or tax consultants, or in the provision of any other service that they may offer. If it were made a requirement to report to the appropriate authority anything that aroused the auditors' suspicions —a Community-wide and, it is to be hoped, a worldwide requirement—the public would be afforded some protection against what seems to me to be the relentless advance of international financial crime.

It is an interesting coincidence that two of the Select Committee's recent reports have a considerable bearing on the matter that we are discussing tonight. Not long ago, we examined in great depth the information technology industry and more recently we looked at the growing problem of company fraud. During our inquiry into the detection and prosecution of people who engage in various forms of financial crime, many of us became more and more alarmed at the apparent ease with which substantial frauds and thefts can be committed with a very good chance of being unpunished. The scale of that crime is literally immeasurable. No one knows how much of it goes on, but we took sufficient evidence to convince many of the Committee members that there is an alarming level of such crime.

One little indicator of the level of that crime is that the Serious Fraud Office is not interested in anything less than £1 million. That may be the Serious Fraud Office's definition of serious, but many of my constituents would regard a fraud involving one tenth of that sum as very serious. Perhaps that gives us a guide to the scale of the problem in the City today.

I share the concern expressed by my hon. Friend the Member for Redcar (Ms. Mowlam) that the Secretary of State appears to be in some danger of sinking into the same puddle of bland complacency from which his predecessor was quite unable to escape. No matter how many opportunities we gave him to escape that complacency, we could never persuade him to do so. I hope that the new Secretary of State will not take the same view.

I am not suggesting for a moment that financial crime is new. It has been going on for centuries. However, a new dimension has been added by the fantastic development of information technology. Billions of pounds can now be moved around the world at the drop of a hat or, more precisely, by pressing a button. That makes the matter far more serious. I get the impression that the agencies responsible for regulating the financial services and detecting crime are fighting a losing battle in trying to keep up with developments. There is clearly a need for much closer contact—and I believe constant contact—and co-operation among the various agencies throughout the world which are responsible for crime detection. In the Select Committee we received little evidence that that kind of co-operation is happening on the scale required.

Modern information technology is clearly as available to the forces of law and order as it is to the crime syndicates. However, the criminals seem to be winning at the moment. On the rare occasions when people are caught and hauled before the courts, if they are convicted the penalties tend to be derisory in this country, although perhaps not elsewhere. They are derisory here especially if the criminal concerned happens to make a contribution to a suitable charity.

Mr. Hoyle: Or political party.

Mr. Frank Haynes (Ashfield): The Conservative party.

Mr. Crowther: I would hardly dare to mention the Conservative party in that connection.

If we ever have a single market in financial services—I do not know whether we shall and the Select Committee warned that it will not happen as quickly as some people think—I should certainly welcome it in principle. Properly regulated, properly monitored and properly policed, it could be advantageous to consumers whether they are investors or pension fund beneficiaries. A single market could be very beneficial if it is properly run and regulated. However, I am afraid that lowering the barriers will make it easier for criminally minded people to pursue their frauds on a much wider scale. There is a danger that we may be creating not so much a single market in financial services as a single market in financial crime. That point needs far more attention in future that it has had in the past.

6.3 pm

Sir Robert McCrindle (Brentwood and Ongar): Like other contributors to this debate, I propose to encapsulate my remarks in a short speech. I want to draw attention to two matters of concern: the unit trust movement, which I believe has not been referred to so far in this debate and secondly, and perhaps more importantly the effects of the capital adequacy directive on financial intermediaries.

I begin from the premise that, if 1992 is to provide opportunities for the United Kingdom in Europe, I suspect that it is common ground on both sides of the House that we should be seeking a level playing field between different types of investment in this country and also with regard to the differing tax regimes in relation to financial products in the United Kingdom and elsewhere. If such a level playing field can be created, I contend that the British financial services industry can compete.

[Sir Robert McCrindle]

At the moment, the tax regime for unit trusts operates very much against British companies. United Kingdom unit trusts are unique in paying corporation tax on their income. According to my information, no European fund suffers an equivalent tax. United Kingdom unit trusts should be allowed to distribute to European investors an amount equal to the tax credit to which United Kingdom resident investors are entitled, so as to place United Kingdom unit trusts on a more competitive footing.

If we achieve that level playing field, we can expect the industry to rise to the challenge. It would be ironic if we in the United Kingdom, the pioneers of the whole concept of unit trusts, were to be left behind as the single market approached, not because of some lack of efficiency on our part and not even because of an imposition by the European Commission but, dare I say to my hon. Friend the Minister, because of a tax regime dictated by the United Kingdom Treasury. If we could have the general support of the Minister when he replies for a movement towards that more level playing field, he and the Government would not be disappointed in the response from the unit trust industry in the United Kingdom.

I want now to consider the effect of the capital adequacy directive on small to medium financial intermediaries. Perhaps I should, not for the first time, declare an interest as an adviser to the British Insurance and Investment Brokers Association, many of whose members fall within the A2 category of membership of the Financial Intermediaries, Managers and Brokers Regulatory Organisation—that is, those who are broadly speaking not authorised to hold money but who may advise and effect financial arrangements.

Part of the problem stems from the lack of understanding by our European partners of the concept of independent financial intermediaries, and particularly of small independent financial intermediaries. The case was mentioned earlier of their failure to understand the importance of insurance brokers in this country, and the House will be aware that many insurance brokers are indeed small to medium financial advisers as well.

If that is the reason for the difficulty as the capital adequacy directive confronts us, and if continental insurance fails to grasp the fact that, in this country, one does not have to be a large, very well capitalised institution before one can perform a perfectly respectable service, I hope that our Ministers and officials, as they debate the capital adequacy directive, will draw to the attention of our opposite numbers the fact that they are comparing apples and oranges and asking as what type of apples we should prefer.

I would like to see the A2 category FIMBRA member included within the scope of the investment services directive and thus have the European passport to which reference has been made, but be exempted from an inappropriate level of capital under article 3 of the capital adequacy directive.

The Financial Services Act 1986, to which much reference has already been made—I served on the Standing Committee some years ago with my hon. Friend the Member for Chichester (Mr. Nelson)—has received widespread criticism. Whatever the rights or wrongs of that criticism, there is no doubt that it has taken its toll on intermediaries in this country. Because of the difficulties of continuing their independent role, many of them have chosen to go on tied to insurance companies, just at a time when there is a great need for independent financial advice.

Perhaps I should make it clear that we must make sure that the EC directives which are threatening—I do not put it too strongly—the continued existence of those financial intermediaries which remain do not place additional and unnecessary burdens on the independent financial intermediary, just as I hope that EC directives will give an opportunity for fair competition among intermediaries within Europe.

Reference was made in passing to the disclosure of insurance commissions. In an ideal world, there is no defence against failure to disclose commissions. My hon. Friend the Member for Harrow, East (Mr. Dykes) and the hon. Member for Berwick-upon-Tweed (Mr. Beith) failed to note that—to go back to the level playing field again—if it is expected that independent financial intermediaries, amidst all the other impositions of the Financial Services Act, are duty bound to disclose their commissions, so too in some shape or form should be those who are either part of the sales force of an insurance company or have become tied intermediaries.

Mr. Beith *indicated assent.*

Sir Robert McCrindle: I am glad to see the hon. Member for Berwick-upon-Tweed indicating assent. What is sauce for the goose must be sauce for the gander.

In his vendetta against the independent financial intermediary, as he comes back time and again to single them out because they do not declare their commissions in the way in which he would like, Sir Gordon Borrie has overlooked that fundamental point. One of the messages from this debate as we move towards the single market of 1992 is that the independent intermediary has already been substantially pilloried by the regime of the Financial Services Act. I do not say that as a reason to scrap the whole thing. It is too easy and too glib to say that, without thinking carefully of what we would put in its place.

I firmly believe that the financial intermediary must be seen as an extremely important part of the financial life of this country. Therefore, if an imposition is to be placed upon him, it should be no more and no less than the imposition that is placed on his competitors.

The EC's definition of liquid assets in relation to capital adequacy seems to be unduly restrictive. It will be difficult enough for some small operations to show capital required, and that is assuming that the United Kingdom gets its way in the discussions on the directive. It will be very difficult indeed if we go on with the restrictive definition of liquid assets. At the moment, it would be extremely difficult if some assets were not allowed to be classified as liquid.

The Minister is well aware of the important role that is played by unit trusts and independent financial advisers to which I have drawn the attention of the House once again. I ask him, in the negotiations that lie before us, to make sure that the EC of 1992 and beyond liberates our companies and gives us the incentive to benefit from the wider market. Whatever else it might be, it should not and must not be restrictive.

6.13 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): One of the unfortunate things about the debate is that a long time has elapsed since the Select Committee produced its original report, and events have moved on. Last Friday, we heard that the country was to join the exchange rate mechanism. That announcement made a substantial difference to many matters that were discussed in the Select Committee's report. Only now that we have entered—according to the Chancellor—a period of stable exchange rates with Germany and France will it be possible to test the Government's supposition that regulatory switching of financial services activity between lighter and heavier regulatory regimes will not take place. That matter is now sharply to be tested.

Similarly, now that we have joined the ERM, we shall see what the City of London is really made of. It will now be possible for investments to be safely carried out on a far larger scale, that is investments in the stock markets of Europe rather than in the stock markets of Britain. The competitive position of the City of London, which was of great concern to the Select Committee when it reported in 1989, is now under much harder scrutiny. We can be far less certain that the Government's optimistic conclusions, outlined in their response to the Select Committee's report, are soundly based.

We also had before us the fast-changing position with regard to the United States and Japan and their role in the City of London. The City of London's strength as a financial market has largely depended on being the vital intermediary between the capital of the United States and Japan and its performance and investment inside Europe. There is now good cause to doubt whether that feature of strength in the City of London will continue. We should closely examine that matter.

We can now also see far more clearly than we could when the Select Committee reported just what the Financial Services Act regulatory regime might bring. Many of the cases that gave us concern when the Select Committee was doing its investigation originated before the passing of the Financial Services Act. We can now see coming forward a whole raft of new cases that were born during the operation of the Financial Services Act regime and still give grounds for continuing concern.

Even as we speak, accountants from Coopers and Lybrand are scouring Europe and parts of the middle east to track down where £200 million of Polly Peck's money might be found. That is a serious matter. We hope that the money is found. However, such matters give grounds for real concern about whether the Government can afford to be complacent about the regulatory regimes that were laid in place at the time of the passing of the Financial Services Act 1986. It cannot be doubted, either, that many practitioners in the City are sceptical about whether the regulatory regime that was laid in place then is at all appropriate for the present situation.

Of course, the focus of the regulatory frameworks of the Financial Services Act regime are on regulatory procedures and authorisation procedures. We can see much more clearly now than we could either in 1989 when the Select Committee reported or in 1985 when the Act was being passed that that is perhaps not the correct point of emphasis. The correct point of emphasis should be the competence of the professional who is engaged in the business, the effective compliance procedures inside the firms that are conducting the business, and proper action against wrongdoing when it can be perceived.

The paper bunker of regulation into which the British financial services industry has been forced will not prove an adequate protection. It is not simply a matter of the scandals and the corruption that are occasionally revealed that is the worrying thing, but the normal routines, the concealment, doubt and uncertainty about what is really going on.

My hon. Friend the Member for Rotherham (Mr. Crowther) rightly drew attention to the role of accountants. The financial press has today reported that the Chartered Institute of Management Accountants has now produced a report which is honest enough to admit what has been clear for some time—that one needs a health warning before one looks at company accounts. What one sees in those accounts may not represent all there is, and what one does see may not be there. This is a matter of great concern, and the Government would be unwise to be complacent about the fate of the basic routines of accountancy.

Doubts have been introduced about the quality of British accounts. As a result of the Companies Act 1989, an accountancy regime has been established. The heads of that regime are now admitting that there are profound problems concerning what one sees in company accounts, inflation accounting, the use of good will, the different definitions of mergers and acquisitions, and the way in which that may enable the manipulation of accounts as well as about other things that can be manipulated so that they do not appear on the balance sheet at all. Given that the heads of the accountancy profession have admitted to those problems, the Government cannot simply stick by their response to the Select Committee report, especially as it was produced in another era.

My hon. Friend the Member for Redcar (Ms. Mowlam) was right to say that the problems we have outlined are not the private concern of a club—we can no longer see the City of London as a club in which rules of behaviour are internal to the system rather than subject to public regulation. Such regulation may well require statutory agencies to enforce high standards. My hon. Friend also made a sound point about the creation of small shareholders, but of even greater importance is the fact that we have already socialised the ownership of industry and our services through the insurance industry and occupational pension funds.

Common ownership has been achieved, but the consequences that flow from that, and the extra requirements they make upon the regulatory systems and standards of conduct of those who operate on behalf of those common owners, have not been perceived. The Government must address that. I doubt whether a framework more appropriate to the Sock Shop capitalism of the 1980s is one that we should allow to endure.

6.22 pm

Mr. Peter Viggers (Gosport): Financial services represent one of the great successes of the United Kingdom economy. The London stock exchange is pre-eminent in Europe, with a market capitalisation of $500 billion compared with $160 billion in Germany and $100 billion in France and Italy. London's pre-eminence is even more noted regarding foreign exchange. The daily

[Mr. Peter Viggers]

turnover of foreign exchange in London is $90 billion, compared with $50 billion in Tokyo and New York. Our financial services are a great success and, in terms of banking, we are part of a truly international market in which we are predominant.

The circumstances surrounding insurance are somewhat different. The OECD countries hold some 94 per cent. of the $500 billion a year premiums in the world; the United States has some 45 per cent. of that market, Japan 14 per cent. and the European Community countries 30 per cent. The 30 per cent. held by EC countries is fragmented. The largest market is in Germany, where there is close protectionism, the third largest is that of France where there is a great deal of state ownership, but the second largest market is that of the United Kingdom, the most open. It is therefore important to approach banking and insurance in different ways.

In banking there is a lot to play for. The Cecchini report suggested that there are £15 billion of benefits to be gained on a one-off basis from joining together the European financial markets. That is equivalent to about 22 billion ecu as we must learn, I suppose, to say.

On a personal level, it is important to realise how much there is to gain from harmonising the European markets. If someone undertook a round trip of the European capitals and changed his spending money in each of those capitals he would return having lost more than half of his spending money as a result of dealing charges and losses on the official exchange rate. There is a great deal to play for, but we must remember that there are some risks and losses.

Reference has been made to the Financial Services Act 1986, which is not only a tight regulation of the financial institutions of the United Kingdom, but an expensive one. There is a risk that less well-regulated banks operating here might be able to operate with less expense and therefore be more competitive than our own institutions. It is important that we agree host nation monitoring—essential minimum harmonisation. Should it be necessary for the United Kingdom to change its regulations to ensure that our financial institutions are not at a disadvantage compared with other European countries, I hope that the Minister will bear in mind the risks and take steps to make the necessary modifications.

Mr. Maxwell-Hyslop: What about the consumer? As it is now, years have gone by without any increase in the compensation limits despite nearly 30 per cent. inflation. Is my hon. Friend suggesting that, with that miserable record of compensation we should lower our level still further if continental countries do so?

Mr. Viggers: My hon Friend is referring to insurance rather than banking and I shall refer to that shortly.

I hope that my hon. Friend the Minister will also bear it in mind that it is important that EC developments are consistent with operations in non-EC countries. That is particularly important for the United Kingdom, which has much insurance business outside the EC. Perhaps I should declare an interest as a member of Lloyd's although I cannot see that it is relevant, but that might save some Opposition Member from asking whether I have declared that interest.

Mr. Hoyle: Speak up.

Mr. Viggers: I beg the House's pardon, but I am gabbling to save time.

We are concerned that the changes in the EC should not be to the detriment of United Kingdom institutions operating outside the Community. An undercapitalised Portuguese bank that sought to open in the United States might find that it was unable to do so because of United States regulations. If there was full, obligatory reciprocity of recognition within the EC, it might follow that a United States bank seeking to open in the United Kingdom could be barred from doing so because of those reciprocity rules. I am sure that my hon. Friend the Minister will bear that important point in mind, as it is of concern to the financial institutions.

There is also concern as a result of the investment services directive. Banks operating in the EC should not only be able to join EC stock exchanges and operate as investment advisers and operators within those exchanges, but they should not be barred from operating as investment advisers and from the execution of investment matters on behalf of clients outside those stock exchanges. In some parts of the EC, it is felt that banks should not be able to join stock exchanges, but in other parts of the Community it is felt that they should operate only within those stock exchanges.

So far we have heard little about shareholders. I am proud to say that the Government have doubled and redoubled the number of individual shareholders in the United Kingdom. The fact remains that the percentage of shares held in the stock exchange by private shareholders has fallen from 60 per cent. in 1960 to only 20 per cent. now.

I for one feel a great sense of disappointment that the number of individual shareholders continues to fall. There are several reasons for that—one is the cost of dealing for individual shareholders. I am concerned about what individual shareholders who have been encouraged by the Government to become shareholders for the first time will do when they try to calculate how much it will cost them to sell their shares and what the implications might be in terms of dealing cost and the inconvenience of having to declare for tax purposes any profit that they make.

I am also concerned that some companies have felt it necessary to set up their own systems to enable their shareholders to sell and buy shares. I believe that Cable and Wireless, British Gas and Reed have done that. That is not a helpful way ahead.

The insurance industry is riddled with complexity and vested interest. There are various standards in different European countries, including in the preparation of accounts and reserves, the handling of claims and legal procedures. There are many vested interests, in some cases assisted by Government. The French Government have a vested interest in the state insurance company's operations in France. The Italian Government require 30 per cent. of insurance premiums to be ceded to the state company, INA. Switzerland, although not in the European Community, provides a monopoly for fire insurance in each canton.

I welcomed Sir Leon Brittan's suggestion in November 1989 that there should be a single passport or licence—home country authorisation. Ideally, we should have harmonisation, but that would be exceptionally difficult. Therefore, the best route seems to be the creation of minimum standards throughout the European Community. Meanwhile, some companies are taking the

second best route of cross-border purchases, mergers and acquisitions. That is the second best route because it requires the companies to operate in accordance with the laws of the country in which they made their acquisition. However, it is only the second best route and I urge my hon. Friend the Minister to press ahead as fast as he can with an effective single market as the long-term objective.

6.33 pm

Mr. Doug Hoyle (Warrington, North): I am pleased to join in this debate, not only as a member of the Select Committee but as president of the Manufacturing, Science and Finance union, a large number of whose members work in financial services. I have been interested in the debate and one point that struck me is that, despite the reassurances given to the Secretary of State—I am sorry that he is not here—by the hon. Member for Hastings and Rye (Mr. Warren) that the Secretary of State's future was secure, I thought his was a pedestrian and lacklustre speech. When the Secretary of State goes to bed at night and has nightmares about all his predecessors, he may also find himself the victim of short-termism, as the Government call it.

The hon. Member for Gosport (Mr. Viggers) was right to emphasise the importance of the industry of which we are talking and which makes up 10 per cent. of the gross national product. In 1987, the industry gave a surplus on invisibles of £7·658 billion, which is considerable. I stress that we must not be complacent, because all the signs, including our earlier debate on ERM, point to the fact that Germany—the Bundesbank—is dominating the financial position in the European Community. That is why we must not be complacent or think that what is happening in the City of London, Edinburgh and the regions will be with us for ever. We must wake up to the fact that there will be increased competition and that Germany is growing in importance. If we do not, one day, probably not in the immediate future but certainly early in the next century, we shall wake up to find that, far from the City of London being in the premier exchange position, it will be Frankfurt.

As president of Manufacturing, Science and Finance, I am concerned about what will happen, particularly in the insurance industry. There is no doubt that we can provide life insurance at a third of the price of our European competitors. As has been repeatedly said today, the problem is that we are subject to takeovers in this country in a way that the Germans, French and Italians are not. It is easier to take over the Vatican than an Italian insurance company, which is almost impossible to do.

Takeovers occur all the time in this country because our companies are far more vulnerable than those in other countries. The German Allianz has taken over Cornhill, Signa (American) has taken over Crusader, and the French Axi-Midi has taken over Equity and Law. Another interesting example is that the French state-owned insurance company, UAP, owns 18 per cent. of Sun Life, which has an arrangement with Liberty Life by which they can bid for each other's shares. It will not be too long before Sun Life is taken over by a French state-owned company. I do not know how the Government will react to that.

We must ensure that the financial industry, which matters to us, has a prosperous future. I do not speak from the point of view of the investors in the industry or those who deal in shares in the City of London, but from that of the employees in the industry. We must ensure—because they built up the companies—that those employees have a future. In any of our dealings, we must ensure that we protect their interests.

The Minister was cavalier in jumping up and asking our Front-Bench spokesperson, my hon. Friend the Member for Redcar (Ms. Mowlam) what she would do about the self-regulating bodies. The answer has come from Conservative Members. I do not think that one Conservative Member has stood up to defend such organisations, which are far too bureaucratic and costly, and of which there are too many. There should be rationalisation. I do not think I am alone in the House in believing that the era of self-regulation must come to an end. There must be statutory regulation, with far fewer organisations that are more efficient and less costly.

I hope that the Minister will bear in mind the fact that we should not bear an unnecessary burden when competing against other countries in the European market. I hope that he will also agree that, with our great insurance base, we in this country cannot allow other companies to operate from behind the barriers, which must come down. I hope that he will be fighting our corner to ensure that we maintain not only a great industry, but London as the financial centre. I warn the Minister that time is short.

6.38 pm

Sir Anthony Grant (Cambridgeshire, South-West): Yes, time is short—we have three minutes, to be precise—so I shall immediately declare an interest in Bowring (UK) Ltd and Barclays bank, both of which are affected by financial services legislation.

I agree with the hon. Member for Warrington, North (Mr. Hoyle) that there is a need for change in the regulatory system. I favour abolishing the two-tier system, but I cannot develop that argument, because I want to talk about insurance, a matter that has dominated the debate.

Our insurance is the best; it is the most skilled and best regulated in the world. When I was at the Department of Trade and Industry, I believe in the same position as my hon. Friend the Under-Secretary of State for Corporate Affairs, there was the Vehicle and General insurance scandal, when everyone woke up and decided that it was important to regulate insurance. Now, we probably have one of the best regulated industries there is, particularly after the Lloyd's Act 1982, which I took through the House. That made our industry well respected, but also the subject of considerable envy. It creates £3 billion net earnings and provides 340,000 jobs. The restrictions in the EC have inhibited development and deprived the consumer of a better service.

If we are looking to the single market for the opportunity to break down barriers, we must accept that progress has been slow. On a visit to Brussels, the hon. Member for Rotherham (Mr. Crowther) tackled the issues vigorously, but I felt that—apart from Sir Leon Brittan—officials did not have the required sense of urgency.

The latest proposals published for non-life insurance are designed to widen consumer choice and cut premiums; however, it seems likely that there will be all sorts of objections from Germany and Belgium. I hope that the Minister will carefully study the suggestion that the Germans—because they do not understand anything

[Sir Anthony Grant]

about broking—must pass a great deal of legislation and will use it as a spurious reason for delaying what is a most important reform.

Competition is the name of the game: it is immensely important, and is the main thrust of our policy. However, open competition must be accompanied by good conduct. Here, to some extent, I agree with the hon. Member for Rotherham, although not in party political terms. The overwhelming majority of people working in the City are of the highest integrity—I spent some 20 years of my working life there—but in recent years the square mile has become infested with a small minority of newcomers who —as I have said in the House before—are long on cunning but short on morals.

The old saying in the City was that a man's word was his bond; as I have also said, if a man says that nowadays, one tends to take his bond. Some of the loot from dishonest activities there makes the great train robbery seem like minor pickpocketing. The Lloyd's Act 1982 prevented further incidents like the Peter Cameron-Webb scandal, which did immense harm to Britain's insurance reputation, especially in the United States.

This Government have done probably more than any other to crack down, through legislation, on insurance and company scandals. I give them credit for that. But we must not be just the most efficient providers of financial services in Europe; I want us to be regarded as the most honest and the most honourable.

6.41 pm

Ms. Joyce Quin (Gateshead, East): This has been an interesting debate. I share the view expressed by many hon. Members on both sides of the House that it is a shame that we have had so little time to deal with the issue, especially given the comprehensive nature of the report of the Select Committee on Trade and Industry.

Not surprisingly, a major thread of the debate has been the concern expressed by hon. Members—again, on both sides of the House—about the unevenness of the playing field likely to be created in the single market in financial services. The Government's assurances at the beginning of the debate struck me as inadequate; I do not believe that they will tackle the problem.

An example is the Government's response to recommendation 7 of the report:

> "We recommend that the Government should address itself to the vulnerability of United Kingdom financial institutions to hostile takeover by a company from elsewhere in the Community."

Their response was:

> "The Government believe that we should press for the removal of barriers rather than erect new ones of our own."

That, surely, is not an adequate response to the problem of the bid-proof nature of many companies in other European countries.

When opening the debate for the Opposition, my hon. Friend the Member for Redcar (Ms. Mowlam) rightly said that the Government were being complacent. I think that they are also being naive if they feel that other countries will automatically accept their view of what the rules of the game should be. It has been interesting to listen to some of today's contributions, especially from Conservative Members. It is clear that many of them agreed with us that the Government were being both complacent and naive.

An example—not related to financial services, but none the less important in the European Community—is state aid. The Government have frequently criticised the level of state aid given by other countries, but recent figures show that other countries have given high and consistent levels of state aid during recent years. All the Government's preaching on that subject has been to no effect. It is not good enough to say that we hope and expect everyone else somehow, magically, to follow our example.

Today—in submissions to me and, no doubt, other hon. Members—the Association of British Insurers said that it was worried about the possible unevenness of the playing field in taxation matters. While I agree that a totally harmonised taxation system is not needed to make the single European market work, the Government must nevertheless be vigilant about the big differences in taxation that may undermine whatever other directives are agreed. Clearly many hon. Members share our concern: I noted particularly the speeches of the hon. Members for Wirral, South (Mr. Porter) and for Hastings and Rye (Mr. Warren), who seemed to express concerns that are dear to our own hearts.

My hon. Friend the Member for Redcar rightly laid stress on consumer protection, and I am glad that her view was reinforced by the hon. Member for Tiverton (Mr. Maxwell-Hyslop). I should like the Minister to tell us what consultations have taken place with consumer organisations in the United Kingdom.

In response to the report by the Select Committee on Trade and Industry, the Government said that they accepted the recommendations on consumer involvement. Perhaps they can tell us what organisations they will be meeting and what will be the time scale involved, if we are to ensure that when the single market in financial services is created there will also be proper standards for consumer protection. To date, the signs are that the proper standards will not be in place, and—not surprisingly—many hon. Members have expressed concern about that. It is important that there should be information on redress, and proper levels of compensation below which European Community states should not go.

The consumer-protection budget in the European Community is tiny. I am disappointed that the European Council allocated such a small amount in the budget for 1991: 0·018 per cent. of the total budget, which compares very badly with the amount available for the support of tobacco production, for example. There needs to be a change of priorities—not just by our own Government, but by other Governments examining the European Community consumer budget. I accept, of course, that it is not just money in the budget that will solve the problem; directives, too, will benefit the consumer at the end of the day.

Not surprisingly, the insurance sector has exercised the minds of many contributors to the debate. It is of particular importance, because the United Kingdom insurance sector has a great interest in the opening up of the market in financial services. It is also true—unfortunately—that there has been a worrying decline in our invisible export earnings in recent months, and the share of that decline accounted for by the insurance sector is considerable. All is not well, and the Government should address that point.

Several reasons given by hon. Members tonight show that it will be a long, slow haul to achieve a common market in insurance. We need greater vigilance than seems

to have been exercised up to now. For those reasons, I was surprised at the statement by the Chancellor of the Exchequer, who said that the European market in financial services was almost complete; if he reads the recent publication by the Department of Trade and Industry he will note the number of directives that are still outstanding, and will mean thorny and difficult negotiations in the European Community in the coming months.

The problems of the Export Credits Guarantee Department are also mentioned in the report. They have not had a great deal of attention during the debate—although, if the Government go ahead with their threat to privatise part of it, no doubt that will be the subject of controversial legislation later on. So far, in the internal market, there is no pressure to privatise the ECGD; the Government seem to be doing so as a result of their own dogma rather than any other imperatives.

It appears that the French state export agency is to be allowed to underwrite risks for foreign exporters: if a French export agency can do that, why cannot our own state export agency? There is no doubt that exporters in Britain are worried about the proposals for the ECGD, as a recent article in this week's *Financial Times* makes clear.

Some worries have rightly been expressed about the regional implications of the creation of a single market in financial services. My hon. Friend the Member for Linlithgow (Mr. Dalyell) referred in an intervention to worries in Scotland, for instance. The Government must give far greater priority to this. There is evidence that the European Commission is studying it, and the Government should too.

Not surprisingly, the Select Committee's report gives considerable space to the problems of transport infrastructure in Britain which affect both the financial centre in London and the other centres outside it. I do not know whether the Minister has seen the recent edition of *Lloyd's Log*, entitled, "Jams today. . .The threat to the City's financial future". After 11 years of neglect of our transport infrastructure the Government are now trying to catch up and deal with a problem which is largely of their own creation.

The Government have presided over a massive decline in our balance of payments. It is alarming not only that the manufacturing deficit is so great but that the surplus on the service side and on so-called invisibles has deteriorated sharply. While we believe that the single European market will be immensely important to the future of our financial services industry, we do not believe that the Government are doing enough to deal with the problems. It would be good to think that the Secretary of State, new as he is to his job, would take a fresh look at the issues affecting his Department. Unfortunately, it looks as if he is already weighed down with the dogma and short-termist attitudes of his predecessors—attitudes which have disadvantaged both our manufacturing and our service sectors.

6.51 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): The hon. Member for Redcar (Ms. Mowlam) and several other Opposition Members seemed to think that cases of malpractice being unearthed or of criminals being brought to book implied that something was wrong with the system. It is the first time that I have heard the theory that, if the police are successful on detecting crime, that means that they are not doing a good job. Such cases show that we have put in a tougher regulatory framework and that we are pursuing wrongdoers as we should. If only the Labour party had done that before, we should not have had our work cut out to put through the legislation that we have.

The hon. Member for Redcar also said that the Government were making no effort to improve regulatory co-operation with overseas bodies. I have just returned from Washington, where I was pleased to sign with our Japanese and American counterparts the Airlie House declaration. We recognise that financial business is driven by technology and business pressures towards global trading. It is becoming ever more important, therefore, to hammer out common accounting, capital adequacy and other prudential standards on a worldwide basis. The agreement that we have signed is a major advance in that direction.

The document recognises the growing volume of cross-border business in financial markets around the world, and pledges the three major market authorities in London, New York and Tokyo to work more closely together to facilitate further growth in that business.

The agreement enshrines two important principles. The first is mutual recognition backed up by some common standards. When each country is thinking of changing its rules or systems, it will consult the other two to see whether changes can bring practices more into line. The second is co-operation to assist each other in tracking down malpractice and crime. The United Kingdom is well advanced in widening its memorandum of understanding with the United States to exchange information and to carry out investigations on behalf of each other. About one case a week now causes that co-operation to be undertaken.

There will also be close co-operation to monitor the prudential position of major multinational firms. The Government will do everything in their power to ensure that the international regulators talk to one another and track down criminal activity even when it tries to run across borders in search of safety.

The hon. Member for Redcar seemed unaware of the many new dealing services for small shareholders which are now growing up. The Government welcome them and agree with comments made in the House that there should be easy access to good dealing facilities for all who have shareholdings, however modest they may be. Progress is being made in that respect.

The hon. Lady and her colleagues also seemed unclear about what structure of regulation they want. She tells the House that she agrees with the Government that the present system should be given time to settle down—we believe that strongly. More change would mean more disruption, more cost and more elaborate structures. However, the hon. Lady goes on to say that she wants to change the system in a fundamental way but is not prepared to tell the House exactly how. We await her reconsideration of a new structure, when she will have to demonstrate why it would be cheaper and better. Given the way in which institutional changes by the Labour party have gone when it has been in government, it would be surprising if the system turned out cheaper and better as a result of the changes that Labour suggested.

The hon. Lady concluded by saying that, under a Conservative Government, the City would need a boundary review. I agree. I think that the boundaries of

[Mr. John Redwood]

the wider City will grow ever wider because of the success of the industry, which has grown in ways that many of my hon. Friends have pointed out in the debate. I look forward to positive and confident 1990s for the City under this Government's tutelage, because we shall work closely with the City to ensure that its businesses can expand and take advantage of all the directives and opportunities that the single market will undoubtedly produce.

My hon. Friend the Member for Hastings and Rye (Mr. Warren) raised the issue of the number of regulators. I must tell him that we need the current exchanges; they are important bodies and they have a range of functions that facilitate choice and competition. But if self-regulatory organisations wish to merge because they think it in their members' interests to do so—it may, for example, lower the costs or improve the quality of regulation—the Government are delighted. The Government will not insist on it, however, because they recognise the divergent interests and concerns of the different members of the different self-regulatory organisations. These things will work only if done on a voluntary basis.

Many hon. Members should concentrate on the fact that it is not so much the institutional framework as the style of regulation that matters when examining the trade-off between its costs and its benefits. The Government believe that we are coming to the end of a period when a lot of effort had to go into rule-making and institutional change. We are working closely with the Securities and Investments Board, David Walker and others so that, in the new phase, we can concentrate less on prescription and detailed rule-making and more on investigation, compliance and detection, because that is what is needed.

It does not help matters if the regulators are continually thinking of yet new ways to tie up in knots the existing compliant businesses—the broad mass of businesses in the City that are doing a good job. The regulators are and will be judged by their success in tracking down the tiny minority who are guilty of business malpractice or criminal deeds. We are putting our efforts into tracking those people, and we are urging the regulators to do the same——

Ms. Mowlam: Oh yes?

Mr. Redwood: Yes, the Government have put a great many resources into detection and investigation—by setting up the Serious Fraud Office and ensuring that it can pursue the cases that come to light thanks to the tougher climate created as a result of our work.

I promise the hon. Member for Workington (Mr. Campbell-Savours) that if he can bring forward evidence of malpractice in any particular deal we, or more importantly the stock exchange authorities whose job it is to do so, will look at it. If the hon. Gentleman knows anything about insider dealing or other criminal practices, he should refer the evidence to the proper authorities and not cast aspersions in the House unless he can back them up with evidence that the authorities will look at.

Several hon. Members asked about the timing of the directives and whether we can bring the whole single market in financial services together ready for 1 January 1993. The Government intend to do all that they can to see that the negotiations are concluded. The banking directives have been agreed; the investment services directive and the capital adequacy directive could be agreed within the next few months.

One of the important purposes of the debate is to give us guidance on the details that need to be put right, particularly to help independent financial advisers, and to help some larger businesses with matters such as liquid assets. We have listened carefully to what has been said and we shall of course carry these issues forward in our negotiations. If we can get the right deal by the end of the year, we shall sign up to it; if it takes a little longer, so be it, because it is important that our independent financial advisers and our major players in the stock market should have access on the right terms, under which capital requirements are related entirely to the risks being run and they are not burdened with unnecessary capital requirements when they are not carrying undue risk.

I agree with many hon. Members including my hon. Friend the Member for Wirral, South (Mr. Porter) that on the insurance side, matters are proceeding too slowly. There are doubts about whether the whole of the insurance regime can be up and running by 1 January 1993. However, failure to reach that target will not be for lack of trying by the Government—we are urging our partners to work with us towards a speedy resolution of all outstanding issues on the passport directives. As a result of our efforts, one directive has been tabled and we shall get it to a working party for extensive negotiation.

It is also largely because of our requests that the Commission has promised to bring the other directive for First Reading in the Council of Ministers before the end of the year. The Government will put their full weight behind reaching a fair settlement in this area. As many hon. Members have said, there cannot be a completely open market in financial products if insurance is stymied for lack of the legislative action that we all seek. The hon. Member for Rotherham (Mr. Crowther)——

It being Seven o'clock, and there being private business set down by THE CHAIRMAN OF WAYS AND MEANS, *under Standing Order No. 16 (Time for taking private business), further proceeding stood postponed.*

Redbridge London Borough Council Bill

(By Order)

Order read for consideration of Lords amendment.

Lords amendment: In page 4, lines 9 to 17, leave out clause 6.

7.1 pm

Mr. Vivian Bendall (Ilford, North): I beg to move, That the amendment be now considered.

Hon. Members may wonder why I rise to speak to the Bill. It is because my hon. Friend the hon. Member for Ilford, South (Mr. Thorne) is with an IPU delegation in Uruguay. He sends his apologies for not being able to be here. I shall say nothing more about the Bill because it has been debated in both Houses and in Committee.

Mr. Michael Neubert (Romford): I am pleased to have this early opportunity to speak, on our first day back after the long summer recess. It is seven and a half years since I spoke from the Back Benches; for a great deal of that time I was a Government Whip and was therefore not able to speak in the Chamber at all, other than to move procedural motions. To my surprise and disappointment, I found that such motions are not the stuff of tomorrow's headlines. After my being consigned to silence for so long, I know that my constituents will be reassured to hear me more often in future and to know that I am alive and well and working on their behalf at Westminster.

When I was at the Ministry of Defence I had the occasional opportunity to speak and to appear on the parliamentary peep show and, through the merciless medium of television, I sometimes appeared in every living room in the land. However, on private business the same Trappist vow of silence descends on Ministers, leaving them inert and mute, even though the business may affect one's own constituents. The disability is that much greater when the title of the Bill does not immediately reveal the reasons for one's presence. Colleagues who saw me sitting silently during earlier debates on the Bill may have assumed that I was overcome by momentary tiredness or that during the long hot summer I was taking advantage of the air conditioning in the Chamber, seeing no connection between me and the Redbridge Bill.

Hon. Members who have taken part in the debates know that the Bill should be called the Romford (Extinguishment of Centuries-old Exclusive Royal Market Franchise) Bill. If that were its title, my interest in it and opposition to it would be apparent to everyone. I am sorry that my hon. Friend the Member for Ilford, South (Mr. Thorne), the promoter of the Bill, is not here, but I am glad that he was able to persuade his next-door colleague, my hon. Friend the Member for Ilford, North (Mr. Bendall) to speak on his behalf. We regret his absence, but understand that South American affairs have called him away from the Chamber. Even at this late stage in proceedings on the Bill I am glad to have this opportunity to speak, even if only in relation to clause 6.

I express my warm gratitude to my fellow Members for the London borough of Havering—my hon. Friends the Members for Hornchurch (Mr. Squire) and for Upminster (Sir N. Bonsor). They ably sustained the heat and burden of battle on many occasions without any direct assistance from the Member for Romford in whose constituency the charter market stands. I felt as guilty as any first world war general, quaffing claret in comfort behind the lines while sending other officers to face the flak at the front.

I am indebted to my Havering colleagues for all that they have done on behalf of my constituents, and theirs, while I sat through the proceedings unable to contribute to the debate. My hon. Friends have distinguished themselves by what they have achieved, because the Bill is now very different from the one that was introduced to the House about two years ago.

We are considering yet another amendment, this time from the Lords. No doubt it responds to the strength of the arguments deployed at an earlier stage and not simply to arguments deployed in the other House alone. My hon. Friends' efforts deserved a wider audience, but it is in the nature of things that there has been limited participation in the debate and, not surprisingly, at times the debate degenerated into a dispute between neighbours, the Members for Redbridge on one side and the three Havering Members on the other. As we all know from our surgeries, disputes between neighbours are sometimes the most intractable issues with which we have to deal.

Mr. Robin Squire (Hornchurch): My hon. Friend has mentioned several hon. Members. I hope that he will not overlook the noble contribution by our hon. Friend the Member for Maidstone (Miss Widdecombe), whose sterling speech highlighted some of the problems with clause 6. No doubt in due course we shall come to those and it would be unfair not to recognise that contribution.

Mr. Neubert: I am glad to record my gratitude to my hon. Friend the Member for Maidstone (Miss Widdecombe), who, on a memorable evening, contributed to a discussion on clause 6, which comes before us now as a result of the Lords amendment. I am sure that she wishes us well in our opposition to the Bill, because she is one of many hon. Members who have charter markets in their constituencies and who will see them threatened by the Bill.

The original Bill contained just two pages and its substance was contained in only one. It included clause 6 about the transfer of rights, but did not have the last two lines that are now contained in the clause:

"provided that no such transfer or disposal or rights shall take effect without the consent in writing of the council."

After amendment, the Bill now covers the best part of four pages. The major additions to its length are the revised proposals for compensation.

The concern that this question aroused in the Chamber and in Committee underlines the seriousness of the main purpose of the measure, which is to remove an advantage conferred on Romford by royal charter by Henry III in 1247. That royal charter predates our Parliament and it has been a major factor in the prosperity of Romford and the London borough of which it has been part for the past 25 years. It is ironic that, after seven and a half years, I should find myself speaking for the first time in defence of a royal franchise, which has benefited the people of Romford for seven and a half centuries.

I am not a Conservative for nothing; I wish to conserve the best of our traditions and institutions until persuaded that there are good reasons for not doing so. The Bill does not constitute such a reason. The rights to which clause 6 refers are not related to the right to hold an open-air market in the borough of Redbridge. Redbridge is an extensive and highly desirable area of north-east London

[Mr. Neubert]

and is represented in the House by three assiduous and active Members. It is unacceptable for it not to be also adorned by a lively open-air market where customers can enjoy the cut and thrust of the stallholders' repartee while looking for a bargain among the cauliflowers and cucumbers.

It would indeed be unneighbourly of the next-door London borough of Havering to object to and place an obstacle in the way of such a market anywhere in Redbridge. That is not the case. Many residents of Redbridge widen their consumer choice by patronising the market at Romford, which has a long-standing and deserved reputation for good prices and value for money.

The Bill would establish a new market in Ilford, within the six and two thirds miles radius of Romford market, which, for no fewer than 743 years, has been the subject of an exclusive royal franchise. Some have suggested that the whole concept of a charter market with a radius of six and two thirds miles is unbelievably archaic—a description given by an eminent legal luminary. However, it does not lack all sense or relevance to today's trading conditions.

The distance was decided on the basis that that was as far as a man could drive his cattle and back again in a day, allowing sufficient time in between for him to conduct his business and pursue his livelihood. Allowing markets within shorter distances of each other would have undermined the viability of the markets and the individual livelihoods of their traders because it would have diluted the spending power of those attending them. There are no longer any cattle at Romford market, and the straight high road from London, which used to pass through the market, has been bypassed with a ring road. The market is now a pedestrian precinct where shoppers can walk without risk, other than that of occasionally slipping on a cabbage stalk or, for politicians, a banana skin.

The old style of the market is not really that long in the past. I first visited Romford when I was a small boy. My grandmother took me there on the top of a bus, and the market still had cattle and other livestock. Romford was still part of the rural county of Essex; now it is part of metropolitan London, having been swallowed by the metropolis 25 years ago. Cattle were last sold at the market in 1959, only slightly more than 30 years ago, so it is not as archaic as might be thought.

Mr. William O'Brien (Normanton): The location of the proposed market was an important point of debate on Third Reading. Labour Members were concerned that there was no plan identifying its proposed site. Some of us were under the impression that the market would be part of a larger commercial development in the area, rather than a market in the general terms that most of us understand. That matter caused a great deal of concern, and I hope that the hon. Gentleman will comment on it.

Madam Deputy Speaker (Miss Betty Boothroyd): I regret that I cannot allow the hon. Member for Romford (Mr. Neubert) to answer that point. As he said at the beginning of his remarks, we are debating a narrow procedural motion, and we must deal with the matter before us.

Mr. Neubert: I hear your guiding words, Madam Deputy Speaker, and, as ever, will seek to observe them. Of course, we are discussing not simply whether we should consider clause 6, but presumably——

Madam Deputy Speaker: Order. We are considering whether we should debate the Lords amendment. It is a narrow procedural motion.

Mr. Neubert: For the reasons that I have already given, I shall seek to argue that we should defer consideration for six months. That will require a certain amount of attention to the wider case, not simply clause 6.

Madam Deputy Speaker: Order. That would require a great deal of ingenuity, but I know that the hon. Gentleman has that. I shall be as tolerant as possible.

7.15 pm

Mr. Neubert: I am indebted to you, Madam Deputy Speaker. I cannot respond to the hon. Member for Normanton (Mr. O'Brien), but I was present during all the previous proceedings, and I recall the occasion that he mentioned.

The rights enshrined in clause 6 relate to the establishment of a market in Ilford, which is in a part of Redbridge that comes within six and two thirds miles of Romford market, a distance thought to be archaic. However, under clause 6, Redbridge council wants not only to establish such a right against the long-standing claim of common law that ensures a safeguard for Romford market, but to transfer that right to others.

It might have been helpful if my hon. Friend the Member for Ilford, North had explained the background to the Lords amendment. It is not clear to me, or to the advisers from the London borough of Havering, why we are even considering it. We can only speculate, as I intend to do during my speech. The clause states:

"any person entitled or authorised by virtue of this Act to hold a market may transfer or dispose of all or part of his rights to another."

We need to examine not only the justification for whether we should tonight debate clause 6, but whether the privilege obtained by private Acts of Parliament should be for the benefit of others, and whether that is the right way to proceed.

It is a matter of some pain to me that the Bill has proceeded this far only through the support of Conservative colleagues. Members of Parliament have many calls upon their time and it is understandable that they may not always be as familiar as the sponsors with the issues involved in a private Bill. One reason for deferring consideration of clause 6 for another six months is to enable more hon. Members to attend the debate than the relatively few who are here tonight.

I have already mentioned the confusion caused by the title of the Bill, in which the removal of a franchise—a negative outcome—is revealed only upon closer examination. It suggests the positive purpose of establishing a new market. Nothing is more likely to enthuse a modern Conservative than the mention of the word "market", but "franchise" is an equally respectable commercial concept and, in effect, the royal charter granted to Havering all those hundreds of years ago is just that.

What sort of market are we dealing with? Its rights are to be transferred to others under clause 6. It is not just a single site, but part of a wider market economy. The

relatively few colleagues who have voted for the Bill to date may think that the rights to which the clause refers extend the free market and increase fair competition, but do they realise that they are conferring rights on the new market similar to those that Romford has enjoyed for so many years? That is hardly progress. If we were to move on to considering the clause, and if we rejected the Lords amendment, as I understand it, that protection could be transferred to a third party—not the local authority or some other representative of public interest, but to anyone who might take over the ownership perhaps, or certainly the operation, of the market. Of course, I read the clause as a layman and without any advice from the promoters.

It is likely and, again, understandable that some of my colleagues may have assumed that because the London borough of Redbridge has repeatedly had the good sense to elect a Conservative majority to its council, any private Bill promoted in its name must, by definition, be a good thing that deserves support without question. I have been a leader of a London borough council—before coming to Westminster, I was mayor of Bromley. I have a high regard for the benefits of Tory local council administration.

However, I would not suggest that on every occasion, and on every issue, a Tory town hall administration is necessarily infallible. Perhaps I may derive some support for at least that assertion from Opposition Members. I hope that the fact that the Bill has been vigorously opposed by other Conservative Members—12 heroes voted against it on Second Reading—will be enough to raise doubts in the minds of other of my right hon. and hon. Friends about the advisability of accepting too readily the Bill's virtues and granting the powers and privileges that it seeks to establish.

Some of those privileges to be found in clause 6 would be capable of being transferred to another party. Although the Bill has received some support in this House, it has never received the support of the full Redbridge council. Before considering whether we should debate the Bill further, there are questions to be raised about the aspect. Opposition to the Bill by Havering council has been not only overwhelming but all-party.

Mr. Squire: My hon. Friend mentioned that 12 of our right hon. and hon. Friends opposed the measure. No doubt he will mention also the germane point that no fewer than 30 colleagues supported an amendment to delete a little piece of clause 6. When one considers that about 100 right hon. and hon. Members were present for that debate, it is obvious that there is scope for a larger number of them to examine clause 6 in its entirety.

Mr. Neubert: I am indebted to my hon. Friend for his intervention. The question whether we should give the Bill further consideration without interruption relates to my point concerning the support that the Bill received before it was promoted. My advice is that, for such a Bill to be promoted in Parliament, it must receive a minimum level of support from the local authority in question, as expressed by a vote in council for the Bill to proceed. My information is that that level of support was exceeded in Redbridge council by only one vote.

Local elections were held in May. It would be interesting to know whether that narrow margin of necessary support for the Bill survived the changes of councillors that occurred in those elections. Perhaps my hon. Friend the Member for Ilford, North can say whether the council has been consulted about the promotion of the Bill since the May elections. One also wonders whether the council has been consulted about the Lords amendment and the attitude that should be adopted towards it. We have received no advice from the promoters on whether the Bill still has the council's support. We should know the answer to those questions before we consider the deletion or otherwise of clause 6.

Sir Nicholas Bonsor (Upminster): On a point of order, Madam Deputy Speaker. In view of the comments of my hon. Friend the Member for Romford (Mr. Neubert), perhaps we should seek the guidance of the Chair on whether it would be right to proceed with the Bill if it no longer has the majority support of Redbridge council.

Madam Deputy Speaker: That is a matter for debate, and there is no reason why the debate should not continue.

Sir Nicholas Bonsor: Further to that point of order, Madam Deputy Speaker. My understanding is that, if we pass the Bill today, there is no further step the House can take to stop or reverse its progress. If it would be unlawful in procedural terms for the Bill to be promoted without its having the majority support of Redbridge council, surely we should not proceed with it tonight.

Madam Deputy Speaker: The House must decide, at the end of this debate, whether or not to proceed with the Bill.

Mr. Neubert: If that is so, perhaps I am wrong in thinking that a council must have the support of its own members for a Bill before it can be promoted. It may be that, having once made the decision to promote a Bill, no further reconsideration is needed in altered circumstances. Nevertheless, it is unusual for a Bill to take two calendar years to get under way. The original Bill was printed on 16 November 1988. It is feasible that the newly elected council does not support the Bill by the majority needed for it to be promoted. That is relevant when we are considering whether we should continue to consider it in this House. We must question whether it has the necessary legal and statutory support from the promoting local authority. I cannot answer my own question on my feet, but we owe it to the House to give that aspect some thought before reaching a decision on the motion.

It may appear at face value that the Bill has received the support of Conservatives both at a local level and to a limited extent in Westminster. The matter is less clear-cut than it appears. Line 13 of clause 6 makes reference to section 50 of the 1984 Act, which in turn refers to the Food Act 1984. That legislation, enacted by a Conservative Government, left intact the rule that a franchise market is protected against any rival market within six and two thirds miles, and that a statutory market is protected within six and two thirds miles of any rival other than another statutory market.

If we reject the motion and move to consideration of clause 6 and it is passed, and if the Bill is passed with or without clause 6, Redbridge will enjoy protection against another market being established in the borough. Such protection is of very real commercial value and would be an important consideration in any arrangement to transfer the rights with which clause 6 deals. As the relevant legislation is so recent, having been enacted only six years ago, it follows that a number of right hon. and hon. Members—at least on these Benches—who supported the

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Bill in the belief that it would in a small way create a free market would have certainly voted for the 1984 Act that embodies the protection that Redbridge will to a large part enjoy under the Bill. Alternatively, they may argue that in this respect they are being consistent. If so, why do those same Members of Parliament not respect Romford's long-held common law rights? Why favour Redbridge over Romford and at Romford's expense?

On Second Reading, the Bill as then drafted would have given Redbridge protection within the same six and two thirds miles' distance as has been attacked as anachronistic in the case of Romford. Subsequently, the Bill was substantially amended in Committee. The Lords amendment is only the latest in a number of amendments to ensure that the protection was limited to the area of the London borough of Redbridge only, which is less than six and two thirds miles distance from Ilford in the round. Nevertheless, an inconsistency remains—and to vote for the Bill and for the proceedings to continue would be a vote for statutory protection, not for a free market.

The reference in clause 6 to section 50 of the 1984 Act is consistent with clause 5, which states:

"A market established under this Act shall be deemed to have been established by the Council under section 50 of the Act of 1984."

It is not clear why clause 6 was inserted in the Bill and subsequently amended, or why it is now proposed that it should be deleted at this late stage, on the Bill's return from another place. It is not clear either why we are being asked to give further time to its consideration.

What place does such a clause have in such a Bill? It has already been amended, and it is now proposed to delete it from the Bill. I am open to correction, but I have received nothing in my post from the promoters to explain that surprising turnabout.

Mr. Squire: Nor I.

Mr. Neubert: Apparently, my hon. Friend has received no such communication either. At a very late stage the Bill appears back in the House with a proposal that this clause should be deleted.

Mr. Squire: On a point of order, Madam Deputy Speaker. My hon. Friend has reminded me—I had not fully considered it—that to my knowledge, and obviously to yours, promoters of private Bills are required to notify hon. Members on either side of the House of details of the arguments for the Bill at each stage that the matter is debated in the Chamber. Echoing my hon. Friend's remarks, I have received nothing from the promoters of the Bill about this evening's debate. I wonder whether that is in order, or whether some breach of private Bill procedure has taken place which would negate our proceedings tonight?

7.30 pm

Madam Deputy Speaker: As far as I am aware there has been no breach of private Bill procedure. Of course it is usual for promoters to provide as much information as possible, but I assure the hon. Gentleman and the House that there has been no breach of our procedures in this matter.

Mr. Neubert: I am reassured by what you say, Madam Deputy Speaker. I was questioning why there should be such a clause in the Bill in the first place, so that I should have some inkling of why it should be removed. To answer those questions I sought advice from the borough secretary and solicitor, Mr. Michael Tink, who has been handling Havering's case against the Bill. I refer to his letter of 21 September on this matter, which confirms the lack of information that seems to be common to my colleagues and myself, as far as Havering council is concerned.

Mr. Tink says:

"It may sound odd to say after all the attention given to this Bill that we cannot give a precise account of the reasoning for the amendment which now prompts the return of the Bill to the Commons"

and which gives occasion for this procedural motion tonight. He goes on to say that he had

"no communication from the promoters but the amendment"

—

as we know—

"is for the deletion of the whole of clause 6 of the Bill."

He thinks that that may spring from arguments that he and others made before the Committee in the House of Lords, but he believes that the Committee did not recommend the amendment and that the Third Reading in the Lords was without debate.

The background to the matter was that Redbridge was apparently seeking in the Lords to counter the argument that it is wrong in principle to use piecemeal local legislation for overcoming limitations in the general law —something which my colleagues and other hon. Members believe in very strongly and which we urge upon the Government, represented by the Under-Secretary of State for the Environment tonight. We think that that is a fair argument, and I may return to it later.

Redbridge's case was that local authorities throughout the country operate statutory markets under section 50 of the Food Act 1984, including Havering with the Friday market at Romford.

Redbridge wants to run a market under those powers and wants to site it at Ilford. Powers under the Food Act cannot be used to interfere with common law market rights in the area without consent. The Wednesday and Saturday markets at Romford are common law markets and their protection extends to the Ilford area. Therefore, Redbridge needed the Bill to overcome the effects of those rights and to allow it to use the powers granted by the Food Act without Havering's consent.

Redbridge has never sought Havering's consent. That is relevant to this motion. We might not be here tonight and we might not need to consider the motion if Redbridge had sought Havering's consent. From the outset, Redbridge has acted on the assumption that it would promote a Bill in Parliament rather than seek a licence. That is unfortunate because the Bill embodies the sort of compensation which as a licence fee might—I stress the word "might"—have interested Havering, and the House might have been spared hours spent on private legislation and any future hours we may spend debating clause 6 if we agree to do so tonight, or in debating the motion if we continue to do so.

I shall offer some evidence to the House to support my assertion. It comes from Committee proceedings last year, which show how long this unhappy Bill has been proceeding. I was supplied with some of the relevant Committee proceedings. I suggest that, rather than go on to consider clause 6 and give up further valuable parliamentary time, by not agreeing with the motion we

might call upon Redbridge to consider opening negotiations with the London borough of Havering at this late stage, which would avoid the necessity of promoting the Bill. There appears to be no end to it.

Is the licensed approach feasible? I have relevant extracts from Committee. If any members of the Committee are present in the House they may recall that on the first day in Committee Mr. J. Hawkins was giving evidence. He was asked:

"In July 1986 did the Council by its Environmental Health (Urgent Action) Sub-Committee agree that, subject to consideration of a report on the establishment of a market dealing with legal considerations and so on, it was prepared to consider the establishment of a market in the Borough under the powers contained in Section 50 of the Food Act?"

The answer was, "Yes." Later, he was asked:

"Was it resolved that the officers should carry out a further study of the implications of pursuing private legislation and to report back?"

The answer was, "Yes."

The questioning continued:

"On 13 April 1988, did the General Services Committee authorise the officers to proceed with the promotion of Private legislation for the provision of a permanent market site in Ilford and to engage consultants?"

Mr. Hawkins answered:

"They made that recommendation, yes."

I stress the date—13 April 1988—as it is two and a half years since the general services committee of Redbridge council authorised the officers to proceed, which adds weight to my suggestion that it might be time, if the opportunity has not already been taken, for Redbridge council to be consulted again about whether it wishes to proceed. The circumstances may have greatly changed.

Mr. Squire: A major change since then, as my hon. Friend will confirm, is the arrival of the unified business rate, which must have had a major impact in Ilford, knowing the impact that it has had in Romford. Surely that is a factor which the council should have taken into account?

Madam Deputy Speaker: Order. It may well be a major factor, but it is not relevant to the question before us.

Mr. Neubert: To support my contention that at no time did Redbridge seek consent from Havering, as is allowed under common law and under statute law, I again refer to the Committee report on page 46, when Mr. J. Hawkins is being questioned. He was asked whether, about a week after the meeting of the general services committee to which I referred, there was a

"without prejudice meeting between the director of administration and legal services and the solicitor to the Havering London Borough Council."

The answer was, "Yes."

It was only after all those decisions to promote the Bill had been taken by the council that it finally approached Havering. Presumably it did so out of courtesy and a desire to inform it of the proceedings, but without any intention of negotiating and avoiding the necessity of a private Bill which would use valuable private Bill time in the House.

Hon. Members may think that perhaps it was not feasible for Redbridge to seek such consent. Perhaps Havering's past record went against it. That is certainly not so, because Mr. Tink also gives evidence about Kingston upon Thames, which is another example of a franchise market where such a license was sought and granted. There are hundreds of such markets and there may be other examples. In those circumstances it would be easy for Redbridge to make a similar diplomatic approach to the London borough of Havering, seeking its consent to have such a market within the six and two thirds miles' radius on the grant of a licence and on payment of the licence fee.

Before we consider debating the Bill further, we should understand that there is an example in Kingston upon Thames. On page 38, Michael Tink, giving evidence to a Committee of this House, answered the question:

"Do you know, by way of example, of any *other* authority that has been prepared to grant a licence on proper terms in relation to its market rights?",

with:

"Yes, sir, I do. I have caused inquiries to be made, and I know that the Royal Borough of Kingston upon Thames does grant licences for, I believe, four or five rival markets, one of them in the London Borough of Sutton, one at Wimbledon Stadium. I am told there is another one in Kingston town centre itself, which operates on some sort of licence; one at Kempton Race Course and one at Merton. I believe there was formerly one at Putney which has now ceased."

It is perfectly feasible for Redbridge to negotiate with Havering, without our giving further time to considering the Bill in this House as we approach the end of the Session. I cannot guarantee a favourable outcome, but we should certainly consider that option before debating clause 6 and agreeing to the amendment. If the amendment is rejected, I imagine that the same applies to private legislation as to Government legislation, and that the Bill will have to go back to their Lordships who will have to consider the views of this House. Therefore, even if we reach a decision here tonight, it will not necessarily be the end of the matter.

The licence might be related to compensation. As a result of the decision of the Committee of this House, Redbridge would be required to pay compensation to Havering for the loss of commercial value to its market by the establishment of a market within six and two thirds miles of Romford. That has been put at 10 per cent. of the operating profit of the new market when it is established. I have no idea what sum that might be, but it might be the same as a licence fee negotiated directly between the two councils, without promoting a Bill or creating the precedents which threaten other markets, of which there are several hundreds. Indeed, there is a whole network of such markets.

The question of such a licence was raised. At no time has Redbridge followed that path, although it might well have done. On page 18, the aforementioned Mr. J. Hawkins, a witness for Redbridge, was asked:

"Do you know whether the London Borough of Redbridge has ever applied to Havering for a licence to operate a market within Havering's protected area?"

He answered:

"I am not aware that there *has* been such an approach."

That confirms that there was not such an approach and that, instead, the House has been asked to spend considerable time examining the Bill with all its shortcomings and defects and despite its lack of popular support. That is the result of Redbridge's unwillingness to negotiate. We are again asked to give time to explore the reasons for deleting clause 6, without having been told those reasons in advance of tonight's debate.

Counsel examined Mr. Hawkins about the licence and asked:

"Can we explore, nevertheless, some of what the basic terms of such a licence might be? Firstly, provision would be made, would it not, for which days of the week the licensed market was to be permitted to operate, do you agree?"

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The answer was, "Yes."

"Secondly, and importantly, provision would be made for the duration of the relevant licence?"

The answer was, "Yes, it could be." Counsel asked:

"You could have provision for a fixed term, or you could have provision for a term capable of being brought to an end by either side by notice, could you not?"

The answer was, "Yes."

"In either event, the duration would be limited?"

The answer was:

"That is a possible approach, yes."

The examination continued:

"Thirdly, and importantly, there would be the amount of the fee to be paid by the licence-holder?"

The answer was, "There would be, yes", to which counsel asked:

"Which you accept might be geared to the profit made by the licensee in operating his market?"

7.45 pm

That is relevant because it is exactly the conclusion that the Committee reached, which persuaded it to require the promoters to add such an amendment to the Bill. The answer was:

"That could be the approach of the franchise-holder, yes. What the reaction from the person seeking the licence would be, of course, is another matter."

Counsel continued:

"If that *were* the approach, is there any reason why a percentage should, in your view, be fixed at any particular figure—the percentage of the profit made by the licence operator?"

The answer was:

"If this was the approach that was being accepted on both sides, then yes, there could be negotiation on *any* figure."

In other words, it was open to Redbridge and Havering to negotiate a licence fee which would enable Ilford to realise its ambition to have such a market, without affecting the 750 years' franchise conferred by Henry III on Romford market. Counsel said:

"Thank you. That was going to be the next point I was going to put to you. It would be the result, would it not, of a bargain between a willing seller and a willing buyer, or to be more precise, a willing licensor and a willing licensee?"

The answer was, "Yes."

I raise that at length at this stage because it is still possible for proceedings on the Bill to be adjourned to enable the neighbouring local authorities to get together and negotiate a reasonable arrangement. It probably would not cost Redbridge more than it would cost in the amendment to the Bill, because it has already agreed to a substantial 10 per cent. of the operating profit of the market going to Havering in compensation. That might be held to be a reasonable amount for Havering to ask as a licence fee. I have no brief to speak for Havering council and I cannot anticipate what its answer would be, but I am sure that it would wish the precedents created in the Bill not to be established, if there were an avoidable way out, such as the negotiation of a licence for a fee.

Counsel continued:

"It is right, is it not, that while such licence continued, the licensor could not be in any position to complain that the licensee's market was causing him any damage, could he?"

The answer was:

"No. Subject to the terms of the licence, I am sure that would be right, yes."

In other words, once Havering had agreed to such an arrangement without the Bill, it could not complain. It would be getting its licence fee. That is what happens between markets in Kingston upon Thames and no doubt elsewhere.

It occurred to Mr. Tink, the borough secretary and solicitor, that clause 6 was not related to any restriction arising from Romford's market rights. He concluded:

"if Clause 6 was necessary at all then it must have been intended to give Redbridge different (and better) powers than those available under the Food Act to any other Local Authority."

Hon. Members might well be surprised if that were the case. Clause 6 would certainly be objectionable, if we were told that Redbridge were underprivileged and Romford sought a great advantage. If it were known that originally Redbridge were promoting a Bill to give itself greater advantage than Romford and countless other charter markets, many hon. Members might have taken a different view from the start.

The amendment seems to vindicate Havering's argument that clause 6 is either unnecessary or contrary to the case being made for the Bill. It is surprising that Havering has had no communication with the promoters on that point.

Sir Nicholas Bonsor: Am I right in thinking that this question was revealed in Committee and that Havering made the points that my hon. Friend is now making but that those representing Redbridge made no attempt to answer them? Therefore, the House has had no guidance from the promoters of the Bill on why they sought to put the clause in, just as we have had no further guidance on why they now wish to remove it.

Mr. Neubert: In general, that must be so. It is not that there has been insufficient time for them to do so. The Committee considered the Bill in the previous Session of Parliament well before the summer recess last year. Therefore, there has been ample time for an explanation to be given.

Redbridge's parliamentary agents are Sharpe Pritchard, who are well known to hon. Members. Their no doubt expensive services enjoy a high reputation in the House. Proceedings on the Bill have been under way for nearly two years if one dates them from the printing of the Bill on 16 November 1988. Redbridge residents must have been paying a packet all this time. The Bill has been controversial from the start, even if the extinguishing of a royal charter does not, to my regret, count as lèse-majesty. It has undergone substantial amendment, of which the Lords amendment is yet another example.

Proceedings have been protracted and have detained the House for an avoidable length of time. I am now detaining the House for an avoidable length of time and I ask for forbearance and understanding. The proceedings have played a part in putting pressure on the Leader of the House to change the private Bill procedure which will restrict our freedom and the rights of hon. Members to play their traditional role in such proceedings. All that has happened despite the fact that on Third Reading the Bill had a majority of only five. That is a narrow squeak in anybody's estimation.

As I understand it, if we were to disagree with the Lords amendment, it would return to the upper House. The Bill has survived this far only because the Government introduced a carry-over motion from the last Session to this. We are now coming towards the end of the second Session. I do not know whether it is possible for a private

Bill to be carried over a second time. It is my understanding that, if a private Bill does not secure enough support to pass through all its stages in one Session, it would go against the principle of private Bills for it to proceed at all. It would go against that understanding if it were to be carried over yet again. As I have said, there is no doubt that it has played its part in putting pressure on the Government and the Leader of the House to change private Bill procedure and I regret that.

Before the House reaches a decision, I ask again whether it would be wiser for Redbridge to withdraw the Bill. The expense does not stop at Queen Anne's Chambers. Redbridge is also being advised by a well-known firm of public relations consultants. I have no hard words to say against the company concerned. It does an excellent job and has even been shrewd enough on occasion to offer me hospitality at its offices not 100 miles from here.

The only other person I know who lives in that street is my hon. Friend the Member for Watford (Mr. Garel-Jones), the Minister of State, Foreign and Commonwealth Office. Incidentally, he should take a close interest in the Bill, as he is one of the many hon. Members who has a charter market in his constituency which would be threatened by the precedent set by the Bill.

The fact that my hon. Friend the Member for Watford lives in that street suggests the quality of the firm of consultants and I am sure it does not come cheap. It has been said—it has not been denied so far—that the consultants are being paid £50,000 plus £4,000 a month for expenses. Some of that money might, with advantage, have been spent on explaining to hon. Members the reasons for the to-ing and fro-ing on clause 6. We would all benefit from that, including the Chairman of Ways and Means who is responsible for private legislation in the House. He may regret as much as we do that we have no clear understanding of why we are at this unusual stage in private Bill procedure.

This legislation has very little support in the House—it was carried on Third Reading by 48 votes to 43—and I am distressed at the amount it must be costing the community charge payers of Redbridge with each week that passes.

It may be that clause 6 relates to the original clause 3. That clause as printed in the Bill of 16 November 1988, said that the council may

> "(1) establish a market within a distance of one mile from the town hall, and
>
> (2) authorise on such terms, (whether financial or otherwise) as they think fit, the establishment by others of a market within a distance of one mile from the town hall."

The second option might have entailed the transfer of rights as set out in clause 6. However, clause 3(2) has now been removed from the Bill, and, as a result, clause 6 may be redundant. I await an explanation. As I said earlier, I am a layman in these matters. I do not know precisely the reason why the promoters want to remove clause 6 and I cannot deduce from the wording of the clause why it is no longer appropriate. However, Havering made some play of arguing against the clause in their Lordships' House and it may be that this is a concession to those arguments.

It is clear that by the inclusion of clause 6 Redbridge had ambitions beyond what is necessary for a local authority to own and operate a market. That brings me back to my objection in principle to the clause and my main argument for wishing to see my motion carried. They should have an opportunity for second, third or even fourth thoughts.

Throughout the country, there are many markets such as that in Romford. The figure of 284 has been cited, but I am not sure whether that represents the number of markets nationwide or whether it is the number of hon. Members whose constituents have access to such a market. A list has been circulated to some hon. Members by the National Market Traders Federation and it lists 284 hon. Members as having such a charter market. It is disappointing that so few of them seem to be aware of the issues in the Bill which, although it affects my constituency of Romford and is promoted by Redbridge, has implications for charter markets all over the country.

The network of markets has developed over hundreds of years and has provided the basis for local prosperity in many towns, especially mine. Romford is famous for its market. It is not famous for much else. It is not famous for its Member of Parliament and it no longer has a football club. It has an excellent brewery which promotes John Bull bitter, but only within the London Weekend Television area. It may be that some towns in this country have developed and been sustained solely as a result of their having a market. If the market is to have its charter removed by a private Act of Parliament, it may be that not only Romford but many other markets will be threatened and picked off one by one.

My hon. Friend the Minister is very patient to sit through the proceedings. His predecessor said on Second Reading that the House should be given an opportunity to examine the Bill although the Government have not supported it. However, they should have taken more interest in the motion to defer consideration. In fact, I would welcome a contribution from my hon. Friend the Minister on whether we should proceed or whether we should do as the motion suggests and defer consideration for six months.

Sir Nicholas Bonsor: On the Government's attitude, the House should take note of what Lord Davidson said in the other place:

> "We have reviewed the whole matter of charter market rights to consider whether they are a restraint on trade. We found this a highly complex matter, which could involve compensation for loss of rights and which might well be expensive . . . As existing franchise rights present little impediment to trade—market trading being such a very small part of UK retail trade—we should leave matters as they stand at present."—[*Official Report, House of Lords*, 5 April 1990; Vol. 517, c. 1612.]

Although I am sure that the Government do not wish to intervene on the Bill, that sentiment implies that matters should be left as they stood in Romford as well as in the rest of the country.

8 pm

Mr. Neubert: I am ready to agree with my hon. Friend, because with his unerring instinct for what is apt, he has anticipated my next point. The Government came clean in another place about their reasons for not proceeding with such legislation. It is a matter of complexity and compensation, and if the system is thought to be outdated —there is no doubt that in historical terms it is outdated, although it has some relevance to present day conditions —it would be better reformed outright, not by picking off one franchise market at a time by private Act of Parliament. Although they are a radical Administration,

[Mr. Neubert]

the Government have not sought that reform, and I have no doubt that my noble friend Viscount Davidson had his finger on the point.

That confirms the value of such charters and that they should not be taken over and transferred to others, as anticipated in clause 6, without adequate recompense and without it being dealt with evenhandedly.

Mr. Peter L. Pike (Burnley): Is not it true that many towns have grown around ancient charter markets and that in recent years authorities have put considerable investment into new market facilities? If such a Bill had been proposed at that time, they might not have made that investment.

Mr. Neubert: I am glad to have given way to the hon. Gentleman, who has sustained his interest throughout the long proceedings on this Bill; we have welcomed the value of his advice on more than one occasion. These arrangements are long established and will be upset by a Bill that picks off one market. The economy of Romford, which is prospering and supporting the livelihoods of many people in and around the town, is based on those long-standing arrangements, and simply changing them will have serious repercussions. The Committee that considered the Bill recognised that fact by requiring Redbridge to pay adequate compensation, but I do not know whether it is anything more a mitigating amendment. If we support the Bill, which attacks the long protected rights of a single market, we may condemn ourselves to endless such Bills, which is one of my greatest anxieties.

It cannot be right to proceed in this way and I hope that I have made it clear that the best for all concerned, even at this late stage and notwithstanding the expense incurred, the many hours of debate and discussion and the valued experience and knowledge that have been used to amend the Bill, would be to proceed by negotiation and to avoid putting this precedent on the statute book. It may be argued that there is already a precedent—the agreement reached by the borough of Bexley with Greenwich. It is not for me or other hon. Members to argue the case for Bexley or Greenwich, but, whatever their arguments or interests, they reached an agreement.

The Bill is not the subject of such an agreement—it would not need to be promoted in the House if there were such an agreement—but the result of Redbridge's single-minded determination to promote legislation as a way of achieving its objectives. For that reason, I support the motion to defer consideration because it gives Redbridge a chance to reconsider and to open negotiations with Havering and to explore whether there is another way out that does not require this precedent, which would be highly unfortunate for charter markets throughout the country and for Members of Parliament whose constituents enjoy the benefits of them. I very much hope that the motion will be carried.

Sir Nicholas Bonsor: I welcome my hon. Friend the Member for Romford (Mr. Neubert) back to the land of the living. As one of his colleagues in Havering, I have very much missed his presence on the Back Benches. I hope that he will not take it amiss when I say that it was a sadness to me that the Government did not dispense with his services a few months earlier, because had they done so I have no doubt that the Bill would not have reached this stage. With my hon. Friend's assistance, which he was debarred from giving, we would have managed to knock this absurd Bill on the head long ago.

Hon. Members, including my hon. Friend the Member for Romford, have sat through many nights of discussion on the Bill. We thought that we had exhaustively dealt with all the subjects that could have been brought before us, but it appears that we had not because the amendment radically transforms the nature of the Bill in such a way that it would be wrong for the House to consider it tonight.

No warning was given to Havering council as far as I am aware, and certainly to my hon. Friends or me, that the amendment would be moved. There was no discussion and it was unilaterally decided by Redbridge council to delete this clause lock stock and barrel fromn the Bill. I am not clear—I hope that my hon. Friend the Member for Ilford, North (Mr. Bendall) will intervene and enlighten me—what are the consequences of the clause's removal. I shall read clause 6 as it was——

Madam Deputy Speaker: Order. We are not yet dealing with the amendment to the Bill. The question before us is whether we move on to deal with the amendment.

Sir Nicholas Bonsor: That is right, but we cannot decide whether we should debate the amendment without considering the consequences of removing clause 6. I shall refresh the memory of the House and read that clause. It says:

> "Any person entitled or authorised by virtue of this Act to hold a market may transfer or dispose of all or part of his rights to another and that other shall have and may exercise, to the extent authorised by the Council, all or any of the powers that the Council have in relation to markets established by them under Section 50 of the Act of 1984, other than any powers to make byelaws, but shall be subject to all the restrictions, liabilities and obligations in respect thereof to which the Council are subject."

How can the House assess what the result will be of removing the clause from the Bill without considering the amendment? I disclose my ignorance by saying so, but I cannot understand what the position will be if the Bill is passed without clause 6. I hope that my hon. Friend the Member for Ilford, North will enlighten me, but if he cannot the House cannot conceivably consider whether the clause should be deleted.

Mr. Neubert: I had hoped, as no doubt my hon. Friend had, that we would have an explanation, not, as appears likely, at the end of the debate but at an early stage. It would have been helpful for an explanation to have been given so that I could have considered it. If we are not to have an explanation until the end of the debate, it will make a farce of it.

Sir Nicholas Bonsor: Or, indeed, if we are not to have an explanation at all. As you, Madam Deputy Speaker, may have noted, I hesitated before rising, because I wished to give my hon. Friend the Member for Ilford, North an opportunity to clarify the points raised by my hon. Friend the Member for Romford. It is most unsatisfactory if those of us who criticise the Bill and who wish the motion to be carried are not to be given the advantage of knowing precisely what we are discussing.

I have scrutinised the rest of the Bill in an attempt to discover what the consequence of omitting clause 6 would be. I see that my hon. Friend the Member for Ilford, North is talking to some of my hon. Friends. I hope that he will

pay attention, because if he does not, he will not be able to answer the questions that I am putting to him. I hope that my hon. Friend will be able to tell us whether the council will authorise the transfer of stalls if there is no clause 6 and on what terms the transfer of rights in each stall will be made. Will the council have a blanket right to allow transfer by whatever means it wishes, or will it have no rights to authorise a transfer at all?

As far as I can see, nothing elsewhere in the Bill either grants or limits the power of transfer. Clause 3 deals with the establishment of the market. Clause 4 deals with the compensation payable in the event of the Bill being enacted and clause 5 merely specifies that section 50 of the 1984 Act shall apply to the Bill.

Mr. O'Brien: I consider this to be a very important matter. I have examined the proceedings in the other place and in Committee. Nowhere was any evidence given to support the case for the removal of the clause. Until the facts are made available to the House, we cannot proceed, and we should therefore support the motion. Does the hon. Member for Upminster (Sir N. Bonsor) have any information about the circumstances that gave rise to the tabling of the amendment?

Sir Nicholas Bonsor: I have no such information and I think it very unfortunate that I have none. As far as I am aware, no hon. Member—with the possible exception of my hon. Friend the Member for Ilford, North, has any such information. Indeed, I remain to be convinced that even my hon. Friend has such information. I deeply regret the fact that my hon. Friend the Member for Ilford, South (Mr. Thorne) cannot be here, although I understand the reasons. His absence handicaps those of us who seek a proper debate on an important part of the Bill. He is one of the two primary sponsors who have argued in favour of the Bill throughout our long proceedings on it, and it is regrettable that he cannot be here during its final stages.

I invite my my hon. Friend the Member for Ilford, North to enlighten the House, if he can, on the consequences of removing clause 6. Unfortunately, it seems that my hon. Friend cannot enlighten us, so let me speculate.

It is possible that if the clause is removed, the council will have no power to authorise the transfer of the trading stalls—in which case, I cannot see how it can proceed to set up and maintain a market in Ilford. Another possibility is that the council will have the power to authorise the transfer of the stalls without imposing any conditions on them. If that is so, I should be grateful for information about how that arrangement compares with arrangements for other markets where councils set up stalls.

Do the councils usually have the power to authorise transfer of stalls from one person to another without having any say in the type of business taking place at those stalls, or are restrictions perhaps imposed under section 50 of the 1984 Act? I do not think that it is incumbent on me to give the House the solutions. Those who are promoting the Bill and those who have brought it before us have a duty to tell us the consequences of accepting the amendment. At the moment, every hon. Member in the Chamber—and everyone who has considered the matter —is as much in the dark as I am.

Mr. Neubert: I find it quite intolerable that, even at the third or fourth time of asking, we are to be offered no explanation of the fact that we have been called here to deal with this business tonight—even though it was known before the summer recess that this business would be taken. I have had to spend some time preparing for tonight's debate, in ignorance of the reasons for it but in the confident belief that the sponsor of the Bill would make it plain at the outset why we were being asked to consider the Lords amendment and what the background to it was. It makes a mockery of our proceedings if we are to be given no explanation at all of a matter that is clearly so directly relevant to the Bill.

8.15 pm

Sir Nicholas Bonsor: I echo my hon. Friend's sentiments. It is an abuse of the procedures of the House if business is brought before it for which no explanation is offered. There has been no proper resistance to the motion and no proper explanation has been given of why those who tabled it may be mistaken.

While remaining neutral on the fundamental question whether Redbridge should be given the power in the Bill, the Government should certainly not be neutral when it comes to matters affecting the procedures of the House. They should not be neutral about the fact that the sponsors of the Bill have not informed the House of precisely what they are asking it to agree. As the hon. Member for Normanton (Mr. O'Brien) said, no explanation was given when the amendment was moved in the other place. Having resisted such an amendment throughout the Committee stage—without giving any reasons for resisting it—the promoter has suddenly decided to adopt such an amendment and to try to force it through both Houses of Parliament without even opening their mouths to defend what they are doing. That is something that the House simply cannot tolerate.

I regret the fact that so few hon. Members are present, although it is not surprising on the first day back after a long summer recess, and especially as the Bill is not perhaps the most important business with which we are likely to be faced in the next fortnight—except to my hon. Friends the Members for Romford and for Hornchurch (Mr. Squire) and myself. Our colleagues who are not present would not for one moment tolerate such a procedure and I predict that there will be a roar of fury when hon. Members read *Hansard* and see what is being done in their name and in their absence and without any explanation from the sponsors.

That is the first reason why I vigorously support the motion, tabled to try to defer discussion of the amendment so that proper consideration can be given to it, so that proper consultation can take place between Romford and Redbridge and so that my hon. Friends and I can be given a full explanation of the consequences of accepting the amendment and of the reasons why it has been tabled.

I touched upon my second reason for supporting the motion in my point of order. I am not clear whether the locus standi of the promoter is still intact. I do not know the procedures and rules of the House in relation to a Bill being proposed without having complied—at the time when it was proposed—with the qualifications laid down in "Erskine May" for the introduction of such a Bill.

Perhaps it is enough—as my hon. Friend the Member for Romford suggested—that the conditions were intact when the Bill was first proposed and perhaps it does not matter what happens thereafter. But perhaps by now—some two and a half years after the introduction of the Bill

[Sir Nicholas Bonsor]

—the qualifications allowing Redbridge to assert its right to introduce the Bill are no longer intact. If that is so, I do not know whether the Bill should be allowed to proceed.

If it should not be allowed to proceed, we should certainly not debate the amendment tonight. The debate should be adjourned and the matter should be considered further, perhaps by the occupant of the Chair, to determine whether the Bill still has proper standing to be considered in this place. That is a question of fundamental importance. There must be similar instances; indeed, I can think of one parallel straight away.

Suppose that a Government Bill is hybrid. As I understand it, a hybrid Bill cannot proceed through the House in the face of objection because it is not properly founded; it can be stopped. If my submission is right, the same rules should apply to this Bill. Unless the promoter can establish that the foundation on which the Bill has come to the Chamber is sound and intact, the Bill must fail. I must admit that I am not clear about what procedure should apply. If my supposition is correct, how can we stop the Bill at any time other than now? I am in your hands, Madam Deputy Speaker, although I am making a speech and not raising a point of order.

Madam Deputy Speaker: The hon. Gentleman raised the matter on a point of order earlier and I assured him then, as I do now, that the Bill is in perfect order, otherwise we would not be debating it tonight.

Sir Nicholas Bonsor: I accept that and I move my guard, as any good defensive boxer must when he has just been effectively punched.

The fact that the Bill is in order does not mean that the House should consider these matters without having been given prior notice that the change was to be made to the Bill. Even though it is in order for Redbridge to bring forward the Bill, the council may no longer have the requisite support for it, because it might have changed its complexion and many no longer support the Bill. It would be an insult for the new councillors of Redbridge who oppose the Bill and for those councillors who have steadfastly opposed it—I believe that those councillors have always comprised one third of the council—if the House were to proceed with the Bill and allow it to reach the statute book. It would be insulting for the House to do that if the council that brought the Bill to the House no longer wished to proceed with it because it had not yet had an opportunity to change its mind on the issue.

I invite my hon. Friend the Member for Ilford, North to discuss with the council representatives who are present this evening whether it would be better, and in the interests of the constituents of Redbridge, for the Bill to be deferred so that proper consideration can be given to whether it is still popular in the constituency and the borough, whether it is still wanted and whether, above all, the council would still put the Bill before the House should it take such a decision today instead of relying on a decision taken two and a half years ago.

I hope that my hon. Friend the Member for Ilford, North will comment on those points. If he does not do so, we must conclude that the Bill is being brought before the House without adequate consideration even by the people living in the borough on whose behalf the Bill is allegedly being promoted.

The final point, which I strongly believe the House should consider when deciding whether we should continue the debate on clause 6, is the fact that we were not told by Redbridge council or by its representatives in the House why clause 6 was included in the first place. Not only are we ignorant of the consequences of removing clause 6: we are equally ignorant of the reasons why it was included. It is important that the House should know whether what Redbridge was seeking in clause 6 were powers in excess of those granted by the Food Act 1984. Redbridge said nothing about that in Committee, despite the fact that counsel for Havering borough and others speaking on behalf of Havering raised that point several times. The point was never answered satisfactorily. Indeed, it was not answered at all.

The House must be ignorant about the purpose behind clause 6 and whether Redbridge was seeking powers well beyond the removal of the rights granted by ancient charter in Romford. The House was going to be used, had clause 6 not been removed, to do something which would have been unique in this country and which would have given Redbridge borough powers that no other borough possesses.

That may be why clause 6 was included in the Bill and perhaps it is being removed because Redbridge borough council has thought better of asking the House for powers that no other council possesses. However, I cannot say often enough or with adequate feeling that the House is not being properly treated or adequately briefed by the Bill's sponsors.

The procedures for private business have worked well for many years. I have served on private Bill Committees and the procedure is comprehensive. However, it is comprehensive only if the good will and good faith of the promoter allows a proper and full examination of the proposals in the Bill. That, dismally, did not occur in this case—although every opportunity was given to the promoter to answer the allegations.

If we had allowed the Bill to pass with clause 6, that could have thrown much ill light on the private Bill procedures. I submit that it would be wrong for us to proceed with the consideration of whether we should continue with clause 6 or allow the Bill to proceed without it. Such consideration cannot happen when we have not received the information that my hon. Friend the Member for Romford and I have been requesting this evening. That information was pressed for vigorously in Committee and the issue has been raised every time this business has come before the House.

I hope that my hon. Friend the Member for Ilford, North will seize this last opportunity and tell the House the facts that we are longing to know and so justify the stance that his council is putting forward as the reason for our supporting the Bill.

Mr. Pike: Unfortunately for the hon. Member for Upminster (Sir N. Bonsor), I am going to delay the hon. Member for Ilford, North (Mr. Bendall) for a few moments, but I also await the comments of the latter.

We welcome the hon. Member for Salisbury (Mr. Key) to the Government Front Bench and congratulate him on his appointment. As he comes here in a virgin state as a Minister tonight, untainted by any previous involvement in this Bill, I hope that he will steer the House to a sensible

conclusion in this debate and defer consideration for six months. I hope that that would be a sensible way forward at the moment.

Madam Deputy Speaker: Order. The motion before the House is whether we consider the Lords amendment. It is not the six months motion.

Mr. Pike: Thank you for correcting me, Madam Deputy Speaker. I am sure that we all understand the situation.

Mr. Neubert: Does the hon. Gentleman take some encouragement from the fact that the new Under-Secretary of State, to whom I extend congratulations, is the hon. Member for Salisbury and has a charter market in his constituency and that he may well therefore be concerned to learn the implications of the Bill for his market? What is more, my hon. Friend the Under-Secretary of State is flanked by my hon. Friend the Under-Secretary of State for Corporate Affairs, who is the hon. Member for Wokingham. He is one of the long list of hon. Members who have markets which benefit their constituents. With such a representation on the Government Front Bench, perhaps greater consideration can be given to the arguments that we have deployed for nearly two years now.

Mr. Pike: The hon. Member for Romford (Mr. Neubert) has rightly made a pertinent point. I have been involved in the debates at every stage of this Bill and I know that concerns have not only centred around the implications for Redbridge and the neighbouring authority, but on the implications for all towns with charter markets.

It was somewhat unfortunate that, although he made his position perfectly clear in previous debates, the hon. Member for Romford (Mr. Neubert) was unable to make a contribution to the proceedings. Tonight he has put forward an extremely good case for why we should not debate the Lords amendment. I congratulate him on that speech. Although I am sorry that he has had to go back to the Government Back Benches, his contribution to the debate has been most welcome, and I shall now concentrate on his final remarks.

8.30 pm

The hon. Member's argument was that we should not debate the Lords amendment because there should be a period in which the local authorities involved should be able to negotiate and consult, to see whether some mutually convenient and acceptable arrangement can be achieved. That is an eminently sensible proposal, which should commend itself to the House. I hope that the House will support that point of view.

We in Burnley have a charter market that dates back about 800 years. We fear that the next thing that we shall see is another Bill relating to another local authority, and then another Bill, and so on. That would be a dangerous precedent. The Burnley market was established by charter on the doorsteps of the church more than 800 years ago, and that pattern has been repeated on many occasions. We have often debated how the distance between markets was established, and so on.

As I said when the hon. Member for Romford kindly gave way to me, the local authority in Burnley has made a major investment in a new indoor and outdoor market. If charter rights had been in jeopardy, there would have been great reservations about that investment. Many other local authorities have made investments to bring their markets up to modern-day standards. If they thought that their charter rights would not be protected, they would not have made that investment: that is our worry.

I recognise that we are not debating the Lords amendment at this stage, but it is right to refer to the context of the debate. We do not know why, having resisted changes at all stages of the proceedings in this House, at this late stage we are presented with a proposal to delete clause 6. You, Mr. Deputy Speaker, in your role as Chairman of Ways and Means, know very well that the normal procedure with private Member's Bills is that their promoters give reasons for major changes. It is strange that we are not in a position to know why that debate is to take place tonight, why that clause is to be deleted. It represents a major change to the Bill, and that matter is of concern to us.

It particularly worries me that the hon. Members for Romford and for Upminster, even though their local authority is directly affected, have not received the courtesy of being consulted or informed. Since July, we have known that the Redbridge Bill was the business for Monday 15 October at 7 o'clock. We have known that for a considerable time. That is a discourtesy not only to the House but to hon. Members with neighbouring constituencies that are directly involved, who have expressed reservations at every stage.

Mr. Neubert: Does the hon. Gentleman recall that this business was put down at short notice for consideration on 24 July and was not reached then only because of the weight of debate on the private business which preceded it? But for the fact that it was set down for second business on that day, we would have been in this position all those weeks and months ago. Even now we have no explanation. It is quite extraordinary.

Mr. Pike: The hon. Member for Romford is absolutely right. He would obviously be joined not only by the hon. Member for Upminster and others but by the hon. Member for Hornchurch (Mr. Squire), who has taken a close interest in this Bill. With no disrespect to the hon. Member for Ilford, North, who has made his position clear throughout the proceedings, the principal advocate on most occasions has been the hon. Member for Ilford, South (Mr. Thorne), who unfortunately cannot be present tonight. It would be wrong for us to proceed when he is not present to state exactly why the clause should be deleted.

The issues are clear. Hon. Members should refrain from discussing the deletion of clause 6 and allow adequate time for further consultation. That is the sensible course of action to pursue. It would also allow the two authorities involved to get their heads together and perhaps reach an acceptable compromise.

The hon. Member for Upminster questioned whether the people of Redbridge are still as enthusiastic about the Bill as they might have been when it started on its passage a considerable time ago. If we do not proceed tonight, we shall allow time for reflection. It is certainly not my wish to prolong the proceedings, but those two grounds alone constitute extremely good reasons not to debate the Lords amendment tonight. I hope that the House is also of that view and that the matter can be deferred.

Miss Ann Widdecombe (Maidstone): I, too, am concerned about the length of notice that hon. Members

[Miss Ann Widdecombe]

have received. I add my congratulations to those of my colleagues on both sides of the House to my hon. Friend the Minister, the hon. Member for Salisbury, (Mr. Key). I am delighted to see him in a very well deserved post. Hon. Members look forward to hearing his contributions on many occasions.

My hon. Friend and I do not always agree on everything, but I have immense respect for him, which I know is universally shared, and I am delighted to see him on the Government Front Bench. I should like to talk at even greater length on his promotion, but at this point I should address the main question, which is whether we should debate the amendment or whether we should delay.

I was keen to hear the arguments for why we should debate the amendment. When I saw the name of my hon. Friend the Member for Ilford, North (Mr. Bendall) on the screen, I ran in at high speed, because I wished to hear his arguments. I was not coming from a great distance, but, by the time I arrived in the Chamber, he had concluded his remarks. Sadly, therefore, I have heard no argument whatever for our debating the amendment now.

As I understand it, notice of the amendment was given from the other place immediately before we adjourned for the summer recess. Now, on the first day back, this amendment is on the Order Paper. Hon. Members cannot possibly have had sufficient time to consider its implications. I am told that no explanatory memorandum has been submitted, despite endless requests, so that we should know exactly what was in the minds of those in the other place when they decided to make the amendment.

Mr. Pike: Did I understand the hon. Lady correctly when she said that the borough of Havering had specifically requested that an explanatory memorandum should be made available?

Miss Widdecombe: I understand from my hon. Friend the Member for Romford that numerous requests have been made for an explanation. I would welcome my hon. Friend's clarification of that.

Mr. Neubert: I am happy to be able to confirm that numerous requests have been made in this Chamber to my hon. Friend the Member for Ilford, North (Mr. Bendall). All I have been able to do is present evidence to show that the borough secretary and solicitor for the London borough of Havering are as unaware of the background to this most surprising development as we are. Havering borough has been the chief protagonist and petitioner against the Bill in both Houses and one would have thought that that borough at least would have been given the courtesy of some explanation. Certainly the hon. Members representing that borough have had no such explanation, and it follows that my hon. Friend the Member for Maidstone (Miss Widdecombe) is equally underprivileged.

Miss Widdecombe: I am most grateful to my hon. Friend for that clarification.

We are here tonight to discuss something for which we have been given no explanation, either verbal or written. We have not had time to consider it properly, because a number of sitting days have not passed. We have not had time for informal discussion of this important amendment. You may remember, Mr. Deputy Speaker, from my earlier contributions that I am in sympathy with deleting that clause, but I would not stretch your patience by dwelling on the reasons for that. Nevertheless, I believe that proper forms must be observed. However technically in order it might be, it seems quite improper that such a major amendment of a clause that occupied hours of debate during earlier consideration of the Bill should be sprung on the House, especially as no proper explanation of it has been given.

The proposed change would affect all those constituencies with markets. I was most interested to hear the hon. Member for Burnley (Mr. Pike) discuss the market at Burnley. He may recall that I had an acquaintance with Burnley—not as successful as his acquaintance with it—in 1979. I recall that market extremely well and the great contribution that it makes to Burnley life.

I can understand that the hon. Gentleman is concerned that we should not be precipitated into a situation in which a major Bill, which will create precedents, has an important consideration removed from it—the powers of local councils over the disposal of those markets. I am not surprised that the hon. Gentleman considers that that is unacceptable. I too have a market in my constituency and I am surprised that we have not been given further opportunity to consider the effect of deleting the clause.

When the Bill left the House in the summer, the clause was intact. Those local authorities and markets examining the likely effects of the Bill will obviously be studying it in the form in which it last left the House.

Sir Nicholas Bonsor: My hon. Friend's argument is even more forceful because of the way in which an earlier attempt to get an explanation from the promoter of why the clause was there was so firmly blocked. Every attempt by those opposed to the Bill to challenge that clause was met with a dead-wall defence. No explanation was given at any stage of why the clause was in the Bill and there has been less than zero information as to why it should be taken out of the Bill. That is a complete volte-face from the position adopted in Committee.

Miss Widdecombe: My hon. Friend is absolutely right. In our earlier proceedings on the Bill, I remember that we had a most unsatisfactory time trying to establish why on earth the restrictions under the Shops Act 1950 would not do, and why such an eccentric blanket provision should be built in to give local councils total control over disposals. Such powers would make it impossible for anyone to take sensible commercial decisions. Nobody would know what rules would govern the disposal of markets or parts of markets at the time that they chose to dispose of them.

I remember that questions were raised about nepotism on councils and about frequent switches of political control of councils. Those questions were never answered. We asked for clarification, but we did not get it. Tonight, the clause has disappeared and it has been amended out of existence. We have asked for an explanation, but we have not received one.

8.45 pm

Mr. Neubert: My hon. Friend mentioned clause 6. It is important to remember that we have not yet amended it out of existence. We are discussing whether we should consider such a thing tonight. Things are even more mysterious than my hon. Friend has portrayed, because

clause 6 not only existed in the original Bill, but two lines were added to it in the course of proceedings in the House. Lines 16 and 17 provided:

"No such transfer or disposal of rights"

Mr. Deputy Speaker (Mr. Harold Walker): Order. I think that the debate now is perhaps anticipating the debate that we may have on the amendment. We should confine the debate to the question whether the Lords amendment should be considered or otherwise.

Mr. Neubert: I understand your argument, Mr. Deputy Speaker. I am simply making the point that the proposal as to whether we should consider the amendment tonight arises from an amendment which seems to be in contradistinction to the direction taken by the Committee that amended the clause in our proceedings in this House.

Miss Widdecombe: I am most grateful to my hon. Friend.

I should be grateful for some guidance from you, Mr. Deputy Speaker. Although I understand why we should discuss whether the amendment should be heard, surely the parameters of that amendment and how it relates to the things we agreed earlier are important factors when considering whether to hear that amendment tonight. Although I accept that my hon. Friend the Member for Romford is not in order because you say so, Mr. Deputy Speaker, he was raising a most important consideration of which the House should take cognisance when deciding whether to discuss the amendment.

You have referred, Mr. Deputy Speaker, to a debate that we may well have. I sincerely hope that we do not have that debate without proper time for reflection in order to establish why the clause should be wholly amended. My hon. Friend the Member for Romford is right to correct me from suggesting that the clause has already been amended out of existence, but that is the proposal we are discussing. I sincerely hope that we do not have that debate until we have had time to reflect on the effects of that decision. We should not discuss it until we have time to consult our traders, markets and local authorities to tell them that the situation has changed fairly dramatically. It is important to know that the Bill that left this place is no longer what is proposed.

Mr. O'Brien: The hon. Lady has reminded the House three times that, when the Bill left this place, the clause was intact. When the Committee in the other place considered the Bill, the clause was intact, but on Third Reading in the other place it was suggested that the clause should be deleted. No explanation has been given, and if there is no explanation on record in the other place, we are entitled to an explanation before any Division in this House. Perhaps the hon. Lady would like to address that point.

Miss Widdecombe: I am most grateful to the hon. Gentleman, because he has summarised the matter admirably. He has said what I have tried to say in the course of what has perhaps been a rather long-winded contribution.

Throughout, the clause has been intact. It was challenged at one point, but that challenge was repelled. Therefore, it was reasonable for those considering the practical effects of the Bill to assume that the clause would be an integral part of it. As the hon. Member for Normanton (Mr. O'Brien) rightly said, because it has survived scrutiny at all stages so far, it is fairly surprising that it now comes back with a proposal for deletion. What practical effect will that have? It means that those considering the Bill and those who have to live with its consequences have a different animal to examine. It is not sufficient for us to take a hasty decision tonight.

I did not know that the clause had been deleted, so I have not undertaken the proper consultation that I would have done had I known. I think that the same would apply to many other hon. Members with constituencies with markets or local authorities with a special interest in the matter. We are not talking about a minor deletion, which we could have swallowed, although we would still have expected the courtesy of an explanation. We are talking about telling local authorities that they will have no control, other than that already enshrined in legislation governing completely different set-ups such as rows of shops, over the disposal of rights to trade in this fashion.

Just as I bitterly opposed the eccentric blanket provision that councils should simply refuse permission to dispose without a specified set of grounds being included in the Bill, I now believe that the Bill has gone the other way and there is too little protection. Now, councils do not have the ability to refuse disposal if they consider that the consequences would be undesirable for the district under their control. I appreciate that, to a certain extent, to debate that is to debate the merits of the amendment. I believe that it is such a major consideration that it is important that those authorities, markets and traders should all have an input. If the clause is to be deleted and nothing is substituted, or the substitution is inadequate, that creates a different sort of Bill from that which left this place, and we have not had adequate time to consider it.

Mr. Pike: As well as the traders and those who use the markets, would not another factor involve the fact that many councils derive crucial income from their markets? I do not want to enter the argument on whether we have poll tax or rates, but local government funding, however it is raised from local residents, can be affected by the proposal we are debating tonight. If a council's income falls, it must affect local charge payers in one form or another.

Miss Widdecombe: The hon. Member for Burnley (Mr. Pike) is absolutely right, and has raised yet another major consideration. As I said, we are discussing not a minor clause but something that will have long-term practical consequences for many local authorities, traders and citizens. Therefore, it is incumbent on us to get it right, which we cannot do with the sort of notice or explanation —or lack of explanation—that we have been given. We should not consider the clause tonight, but should have time for proper consultation.

Mr. Neubert: On that very point, is there not an extra dimension that has not yet been mentioned? This Bill, with a clause 6 that was not only not deleted by the Committee but actually added to in Committee and approved on Third Reading, comes back from their Lordships' House with a proposal to delete that self-same clause. I do not want to exaggerate the issues, but there is a possibility of a constitutional clash between the two Houses of Parliament because one is taking an entirely different view from the other. Therefore, should we not have had some explanation for that at the debate's outset?

Miss Widdecombe: Indeed, and the possibility of a clash makes it all the more urgent that we do not consider the

[Miss Widdecombe]

amendment passed in another place, with the possibility that we shall refuse it. Surely it is better for us to take due time to consult in all the necessary places and consider the consequences of accepting or rejecting the amendment, talk to interested parties and come to a reasoned view rather than one formed on the spur of the moment—as it must be, since this is the first day back.

Mr. Allen McKay (Barnsley, West and Penistone): First, I congratulate the hon. Member for Salisbury (Mr. Key) on his new post, although he will not expect me to wish him to be there too long. I hope that he may be Opposition spokesman before too long, rather than a Minister, but I congratulate him.

There are three reasons why we should not discuss the Lords amendment. First—this does not colour my point of view—the Market Traders Association is in my constituency. Secondly, I have a great deal of feeling and nostalgia for markets in my constituency. Thirdly, although it is a Redbridge Bill, it could affect 246 other constituency areas, which means that we must not consider it lightly but should study it in depth to see where we are going.

When the markets were set up by charter 700 or 800 years ago, the people who gave them were wise, because they realised, even then, that there was only so much money to go round and so much trade to be had; to stop dog eating dog, a charter was created that allowed a market to be built and provided that, within a certain mileage of that central market, others should not be built. It did not make it impossible, but it meant that those involved got together and decided on the arrangements.

A practical illustration involves my own little village, Hoyland, under the Barnsley authority, where there was a charter market. The authority came down heavily and said that there could not be another one, but then reason prevailed and, between the parties, they decided what could be done. However, if we do not allow time for such discussion and negotiation, we are in danger of letting the Bill go through inadequately discussed or thought about and, worse still, with the parties involved not having had the chance to get together and decide whether the House should be used as an instrument to pass a private Member's Bill for one part of a district to usurp another part of that district, bringing full authority to bear with the permission of the House—which is how the House is being used. Before we do that, we should think clearly and deeply about it.

If the Bill goes through, we must consider what we are doing to the 246 constituencies with charter markets.

Mr. Dennis Skinner (Bolsover): Why, does it affect them?

Mr. McKay: It could easily affect them, because, once a precedent is created by the Bill, another authority will be able to say, "Wait a minute, they have done it, so we can." If my hon. Friend the Member for Wakefield (Mr. Hinchliffe) and his authority decided that legislation involving their district should be passed, there would be another market between Wakefield and Barnsley.

Mr. Deputy Speaker: Order. With respect, I suggest that the hon. Gentleman's speech would be more appropriate on Second Reading. At this point, we are considering whether to give consideration to an amendment made in another place. I remind the hon. Gentleman that the Bill received a Second and Third Reading in this House.

9 pm

Mr. McKay: I am hoping that we can prove our point that it would be better not to discuss the Lords amendment tonight, but to let the participants go back and decide for themselves rather than the House deciding for them. If our argument is valid and accepted, we will not need a Second or Third Reading. However, that can be left until later to tidy up any little bits that may return.

While I naturally accept your ruling, Mr. Deputy Speaker, I hope that the points that I have made will stop a Second and Third Reading from taking place. I hope that common sense will prevail.

Sir Nicholas Bonsor: Given that clause 6 has not been explained by the sponsors of the Bill, does that not bear out what the hon. Gentleman is saying? No one has had the opportunity to explore the effect of clause 6, or the effect of removing it. In those circumstances, is it not important that the effect on the other charter markets is explored by the House before we decide even whether to debate the removal of clause 6?

Mr. McKay: Certainly we should have time to explore that. We should not sit back gently and be steamrollered; we are bigger and more important than that. Time should be given for us to have an explanation of what the Bill means.

Mr. Skinner: My hon. Friend the Member for Barnsley, West and Penistone (Mr. McKay) has been here since 7 o'clock listening to the debate. Is he saying that neither the sponsors of the Bill nor anyone connected with its purpose has explained what is in clause 6? We know from experience that some Bills get through without proper discussion, especially private Bills. Is my hon. Friend saying that, despite all our efforts, we cannot get anyone to get up to explain what is in clause 6 and why the Lords have passed the amendment?

Mr. Deputy Speaker: Order. It might be more appropriate to consider the effect of clause 6 and its deletion when we come to debate the Lords amendment. We are debating whether the House should consider that Lords amendment.

Mr. McKay: I can say to my hon. Friend the Member for Bolsover (Mr. Skinner) that we have not had an explanation. If we had, we would probably not be in this position. We would probably have had a better knowledge of the Bill and its effect on other areas and constituencies.

Mr. Neubert: We have proceeded for two hours without explanation from the sponsors for the reasons for the amendment, and we are now being asked whether we should consider it now or in six months' time. I can only assume——

Mr. Deputy Speaker: Order. The six-months motion is not before the House; the question is whether the House should consider the Lords amendment. I have just said that we should wait until the debate on the Lords amendment to find out what clause 6 is all about. The hon. Gentleman is ignoring what I have just said.

Sir Nicholas Bonsor: On a point of order, Mr. Deputy Speaker. I am exposing my ignorance, and at risk of incurring your displeasure, but I do not understand why the Order Paper specifies

"That the Lords Amendment be considered upon this day six months"——

Mr. Deputy Speaker: Order. It is not our practice to debate a motion that has not been selected for debate. I repeat that the Question before the House is that the Lords amendment be now considered. I hope that hon. Members will address themselves to that.

Mr. McKay: Our question is why the Lords amendment should be considered. If it were dealt with in that way, it would give more time—time that is needed for explanations, for participation, for us to try to right the mistakes that we will probably make and for us to ensure that, before anything goes out of the House, it has been considered to the best of our ability.

Mr. Skinner: Now we know what we are about. We have had no explanation for two hours, although clearly the Lords passed the amendment. You, Mr. Deputy Speaker, have said that we must speak about the Lords amendment. I ask my hon. Friend the Member for Normanton (Mr. O'Brien): how many Lords were present when they passed the amendment?

Mr. O'Brien: None.

Mr. Skinner: My hon. Friend, who is well informed on these matters, says, "None." That is a tired old state of affairs, is it not? We have had no explanation about clause 6, and when I asked how many Lords took part in the great debate that introduced the amendment, I was told that the answer was none. Now my hon. Friend the Member for Barnsley, West and Penistone (Mr. McKay) is trying his level best to discuss that matter, but we are told by the Chair that we must stick to a narrow formula that precludes my hon. Friend from making any comment at all.

Mr. Deputy Speaker: Order. The hon. Member for Bolsover knows that interventions must be brief.

Mr. McKay: I am grateful to my hon. Friend for explaining the matter in his usual direct and blunt way. The amendment has not been considered in the Lords and we are being asked to rubber-stamp it and forget it—but the House will not forget it.

Mr. O'Brien: As I tried to explain earlier, when the Bill was considered in the other place, it went through Committee in the form in which it left this House, with clause 6 intact. The Bill was given a Third Reading without debate in the House of Lords, and it was then suggested that it should be accepted with the amendment. Never has any reason been given as to why clause 6 should be deleted. That is why my hon. Friend is saying that it should not be considered here tonight, and that is why his appeal is justified.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Mr. Deputy Speaker. I have just been to the Vote Office, and it seems that Sharpe Pritchard, the parliamentary agent for the Bill, has distributed the wrong copy of the Bill to the House. The copy that we have contains no clause 6, so the amendment, which reads

"page 4, lines 9 to 17, leave out clause 6",

refers to part of clause 4 and part of clause 5.

I ask for your guidance, Mr. Deputy Speaker. I should have thought that we should discontinue this sitting at least until Sharpe Pritchard gives us proper copies of the Bill. Then we should start again from the beginning, since we have been discussing something that does not exist.

Mr. Deputy Speaker: I may have misheard the hon. Gentleman. Did he refer to a Bill which he has just obtained from the Vote Office?

Mr. Barnes: I collected the Bill from the Vote Office as I came in. It is not the correct Bill because page 4, lines 9 to 17 are not part of clause 6. There is no clause 6 in the Bill; parts of clauses 4 and 5 are being referred to.

Until this has been corrected, the House cannot proceed with this measure. You, Mr. Deputy Speaker, may hold a copy which is correct, but hon. Members are in the dark.

Mr. Deputy Speaker: The hon. Gentleman will have seen me taking advice while he was addressing the Chair. I am advised that the Bill that is available in the Vote Office does contain all the clauses—I refer to the House of Commons Bill. The hon. Gentleman may have been supplied with a copy of the House of Lords Bill, in which case there has been a mistake at the Vote Office. But I understand that copies of the House of Commons Bill contain the clause to which he refers.

Sir Nicholas Bonsor: Further to that point of order, Mr. Deputy Speaker. I also collected from the Vote Office a copy which does not contain the clause. If you like, I shall go to the Vote Office and check whether it has a copy that contains the clause, but the copies that have been given to Members who have asked for them certainly do not contain it.

Mr. Deputy Speaker: I shall take immediate steps to obtain clarification, and I suggest that, until the House obtains it, we continue the debate.

Mr. Harry Barnes: Further to that point of order, Mr. Deputy Speaker. I went to the Vote Office twice. When I examined the Bill that I had collected, I wondered what on earth was being discussed, because I could not find the clause in question. I returned to the Vote Office, which told me that Sharpe Pritchard had distributed the wrong copy of the Bill and that someone from the Vote Office had rung up the agent to try to get hold of the correct copy.

Mr. Deputy Speaker: As I have suggested, perhaps we should continue until I have obtained clarification, when I shall report to the House.

Mr. Skinner: Further to the point of order, Mr. Deputy Speaker. This seems a bit cock-eyed to me. We have just discovered that we are debating a clause of which Members have no copy. It is high time that you took a decision and suspended the sitting so that you can get in touch with Sharpe Pritchard—it will cost a tidy fortune, I am sure.

I know that it is the first day back after the 10-week holiday, but one would have thought that these well paid parliamentary agents would have produced the Bill on time. As we cannot discuss it, I think that the sitting should be suspended and we should start again another day.

Mr. Deputy Speaker: Order. The hon. Gentleman heard my decision. We shall continue until the matter has been clarified.

Mr. McKay: We now see the importance of what we are discussing. Amendments were introduced on Third Reading in the other place. They were approved without debate and passed to us. Clause 6 is not in the Bill, so it must have been decided that we would rubber-stamp the decision to leave it out. We got hold of a copy of the Bill that does not contain clause 6. It is important to find out whether the sitting should be suspended, but it is more important for every hon. Member to realise what he is voting on.

Sir Nicholas Bonsor: There is precious little chance of the House knowing what it is voting on when hon. Members have the wrong copy of the Bill and have not had a word of explanation from the promoter about why the amendment has been tabled or why the clause was there in the first place. Therefore, a proper debate on the matter is impossible. That is why we are moving an amendment to try to defer discussion on the removal of clause 6 until we have had a proper chance to consider the consequences to the Bill.

Mr. McKay: The hon. Gentleman is perfectly correct. Matters get worse as we go on, because we continue to find little wrinkles and caveats. We should opt for a proper debate by deferring the whole matter so that we can get the proper documentation and a proper explanation. Before we take any decision, we must be fully aware of all the facts.

Mr. Harry Barnes: We cannot discuss whether to leave out clause 6 because we do not have that clause in front of us and do not know what is to be left out. If we are obliged to vote on we know not what, we shall have to vote against the measure in order to prevent procedural nonsense. I hope that we are not obliged to decide on a matter that is not in front of us, because that would be acting blindly. Much happens in the House as a result of partial understanding and it is assumed that things are done according to the correct procedures. However, when we sus a matter out and discover the problems, we must correct them so that we do not pass defective legislation.

Mr. Neubert: Perhaps I could clear up some of my own procedural nonsense. I was rightly pulled up and told that we were discussing a motion about whether to consider the Lords amendment. As my hon. Friend the Member for Maidstone (Miss Widdecombe) has said, it was all over in a flash. I thought that we were discussing the motion to defer discussion for six months and that was why I said that I hoped that the motion would be carried. Now I know that the motion is to consider the Lords amendment and I am opposed to that and will vote accordingly.

Mr. Harry Barnes: We should not be asked to vote on the Lords amendment. If we are obliged to do that then we shall go into the No Lobby in order to prevent constitutional and procedural nonsense.

Mr. Bob Cryer (Bradford, South): I listened to the first part of the debate and at that stage it was about whether the House should discuss the Lords amendment. I now understand that the Lords amendment is not available and that nobody knows what it is. Does my hon. Friend agree that, if the House proceeds in this way, it will undermine parliamentary democracy because we could be accused of approving something that is secret and about which no hon. Member knows anything?

Mr. Barnes: In fact, the Lords amendment is not missing. I have a copy of it, and it states

"Page 4, lines 9 to 17, leave out Clause 6."

We could debate that——

Mr. O'Brien: On a point of order, Mr. Deputy Speaker. I hope that you can guide me. You called my hon. Friend the Member for Derbyshire, North-East (Mr. Barnes), but he does not have the necessary information to enable him to make his speech. It is quite ridiculous that hon. Members should have to address the House when they do not know what they are talking about. That could be rectified by adjourning the debate until the necessary information is available. I appeal to you to ensure that my hon. Friend has the details that he requires to address the House.

9.15 pm

Mr. Skinner: Further to that point of order, Mr. Deputy Speaker. My hon. Friend the Member for Normanton (Mr. O'Brien) is right. If the debate were being televised—as, indeed, it might be—people would think it was another Monty Python sketch. When the amendment came before another place, no one spoke to it. There are 1,100 Members in the other House, but not one opened his mouth to discuss the amendment. They have sent it to the House of Commons to be debated on the first day after the holidays, no doubt thinking that no one would be here.

Here we are, but clause 6 does not even appear in the Bill. Hon. Members are debating clause 6, but no one knows anything about it. It is like that parrot—it is extinct, it is dead, it is late, it was, it is no longer. If we do not keep talking until 10 o'clock, the Tories will bring in their troops. None of them will have listened to the debate, but they will be told by their shop stewards to walk through the Lobby and vote for the motion.

I ask my hon. Friend the Member for Normanton to do his level best to talk about the non-existent clause for as long as possible in the interests of parliamentary democracy. I suppose that this is what they do in the Common Market. It is probably a Common Market system. After all, the debate is about markets——

Mr. Deputy Speaker: Order. Is this an intervention?

Mr. Skinner: It is a point of order, Mr. Deputy Speaker. I ask you to send for Mr. Speaker, the man in the full gear. That will make the sketch complete.

Mr. Harry Barnes *rose*——

Mr. Deputy Speaker: I call Mr. Bendall.

Mr. Barnes: On a point of order, Mr. Deputy Speaker. I was on my feet when the first point of order was raised. I waited for you to respond to the point of order, but you did not. You chose to call another Member.

Mr. Deputy Speaker: If the hon. Gentleman is patient for half a minute, he will realise that, in an indirect manner, I am responding.

Mr. Bendall: Perhaps I can assist the House——

Mr. Neubert: On a point of order, Mr. Deputy Speaker. Is this further to the points of order that have already been raised, or is it a speech?

Mr. Deputy Speaker: It is further to the points of order.

Mr. Bendall: The reason that I did not delve deeply into clause 6 when I opened the debate was that it was not the subject of our debate. However, as the Bill deposited in the Vote Office—which I understand is the Bill that the parliamentary agents were told to deposit—is causing such great concern, I beg to move, That the debate be now adjourned.

Question put and agreed to.

Debate to be resumed on Thursday next.

Financial Services and the Single European Market

Postponed proceeding resumed on the Question, That this House do now adjourn.

9.19 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): It was fortunate that I was here during that long interruption in our debate on financial services. It is a pleasure to have time to respond at greater length to the many good points that were made earlier, and to have an opportunity to allow right hon. and hon. Friends who want to intervene to do so.

The hon. Member for Redcar (Ms. Mowlam) asked about compensation. The Government believe that the United Kingdom's compensation arrangements are among the most generous in the world, and are certainly good by comparison with many available on the continent of Europe. I remind the House that the Securities and Investments Board scheme provides 100 per cent. compensation for eligible claims up to £30,000 and 90 per cent. compensation on the following £20,000.

In the case of bank deposits in the United Kingdom, compensation covers three quarters of the first £20,000 of duly protected deposits, and for insurance policy holders, it amounts to 90 per cent. of contract rights, and 100 per cent. if those contracts are compulsory—as is the case with motor insurance. There is no upper limit to those claims. The compensation rate in respect of building societies is 90 per cent. on the first £20,000 on deposit.

The hon. Member for Redcar asked about the arrangements that we intend to make in the wider European market for adequate compensation and consumer protection. Under the present system, companies offering services in the United Kingdom from other countries within the European Community can do so without offering compensation under any approved scheme, and even without full disclosure of the status of the service that they are offering in relation to compensation.

The Government intend to tackle that problem in two phases. First, in the negotiations on the investment services directive and capital adequacy directive, we want written into the rules the provision that compensation arrangements should be clearly disclosed to potential customers in the United Kingdom, so that they will know whether the country from which the service provider comes offers compensation and, if so, the nature of the scheme. That will be a distinct advance in consumer protection compared with the current position.

Secondly, we should like to negotiate with our partners in Europe more common arrangements for minimum levels of compensation across the Community. We have been told by the Commission that it is working on a proposal in this area but obviously that will take time, as there are many obstacles to be overcome. Therefore, those arrangements will not be in place at the same time that the single market in financial services is in place—I trust, by 1 January 1993. However, we shall encourage the Commission to work as fast as possible on this second phase of our policy, because we share the Opposition's

[Mr. John Redwood]

concerns and want to tackle the problem first by disclosure and, in due course, by more common arrangements.

Mr. Tam Dalyell (Linlithgow): Are we to take it from the Minister's remarks that there is resistance from the Commission in that important matter? What is the likely timetable?

Mr. Redwood: I cannot speak for the Commission, although I do not know of any resistance to the general idea. The main problem is that the Commission is naturally giving priority to all the measures that are necessary for the single market in 1992. We are pleased that it is giving considerable priority to the insurance directives, which the House emphasised again tonight, quite rightly, that it wants to see introduced with due speed. I am sure that the Commission will then turn to the question of compensation, and the Government will give it every encouragement and offer whatever support we can in that work.

I was asked whether we offered to consult consumer bodies. Of course we did, and we shall continue to do so. The Consumers Association is regularly consulted and is being most helpful, and the National Consumer Council has also been informed of our work. Some more general questions were raised about the consultations that we are having in respect of the investment services directive and the complementary capital adequacy directive. Again, I invite all those who have not written in to do so, so that we know their views, because the Government wish to proceed with negotiations in Europe based upon the fullest consultation.

Mr. John Marshall (Hendon, South): When my hon. Friend is consulting on those directives, can we have an assurance that he will consult practitioners in the industry? For example, is he aware that the unit trust industry is worried that the costs of regulation in the United Kingdom are so high that some unit trusts may decide to set up in Luxembourg where they are lower? In a free market, he runs the risk of over-regulating the United Kingdom market, and encouraging such mobile jobs to go elsewhere, which is of no benefit to this country.

Mr. Redwood: In my earlier remarks I said that we were trying to move on to the next phase of our regulatory progress in this country, when there should be less prescriptive rule-making and expensive, detailed activity by the regulators, and more concentration on compliance. That should answer some of my hon. Friend's questions. As to the desirability of Luxembourg as a place in which to undertake certain types of investment business, I have looked into the question of undertakings for collective investment in transferable securities and into whether it would be more sensible to set them up in Luxembourg rather than in the United Kingdom. The results that I have received show that both on tax grounds and on grounds of regulatory cost, it is by no means clear that Luxembourg is preferable. Several hon. Members raised the question whether we had the right tax regime to encourage and maintain business in this country.

In the case of UCITS, one has to look into both the territory in which the investor is placed and the territory in which the business is conducted. One has to draw up a complicated matrix for different tax arrangements, affecting both the provider of the investment product and its consumer. That matrix shows that in many cases it can be better to set them up in the United Kingdom than in Luxembourg.

Those hon. Members who are worried about any tax implication for British business should of course draw it to the attention of my right hon. Friend the Chancellor of the Exchequer.

Mr. Cash: I should be grateful if the Minister could comment on the position of the independent financial advisers. I should declare an interest, because I have followed their concerns very closely over a period, and indeed was concerned with them when I was on the Committee considering the Financial Services Bill 1986. About 20 million consumers receive advice from the independent financial advisers. It worries us, both in respect of capital adequacy and in relation to over-regulation, that they could be squeezed out as a result of some of the directives that have been coming from Europe. I may have an opportunity to elaborate on this later. May we have an assurance that the Minister has this —I am sure he has—very much in mind and that he will be looking after them? After all, they represent a significant part of the market in this country.

Mr. Redwood: My hon. Friend is quite right. The independent financial adviser is an important intermediary in the British marketplace. A lively market for independent financial advice is something that we wish to preserve and strengthen wherever possible.

The main question relates to the negotiation of the capital adequacy directive. It has been largely a British initiative, which has seen the introduction of different levels of capital requirement related to the risks that businesses are running. We thought that it was quite wrong to have a single passport requirement, with a large sum of money, such as 500,000 ecu. That would be impractical for the independent financial advisers.

We are also keen to ensure that independent financial advisers who so wish can have access to the passport under the investment services directive and can carry out their business in other member states. That requires the introduction of three other levels. We have introduced a system whereby businesses that provide only investment advice and that do not handle clients' moneys are exempted from any capital requirement. Another category, supplying advice and perhaps ensuring that deals are executed on behalf of clients, is subject to a requirement of 50,000 ecu, and businesses that also handle client moneys but that do not deal on their own account are subject to a capital requirement of 100,000 ecu.

That is a huge improvement on the starting position of those negotiations, but the British Government are not yet satisfied. We wish to ensure that there are further advances. We are still arguing over how many people should be subject to the minimum 50,000 ecu capital requirement and we still think that too many are caught. We are discussing details of the calculation of the capital requirement for more sophisticated businesses, particularly the illiquid asset calculation, which is too onerous in the current directive. In that connection, the Commission may agree with us and I look forward to reporting progress in due course to the House on that subject.

The hon. Member for Redcar posed a particular problem over insurance provision involving Switzerland, Italy and Spain, and she hoped that EC action might solve it. Unfortunately, by including Switzerland in her case that would be impossible because the Swiss are not governed by Community rules. Had she chosen three Community countries, that would have been the kind of issue that we would consider as we developed the directive programme covering all types of financial business.

Several hon. Members, including the hon. Member for Berwick-upon-Tweed (Mr. Beith), asked about barriers to takeovers. They are right that the Government have been exercised by the relative difficulty that many UK companies find in making takeovers on the continent of Europe compared with the relative ease with which European companies can make takeovers here. Progress is being made. The British Government have raised the issue with the Commission, which has responded by agreeing that it is a problem and introducing a work programme to attack some of the legal obstacles through directive proposals, for example in the 13th directive on company law.

Many hon. Members will agree with the Government that the obstacles are often fundamental and more cultural than legal. Often the law codes of the countries concerned permit companies to operate in one of many ways and they do not have to operate as they do. This weekend I was heartened to see in the newspapers comments that attitudes in Germany are changing as a result of the general discussion on barriers to takeovers. Many people in Frankfurt and, indeed, in Paris, where changes are more rapid, are coming to see the force of an open market to challenge existing management and to provide a more active marketplace in which ownership of companies can change hands as well as secondary shares in more limited packages.

We are making progress in the general argument and in tackling the cultural barriers, which are every bit as important as, if not more important than, the legal barriers that we have already identified with the Commission and that may in due course be tackled in some of the directives that we are considering.

My hon. Friend the Member for Wirral, South (Mr. Porter) and many other hon. Members agreed with the Government's position that progress on insurance is too slow. He would also agree that speed is picking up a little. The British Government intend to help that along its way. I reassure him that if the opposition comes only from Belgium and Germany—they have been opposing some of these measures—they do not constitute a blocking minority in the Community, so progress can still be made. We must ensure that a blocking minority does not build up against the principle of freedom of provision in insurance. The British Government's strategy is designed to achieve greater unanimity among member states in favour of the proposal, and to prevent a blocking minority against the proposal.

Ms. Marjorie Mowlam (Redcar): In the absence of the hon. Member for Wirral, South (Mr. Porter) and as I listened to his speech, may I say that he is well aware that two countries do not make a blocking minority in the EC? He was worried, as are we, about the structural differences that are built into the insurance industry. It is the structure, particularly between the banks in Germany and France, which makes it difficult for our insurance industry to compete in what in directive terms may look like an open market, but which in practice is backdoor protectionism. That anxiety was voiced by hon. Members on both sides of the House. It would be useful if the Minister could explain how cultural differences that are slowly waning will prevent our insurance industry from having a fair and open competitive market in Europe in the next couple of years.

Mr. Redwood: That is not the concern that I was addressing. However, I have heard the hon. Lady's point. I believe that our insurance companies in many areas have superior products at extremely attractive prices. That will come out within the single market once there is a legal framework that entitles them to work on a services or a branch basis under the necessary directives. It is with that in mind that the House agrees that we should make due speed in negotiating the directives to give them that chance.

The hon. Member for Rotherham (Mr. Crowther) was worried about the dangers of concentration, particularly in accountancy. The purpose of our competition regime is to prevent damaging or dangerous concentrations. The mergers and competition regime applies to accountancy just as it applies to anything else. Each case is looked at on its merits and the Director General of Fair Trading offers advice to the Secretary of State accordingly.

The hon. Member for Rotherham claimed that fraud is widespread. He cast aspersions on practically the entire City and much of the corporate sector. I say to him and other hon. Members who make such allegations that if they bring us the evidence in these cases, I promise that they will be investigated and, if necessary, brought to court. However, general allegations are far from helpful. They put British business in a bad light when viewed by others from abroad, and, if nothing can follow because there is no evidence, everybody is left feeling dissatisfied that the allegation has been made but there has been no follow-through.

My hon. Friend the Member for Brentwood and Ongar (Sir R. McCrindle) made an extremely important contribution. He asked about taxation.

Mr. Dalyell: In the absence of my hon. Friend the Member for Rotherham, (Mr. Crowther) I should say that he was a member of the Select Committee. I was not a member of that Committee but I understand that it looked at the matter in some depth. Are the Government saying that the Select Committee was ill-informed?

Mr. Redwood: I have nothing to add to what I have already said. If there is evidence of fraud, we need it because we shall pursue it vigorously. If there is no evidence, it is a silly allegation.

I should like to remind my hon. Friend the Member for Brentwood and Ongar that the changes in stamp duty and the taxation of options and futures introduced by my right hon. Friend the Chancellor in his Budget are welcomed in the City of London because they will help the competitiveness of the City no end. They are examples of the way in which the Government will listen carefully to those who make out a case that our competitiveness is being damaged by our taxation regime and will respond if the Treasury thinks that it is right to do so.

My hon. Friend the Member for Brentwood and Ongar also mentioned the illiquid assets test. I promise the House that we shall pursue that adequately. In our consultation

[Mr. Redwood]

document, we set out a number of areas in which we think that illiquid assets are too stringently defined. We started with a capital adequacy directive that may have required City of London firms to increase their capital by around 40 per cent. or more. As a result of the major changes that have come about largely at the Government's insistence, the capital requirement may be 10 per cent. or so above the current levels. We believe that the current levels are about right. We think that they are safe and prudent and allow people to make some return on their money. If we can get the right result of the illiquid assets test, we may be nearly there on the capital requirement that we seek.

Mr. Cash: Does my hon. Friend agree that the question of capital adequacy should be weighed against the question of competence? After all, people can come by money in all sorts of ways, which enable them to support the requirements laid down by law but not to deliver the goods to the customer. Surely it is important—I tried to suggest this with a fated amendment to the Financial Services Bill—that competence is a requirement as well.

Mr. Redwood: Part of our system relies upon assessing the fitness of people to run businesses and, in some cases, to assess their solvency. These are the basic principles needed to run a successful regulatory system.

Most of the other hon. Members made points——

Ms. Mowlam *rose*——

Mr. Redwood: I should like to leave time for other contributors. Two other hon. Members would like to speak and I think that I should press on.

Most of the other contributors to the debate reiterated points that had been made by others. My hon. Friend the Member for Gosport (Mr. Viggers) was keen to ensure that reciprocity does not damage us. The Government agree with that. He was worried about the position of off-market trading. The Government recognise that difficulty and will strive to protect our interests on that important issue, which will be one of the difficult negotiating points in the next phase of the negotiations on the directive.

The hon. Member for Warrington, North (Mr. Hoyle) thought that we needed statutory regulation rather than self-regulation. That misconception is shared by some other hon. Members. We have a system, established under statute, of professional regulation backed by practitioners who are involved in the process of regulation. It is not a pure system of self-regulation; it is professional regulation with practitioner involvement to keep people's feet on the ground.

Mr. John Marshall: Does my hon. Friend agree that one of the greatest problems facing the financial services sector is the quality of auditing? Professional regulation does not seem adequate to stop auditors from signing rather duff dockets.

Mr. Redwood: The accountancy profession will shortly come under new arrangements, and the Department will be considering carefully those seeking recognition under the legislation because we are keen to ensure the highest standards of audit. However, I should not wish to associate myself with the attacks made by some Opposition Members on standards of auditing and the way in which the profession is conducted because much of the work that it does is first class and should be recognised as such.

Our system, which is rather similar in many ways to the Securities and Exchange Commission and its SROs, is based on the Securities and Investments Board, established under statute and backed by self-regulatory organisations—professional regulation with practitioners to keep people's feet on the ground. We wish to strengthen those elements because we believe that we need rather more compliance and detection work and rather less rule-making.

9.41 pm

Mr. Anthony Nelson (Chichester): The financial services industry has a doughty champion in my hon. Friend the Under-Secretary, who has had the good fortune of an extended opportunity to answer in some depth the important debate that we have had today.

I am pleased that we have been able to continue this debate and to allow further contributions, because it allows Parliament to be seen to be scrutinising carefully the contents of an important report from a Select Committee and to be taking the Government reasonably to task on their policies and views.

Everyone acknowledges that the financial services industry is vital to our economy and that it will be so in the ensuing decade. It accounts for some £7·7 billion of our invisible trade surplus, it employs more than 1 million people and an enormous proportion of our gross national product, some 10 per cent., is generated by it. In recent years it has had to adapt to enormous changes in the marketplace, perhaps above all in technology and in the regime of national and supranational control. Great accolades should be given to British financial services—the banking and investment industries—for the way in which they have responded to these challenges, have surfaced with profit and appear well set to weather the wind of competition in the next few years.

The Select Committee report, albeit lengthy and strewn with many recommendations, was an important study for it to undertake, and I should like to see it be a more permanent feature of the landscape rather than a one-off investigation. I have long felt that our parliamentary processes for scrutinising and considering Government policy on these matters are woefully inadequate. The American system of a congressional banking committee, which allows for scrutiny and a legislative role, is an excellent model, but, because of the demarcation of the Treasury and Civil Service Select Committee and the Trade and Industry Select Committee, the former scrutinising banking and the latter financial services, we have never had the proper vehicle for considering this important aspect of our economy.

I urge my hon. Friend the Member for Hastings and Rye (Mr. Warren) to consider the possibility of establishing a Sub-Committee of the Select Committee on Trade and Industry whose remit would be to consider and report on the financial services and banking industry throughout the year.

As I said earlier, I believe that there should be a more formalised approach to the consideration of annual reports—particularly those of bodies such as the Securities and Investments Board. We set those bodies up under the Financial Services Act. They have enormously important

powers of investigation, prosecution and restitution and it is absolutely right that they should be accountable to the House as well as to the Government of the day. Not only are Government moneys invested in bodies such as the SIB; the integrity of the City as a fair market for investment services is at stake. I believe that the bodies themselves would not wish to be the only judges of their policies and would welcome the opportunity to explain themselves, at least annually, to a Select Committee of the House.

I am pleased to note that one of the Committee's recommendations was that we should become a full member of the exchange rate mechanism. That was a timely recommendation, speedily acted on by the Government. I tabled the original early-day motion calling for immediate membership of the ERM—some 12 years ago, believe it or not—which drew the support of signatories such as the present Chief Whip and a large number of members of the Cabinet, so I was delighted when the event took place, albeit not before time.

I hope that, now that the light has been seen, a constructive attitude will be taken to the much more important negotiations that will take place at the December conference on economic and monetary union. We should not take entrenched views on the commonality of the medium of exchange. No one really minds what colour a bank note is or what faces or names are inscribed on it. The important thing about a bank note is that it should be worth something and that it should maintain its value; its worth should not dive one day and soar the next. It is also important that one should not have to pay an extortionate rate of interest if one wants to borrow to buy a business or a house.

Most people who have adjusted to pounds and pence rather than pounds, shillings and pence will see that they have a distinct self-interest—as our country will see it has a national interest—in having a secure and valuable medium of exchange. For the industries that we are debating, a commonality of medium of exchange would be far preferable to a number of different media of exchange operating within the single market.

Let me give an example. Part of the debate about the entrenched protective position of the German insurance industry has to do with the rules that apply to the way in which assets are held in Germany. From the German perspective, it has not only been necessary but has been a good and right financial judgement that a large part of the assets should be held in deutschmark-denominated liquid currencies as well as in equity currencies. That is because not only the companies concerned but the money-denominated assets held have maintained a very strong value. One can understand why German insurance companies should be loth to accept an outside directive that tells them that they must hold a higher proportion of their assets in the currency-denominated assets of other countries, which may be more vulnerable. With the more rigid system that the ERM provides, or if we moved to a common currency system—the common pound or the common ecu—that problem would disappear because we would have one medium of exchange. That would make the operation of the single market a good deal easier.

Mr. Cash: My hon. Friend should cast his mind back to the middle ages or the 16th century, or perhaps to the Spanish inflation problems of the 17th century or to the gold standard and the problems of the 1920s, as well as considering the current situation. It is only too apparent that it does not matter what the currency is. What matters is the relative strength of the economy, which in turn is the determining factor in the strength of an individual currency. In other words, the strength of an economy, its competitiveness, how much one is saving, the manner in which productivity is operated and the extent to which unit labour costs are involved reflect the genuine strength of an economy. It does not matter a fig whether one refers to an ecu, a pound or a lire.

Mr. Nelson: I concur with my hon. Friend and I do not detract from his analysis. However, the currency that is commonly used in the United Kingdom is used in regions that have different economic performances, just as we live within a European Community with regions with different economic performance. My hon. Friend is right to state that there is a correlation between economic performance and the actual value and the exchange rate value of one's currency over a period of time.

However, we are in no position to be vainglorious. It is not as if the performance of our economy has been outstanding in comparison with other European countries. Why must business men and constituents in my area pay nearly double the rates of interest to be found in other ecu currencies? Why do we have nearly double the rate of inflation of some other European countries? It is not as if we are in an enormously strong position and are worried that somehow the exchange value of the pound will be diluted by joining the other currencies. Far from it. We are the supplicants. We need the disciplines and higher standards of prudential control which I believe membership will bring about. It is extraordinary for some elements of my party and others abroad to suggest that we need tighter financial control and greater prudential requirements and then to refuse to ally us to the mechanisms to enforce that discipline.

With regard to takeovers, I was interested in the Select Committee's recommendations on the Commission's report, which I hope will be published. I should like my hon. Friend the Parliamentary-Under Secretary of State for Corporate Affairs to consider two aspects. The first relates to the takeovers directive which states that a key feature of that directive shall be the fundamental principle that shareholders should be treated equally.

I have always been slightly mystified by that statement as a principal objective of the takeovers directive. My view, as I have explained previously, is that the fundamental principle must be the right and ability of shareholders first and foremost to decide how to dispose of their assets. There must always be compelling reasons if that right is to be taken away from them. That is not a matter of equality between classes of shareholders; it is a right which attaches to all shareholders.

My second point relates to a directive on disclosure requirements. The threshold at which disclosures have to be announced on a European level is 10 per cent., while it is 5 per cent. in the United Kingdom.

Mr. Redwood: No, it is 3 per cent.

Mr. Nelson: I am grateful to my hon. Friend for correcting me.

I assume that that position will continue and we shall continue to operate a stricter and more open system of disclosure. However, if we are playing on a level playing field and we are not giving other companies an undue right

[Mr. Nelson]

to be exempted from takeovers and for minority stakes to be built up elsewhere in the European Community when they are a matter of disclosure here, I hope that we shall press for some changes in that regard.

I want to make several points about the single passport which is the ability to obtain authorisation as a bank or investment company in one European country and to offer those services throughout the Community. We must remember that our interests involve investor protection. We are not about trying to grease the wheels of the financial services industry. We are here principally to protect and enhance the rights of investors and companies to raise money. In doing that we must consider the best financial deal on the market. We want to see competition in the banking and financial services industry and the best competition need not necessarily come from within the European Community. It might come from Japanese or American companies.

Therefore, there is the matter of extending the passport to countries such as Japan and the United States. I should not like to feel that, in creating the single market, we were erecting barriers against Japanese or United States financial services and banking industries. Some right hon. and hon. Members may say, "That is not necessary, because they are in a strong competitive situation anyway." However, we can tie some access to the European single market with reciprocity, which is sorely needed and would overcome criticisms that we are just creating a customs union, a tariff barrier and a preference for companies within the European Community.

I was struck by what the hon. Member for Redcar (Ms. Mowlam) said about consumer interests. As far as I am aware there is no specific directive on consumer interests. As I understood her speech, in addition to implementing the directives and arriving at 1993, she would like a greater international and public awareness of their protections, their opportunities and the safeguards that are being extended to them. I wholeheartedly agree with that. The hon. Lady's intentions were sound, but whether they should be the subject of a recommendation or a directive, I know not. The principal responsibility should rest with self-regulatory organisations. After all, it is in their interests to promote use of the markets of which their members are subscribers.

Ms. Mowlam: A consumers directive has been knocking around the Commission for some time. Its initial stages of negotiations will start in December 1991. The point I was making is that that means that it will not be in place when the other directives on investment services, capital adequacy and secondary banking are implemented in 1993. They are not being given the same importance, weight and balance as the other directives that we discussed earlier.

Mr. Nelson: I am obliged to the hon. Lady. Nevertheless, I have been supporting her comments and she might agree with what I say.

There are two other small points. One is about the directive on payment systems. I believe that there is a recommendation rather than a directive on payment systems. I should like to see that upgraded to a directive. Whether we like it or not, the credit card industry is a medium of exchange and payment which is here to stay. Credit card fraud is a multi-million pound business with professional crime involved, people being ripped off on a massive scale, and numerous new entrants to the market coming forward to tie loyalty to their business by issuing a card. We must regard much more seriously credit card fraud and professional operators. The Government should look much more carefully at that matter.

The other point relates to the winding-up directive. Although it may seem a little negative to consider such matters, I believe that winding up has an equally important part to play in the protection of investors as sponsoring the burgeoning of new industries. I should like to feel that winding up was instigated at the appropriate moments, that there were common rules and that it was given the importance that should be attached to it.

The Securities and Investments Board, in its role in the financial services industry in this country, deserves a word of support and commendation. Its chairman and members have worked extremely hard to provide orderly markets and communications with the SROs which they scrutinise. It is interesting that, under section 105 of the Financial Services Act relating to investigation powers, in the years since the Act has been in operation there have been 40 investigations and action has been taken in 21 cases by the self-regulatory organisation or by winding up. In five cases there has been restitution and in eight cases there have been criminal prosecutions on matters of fraud or conduct of business. In addition, there have been 330 cases of alleged unauthorised operation of businesses which can amount to a criminal offence. Fifty-seven of those have been resolved. There have been eight prosecutions and two civil injunctions, and 27 cases have been withdrawn. Many other cases have been resolved.

Many hon. Members who have called for the sweeping away of the system set up under the Financial Services Act and its narrowing down into a smaller number of bodies should respect the fact that a great deal of hard work has been done day by day to identify and follow up cases of alleged fraud.

Let those who call for the sweeping away or amalgamation of self-regulatory organisations remember that, if that were to happen, there would be a real danger of our moving towards even more centralist control. After all, if the SIB were to absorb all the self-regulating organisations we would end up to something more akin to a Securities and Exchange Commission.

For all those reasons, I believe that the existing structure set up under the Financial Services Act 1976, uncomfortable as it may have been in its inception, has worked to the advantage of the City and will continue to work to the advantage of our economy.

I welcome the response of the Government today and the contribution that the report of the Select Committee has made, but it must not end here; the scrutiny must continue.

9.59 pm

Mr. William Cash (Stafford): I think that I must be very brief—I think it is time for me to sit down.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

PROCEDURE

Motion made,

That this House agrees with the recommendations contained in the First Report of the Select Committee on Procedure of this Session (House of Commons Paper No. 379).—*[Mr. Wood.]*

Hon. Members: Object.

QUESTIONS TO MEMBERS, ETC.

Motion made,

That with effect from the beginning of the next Session of Parliament Standing Order No. 17 (Questions to Members) and Standing Order No. 18 (Notices of motions, amendments and questions) be repealed and the following Standing Orders be made—

Time for taking questions

(1)—Questions shall be taken on Monday, Tuesday, Wednesday and Thursday, after private business has been disposed of.

(2) No question shall be taken after half-past three o'clock, except questions which have not appeared on the paper but which are in Mr. Speaker's opinion of an urgent character and relate either to matters of public importance or to the arrangement of business.

(3) Any questions tabled for written answer on a day on which the House does not sit by reason of the continuance of a previous sitting shall be deemed to be questions for written answer on the next sitting day and shall appear on the Order Paper for that day.

Notices of questions, motions and amendments

(1)—Notices of questions shall be given by Members in writing to the Table Office.

(2) A notice of a question, or of an amendment to a motion standing on the Order Paper for which no day has been fixed or of the addition of a name in support of such a motion or amendment, which is given after half-past ten o'clock in the evening shall be treated for all purposes as if it were a notice handed in after the rising of the House.

(3) A Member shall indicate on the notice of any question whether it is for oral, written or priority written answer.

(4) Where a Member has indicated that a question is for priority written answer the Minister shall cause an answer to be given to the Member on the date for which notice has been given, provided that the requirement of notice shall be the same for such questions as that prescribed in this order for questions for oral answer.

(5) Notice of a question for oral answer may not be given on a day earlier than ten sitting days before the day for answer, provided that, where that earliest day would otherwise fall on a Friday, the earliest day on which such notice may be given will instead be the previous sitting day.

(6) Notice of any question for oral answer must appear at latest on the notice paper circulated two days (excluding Saturday and Sunday) before that on which an answer is desired.

(7) When it is proposed that the House shall adjourn for a period of less than four days, any day during that period (other than a Saturday or Sunday) shall be counted as a sitting day for the purpose of calculating the period in paragraph (5) of this order.

(8) When notice shall have been given of a Motion for the adjournment of the House for more than three days Mr. Speaker may cause to have printed and circulated with the Vote a memorandum superseding the provisions of paragraphs (5) and (6) of this order and instead setting out the earliest day on which notice of questions for oral answer may be given for each of the first ten sitting days after that adjournment, provided that each such day shall as far as practicable fall on the same day of the week as that on which the question is to be answered and shall not be fewer than fourteen days before the day for answer; and also setting out the latest day for notice of questions for oral answer on each of the first two sitting days following that adjournment provided that each such day shall not be fewer than two days (excluding Saturday and Sunday) before the day for answer. —*[Mr. Wood.]*

Hon. Members: Object.

PUBLIC ACCOUNTS

Ordered,

That Mr. Peter Lilley be discharged from the Committee of Public Accounts and Mr. Francis Maude be added to the Committee.—*[Mr. Wood.]*

Haemophiliacs (Aids)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

10 pm

Mr. John Marshall (Hendon, South): I cannot promise to be as brief as my hon. Friend the Member for Stafford (Mr. Cash). I should like to thank Mr. Speaker for exercising his discretion so that that we can have a wide debate rather than a narrow one this evening.

As the House will be aware, we have had a number of Adjournment debates on the vexed subject of compensation for those haemophiliacs who have contracted the AIDS virus. The House may ask why we are having yet another. There are two reasons. First, as my hon. Friend the Member for Staffordshire, South (Mr. Cormack) has said, this problem will not go away. Secondly, developments during the summer recess have underlined the need for yet another debate.

I should like to remind my right hon. and learned Friend the Secretary of State and my hon. Friend the Minister who is to reply to the debate of the words of Boswell in 1773:

> "A lawyer has no business with the justice or injustice of the cause he undertakes. The justice or injustice of the cause is to be decided by the judge."

Certainly Mr. Justice Ognall has expressed his views clearly as to what should happen in this case. I believe that my right hon. and learned Friend should look once again at the judge's recommendation in that case.

I should like to remind the House of the sequence of events that have led to this problem. In 1974, the Medical Research Council, concerned at the possible spread of hepatitis from infected blood recommended that the United Kingdom should become self-sufficient in blood products. In 1975, the right hon. Member for Plymouth, Devonport (Dr. Owen), as Minister for Health, promised that we would become self-sufficient in two to three years. It is a chilling indictment of what happened in the 1970s that, if that promise had been met, some of the 1,200 individuals who became infected with the HIV virus would not have been infected. Individuals who have died might otherwise have lived.

If we look at the history of the warnings given, we learn that the first death of a haemophiliac infected by AIDS took place in Florida in January 1982. In July 1982, Dr. Bruce Evatt, the director of disease control in Atlanta, published his first warning. In 1983, there was a further warning in *The Lancet*. In April 1985, national health service heat-treated factor 8 became available, 10 years after the pledge given by the right hon. Member for Devonport.

The result of all that was a human tragedy. Some 1,215 haemophiliacs—one in four—became infected with the HIV virus; 210 have developed full-blown AIDS, of whom 150 have died. One of the greatest tragedies of all is that two dozen wives and girl friends have been infected by individuals who did not know that they had the HIV virus.

Those statistics cannot convey one iota of the depth of the human problems involved. It is a great irony that factor 8, which was designed to improve the quality of life for haemophiliacs, has granted many a suspended sentence of death. Many haemophiliacs have battled to overcome the consequences and difficulties of their illness. Some hon. Members will have seen that, only three weeks ago, Dr. John Herdman, a relative of one of my constituents, with a PhD in physics, was snatched away at the tender age of 28. No one could fail to be moved by the description in *The Sunday Times* stating that three years ago he was an active young man who went swimming every day. Now, because of the medical difficulties, he has died, and we have lost a brilliant life.

When I was a university lecturer, one of my most brilliant students was a haemophiliac. Throughout the course, he could not attend one lecture because he lived in Dunoon and could not make the boat and train journey to Glasgow. Despite the fact that he did not attend one lecture and had only two tutorials a term, he came second out of 200. That said a lot for his determination; and it may also have said a little about the quality of the lectures he did not attend and something about the impact of the distractions of the students union on academic performance.

We are faced with the problem of a man seeing his brother die and not being able to say, "There but for the grace of God go I," but knowing that his brother's physical suffering is a dress rehearsal for his own illness and death in perhaps weeks, perhaps months. We face the problem of a widow who is dependent on her sons for financial support, knows that they are both HIV-positive and realises that she will have to attend both their funerals and her financial support will disappear.

It involves the problems of a sister—haemophilia is one of the strange, unique diseases carried by ladies but directly affecting only men—who sees her brother suffer and says, as one has said, that she is witnessing the destruction of all the men of her generation in her family. Haemophiliacs must attend the funerals of victims, not knowing whose funeral will be next. We all attend family funerals, but for some haemophiliacs, doing so has become a way of life, if one can talk about a way of life under such circumstances.

AIDS is a particularly vicious disease, and the physical pain is only part of the problem. The difficulty facing its victims is not merely physical because, in the public mind, AIDS is associated with sexual promiscuity and drug addiction. It is a disease whose mysteries are clouded in prejudice throughout society; that has compounded the problems facing its blameless victims.

Even in Britain, famed as a tolerant and fair-minded society, the very word AIDS is likely to generate prejudice in at least some minds. That has compounded the problems of the father who says that he cannot accept that his son has died of AIDS. It has compounded the problem of the victim who, having told his employer that he has AIDS, loses his job. It has compounded the problem because the friendships enjoyed by the victims have all too often turned out to be skin deep. When people mention that they have AIDS, their friends tend to move away rather than come closer, as they should do.

The victims of the disease do not seek compensation for themselves but for their families. The problem was summed up for me in a few short sentences: "The victim has had to give up work. He knows that he is dying. He only wants peace of mind. He wants to know that his family will be all right." What the victims seek is to die with dignity, secure in the knowledge that their relatives will be cared for and their wives and children will not face a lifetime of penury and penny pinching. Perhaps they want that last family holiday together.

Physical hardship can be alleviated by medicine, but peace of mind cannot be guaranteed by someone's saying, "Let us have a court case to be determined next March, April or June." If we wait for a court case to be determined then, a number of the victims will not be around to see the verdict. Posthumous justice will not grant them peace of mind; it may help their relatives, but it will not help them.

The full majesty of the law is clearly suitable for the vast majority of cases, but I do not believe that it is always a happy vehicle for cases in which speed is of the essence. I do not think that we are in a happy position when litigants are legally aided and the defendant—the Crown—is also relying on the taxpayer to pay the costs. A certain amount of public money will be spent, and it will not bring the law into good repute. I ask my right hon. and learned Friend to examine the matter again.

In 1964, my right hon. and learned Friend and I fought our first general election. The slogan under which we fought was "Prosperity with a Purpose". The reason why Lord Home chose that as a slogan was that he was not following a course of sheer naked materialism, but rather underlining the simple, basic fact that he sought to create greater prosperity—not as an end in itself, but as a means to a far nobler end: the relief of hardship in our society.

There is no conflict between a belief in the social market economy and a social conscience; indeed, only if we have a social market economy can we afford a social conscience. I believe that the challenge to the Secretary of State is a simple one, and I appeal to him as a practical man to come to the House and re-examine the issue.

We are told that it would create a precedent if we paid compensation on a larger scale to the haemophiliacs tomorrow or next week; but are we really being asked to say that, if a further example of this were to hit us, no compensation would be paid? Would we say to another group in our society that they must go to the law? Of course not. I do not believe that the collective conscience of the nation would allow any future Government to walk down the other side of the road like a Pharisee.

Clearly the Secretary of State has been advised that he can satisfy the courts of the land, but I ask him to consider making a short statement to the House. I suggest that the statement should read as follows. He should say that this is an inherited problem, caused by decisions made long before he became Secretary of State or before the Government were returned in 1979; that, as Secretary of State, he cannot be held responsible for decisions made in 1976 and 1977. He should say that the Government provided the resources to permit the heat treatment of blood products so that a similar disaster would never befall the nation. However, I would also like him to say that he will reconsider his decision—reiterated today—about the wisdom of fighting the case through the courts.

I would also like the Secretary of State to show a willingness to enter into discussions with representatives of the Haemophilia Society. The chairman of that society is a constituent of mine who is a respected vicar, and I believe that any agreement that he reached would be honoured by the vast bulk of his members.

Finally, I should like the Secretary of State to say whether he is willing to reconsider whether £20,000 should be the limit for individual compensation. Is that an adequate figure to compensate for the physical difficulties, the emotional traumas, the financial suffering and the loss of life involvd in this case? I fear that if there is no early solution to this problem many people will raise the issue time and time again. The last time I spoke in an Adjournment debate the only Members present were waiting for a lift to Hampstead; the fact that there are several hon. Members here tonight shows that there is disquiet, and I hope that the Minister——

Mr. Tam Dalyell (Linlithgow): Hear, hear.

Sir Geoffrey Johnson Smith (Wealden): My hon. Friend will be aware that many hon. Members who are not here tonight warmly support what he has said and want further action from the Government.

Mr. Marshall: I thank my hon. Friend for that short, pertinent and welcome observation, and I thank the hon. Member—I shall not be so indiscreet as to mention his name—who said, "Hear, hear," from a sedentary position.

I thank the House for the way in which this debate has been received.

10.15 pm

Mr. Hugo Summerson (Walthamstow) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Does the hon. Gentleman have the consent of the hon. Member for Hendon, South (Mr. Marshall) and of the Minister?

Hon. Members: Yes, Sir.

Mr. Summerson: I thank my hon. Friend the Member for Hendon, South (Mr. Marshall) and the Minister for giving me one minute in which to speak.

I cannot understand the Government's obduracy over this matter. I can understand the legal frame of mind that shrinks from anything that implies liability, but the lawyers who fear liability should turn their minds to finding a way that would permit payments without imputing liability. If the will exists, the words will be found.

I have at least one HIV-infected haemophiliac in my constituency. His story wrings the heart. He and the others are suffering grievously through no fault of their own. They need a generous and just sum to enable them to live out the rest of their lives in some comfort and dignity. I should like to add my voice to that of my hon. Friend and appeal to Ministers—including my right hon. and learned Friend the Secretary of State—to take whatever action is necessary to ensure that that comes about.

10.16 pm

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): My hon. Friend the Member for Hendon, South (Mr. Marshall) has used the opportunity of this first Adjournment debate of the autumn term to draw attention to an issue of undoubted public concern. I shall begin by trying to sketch out what I see as the common ground between him, the Haemophilia Society and Ministers. I am struck by the extent of the common ground between us on this subject.

First, it is clearly common ground that this story represents a terrible human tragedy, made more poignant by the fact that its cause was that people came to the NHS to receive treatment intended to enhance their lives and it ended up shortening them. There is sometimes a tendency for Ministers to reply to debates of this sort by citing statistics and legalistic arguments, and I shall have

[Mr. Stephen Dorrell]

something to say about the Government's legal position in a few moments, but I begin by reminding the House of the facts.

We are talking about 1,200 men and women who sought care from the NHS and received a lethal dose. We are talking about people who relied on the expertise of health professionals and—although they could not have known this at the time—found it wanting. We are talking about 1,200 families of people who were already sick and who looked to the NHS for hope and found it cruelly snuffed out.

Of course my right hon. and learned Friend the Secretary of State and I feel a profound sympathy for the people caught up in this tragedy. He and I want to help, and of course we both feel these basic human emotions. However, those emotions do not add up to a policy.

As I have discovered in the last six months, it is part of the lot of a Health Minister to witness a wide variety of human devastation. If my hon. Friend the Member for Hendon, South doubts that, I invite him to come with me on some of my visits to national health service installations, where I see people whose lives have been permanently scarred by spinal injuries or mental handicap that may have been caused at the moment of birth. A visit to the patients in any children's hospital is also enlightening. One learns quickly that a Health Minister cannot right all wrongs, because that object is not achievable. All that we can do is to offer the best health care within the resources that are available.

My hon. Friend asked us to look again at the judge's statement on which he placed some weight. Much of what Mr. Justice Ognall said in that statement gives rise to no disagreement from the Government. He said:

"The plight of the plaintiffs—or many of them—is a special one:

(a) All of them suffer from or live in the shadow of a fatal condition for which there is presently no known cure."

That is obviously true. The judge said:

"Many have already died, and in the nature of things many more will die without knowing the outcome of this litigation. It seems to me, at least, that this factor should be treated as cardinally important."

As I shall show, the Government have already acted on that understanding. The judge said:

"It is common ground that all plaintiffs are entirely blameless . . . I believe that the legal profession has a duty to do its best to see that the legal system does not become a scapegoat in the eyes of the public for what I fear may be perceived as the unjust and inhumane denial of any significant measure of compensation to the plaintiffs. 'The law must take its course' is not an attractive principle in the context of this case."

I agree with all those quotations. The judge's argument is based on the proposition that the Government have a moral obligation to the victims in this case. The Government accept that moral obligation and that is why funds have been made available, first in 1987 and again last year, to the Macfarlane Trust. Those funds were made available well ahead of this litigation and made possible a minimum payment of £20,000 to each person affected and assistance to families in need. We gave an undertaking, repeated many times, that the Government will review that assistance to ensure that it is adequate to meet the case. The total already amounts to £34 million.

Mr. John Marshall: Will my hon. Friend give way?

Mr. Dorrell: Only once.

Mr. Marshall: I know that my hon. Friend will give way only once. Will he underline his statement that the Government are willing to reconsider the amount of assistance? That is very important.

Mr. Dorrell: As I have already said, the Government have repeatedly said that they will keep under constant review the payments made to the Macfarlane Trust and the fund attached to it to ensure that they match the case. Our track record demonstrates that in practice we have done that.

The judge argued that there is a moral obligation and, outside the context of their case, the plaintiffs also argue that case. The Government accept that obligation and acted on it well in advance of the litigation, and that reflects the sense of urgency that has been argued in support of the case. Once again, that argument gives rise to no disagreement. The disagreement between the parties is not over the principle of moral obligation, because all are agreed on that. Apart from the court case, the disagreement is over the level of compensation that will discharge the moral obligation.

We must acknowledge that here we are in difficult country and that legal practice simply does not help. The courts can help us with the amount of compensation that is payable in cases where a person is proved to have been negligent. In this case, the Government and all the defendants in the action deny negligence and we are left with the question about the level of compensation that will discharge the moral obligation.

That raises the more fundamental question—and one that is not capable of being settled by a law court: What is the value of life? The court asks not that question, but what is the amount of compensation necessary to put a plaintiff in the position in which he would have been before the damage caused by negligence. That is not the question in this case and it is not relevant when considering a moral obligation. The only disagreement is the level of payments necessary to discharge that moral obligation—a matter that, in the nature of things, can be only a matter of judgment.

My hon. Friend the Member for Hendon, South referred to the thalidomide case. That was a different case, because the payments were made in settlement of a negligence action. They were explicitly and closely linked to the scale of damages payable where negligence is proved. That would not be right in this case, because it is the defendant's view that there was no negligence. Against that background, it would be wrong to link payments made in discharge of a moral obligation to payments that would have been made in the event of a successful negligence action.

It is also argued that there should be no-fault compensation. People say, "Why inquire about fault? There is an injured party, so why not just pay damages?" That raises two points. First, even those who support the principle of no-fault compensation do not support the suggestion that, in the event of compensation being paid in cases where no fault is proved, that compensation should reflect the damages that would have been paid if negligence were proved. No one has argued that that would be the proper quantum for damages. Secondly, the whole issue of no-fault compensation was extensively examined by a

royal commission—the Pearson committee in 1978—and rejected. Its advice has been accepted by Governments of both parties.

I strongly believe that this is a sad case. The moral obligation exists and has been acknowledged by the Government. The argument is not one of principle against a moral obligation. However, there remains another disagreement, and it is the subject of the action before Mr. Justice Ognall. Some 1,000 victims and their families are suing the Government and other defendants for negligence. They are perfectly entitled to do so, and I make no complaint about it.

It would be unwise to comment on the detail of the action. However, I wish to comment in general terms about why I am in no doubt that the action should be resisted. As I have already stressed, it is based not on a moral responsibility—that is not in dispute—but on alleged negligence by the Department of Health, the national health service and others. That is a quite different proposition. Each case is individual and the Government cannot simply admit negligence where they believe that none exists.

I have studied the background. I am not a lawyer, but as a layman I do not believe that, in common sense, the negligence claim stands up, not least because it has not been shown what more attractive alternative action was available at the time. What more attractive alternative decision would have been sensible on the basis of the evidence then available? When reviewing the papers, time and again I asked myself whether, on the information available at the time, I would have acted differently. Time and again, I could only answer, "No." Ultimately, it is for the court to decide whether there has been a case of negligence. If the individual plaintiffs believe that negligence exists, it is not for a politician to interfere. However, I have seen no evidence of that and therefore I believe that it is right to resist the claim of negligence, while acknowledging the moral obligation—as we do.

I see a sad story of people trying to help and, unwittingly, making matters worse. I see clearly a case in which the Government have tried to discharge—and, indeed, have discharged—a moral obligation to act. I cannot accept that that moral obligation is affected by an independent belief by some victims that they have a claim in negligence.

10.29 pm

Mr. Tam Dalyell (Linlithgow): It is 12 long years since the Pearson commission reached its conclusions and thinking has moved on since then. A great many hon. Members, some of whom could not be here tonight, support the hon. Member for Hendon, South (Mr. Marshall)——

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Tuesday 16 October 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

TEES AND HARTLEPOOL PORT AUTHORITY BILL
Order for Third Reading read.
To be read the Third time on Thursday.

SHARD BRIDGE BILL
Order for consideration read.
To be considered on Thursday.

SMITH, KLINE & FRENCH LABORATORIES, AUSTRALIA, AND MENLEY & JAMES, AUSTRALIA BILL [*Lords*]
Bill read a Second time, and committed.

Oral Answers to Questions

HEALTH

Nurses' Pay

1. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Health when he last met representatives of the Royal College of Nursing to discuss nurses' pay.

The Secretary of State for Health (Mr. Kenneth Clarke): I last met representatives of the Royal College of Nursing formally on 1 February when I informed them of the Government's decision on the 1990 review body reports.

Mr. Jones: Does the Secretary of State agree that there is a lack of confidence in the clinical grading appeals procedure and that matters will get worse, because there are fewer members of the slimline health authorities to hear and determine appeals? If NHS trusts are set up, there is even the prospect that the appeals procedure and clinical grading will disappear altogether in NHS hospitals. What does the Secretary of State propose to do, first, to speed up the appeals procedure and, secondly, to restore confidence in the system and thus morale in the profession?

Mr. Clarke: The situation on grading appeals is something of a disgrace and it is entirely the fault of the nursing trade unions. [HON. MEMBERS: "No."] Yes, it is. When we first drew up the new grading arrangements, I put it to the nurses' trade union leaders that the existing appeals system would not work when dealing with all the appeals, because each individual case is dealt with as though it were a magistrates court hearing—one by one. I invited them to take part with me in discussions about streamlining the appeals procedure, but they refused. They preferred the existing Whitley council procedures. I hope that they will reflect upon that and that they will come back and have some sensible discussions about a proper appeals procedure. I have always suspected that some of the trade unions, at least, prefer the nurses to be left with a sense of grievance which they can play upon rather than tackle the problem of getting the gradings right.

Mr. John Greenway: May I advise my right hon. and learned Friend that last Saturday my wife went back to Hammersmith hospital for the 25th anniversary reunion of the nurses who, with her, went to that hospital in 1965? During that visit they were amazed to discover that there were twice as many nurses on the wards and that many patients were sent home for the weekend due to the improvement in clinical techniques and methods. Does not that demonstrate not only that there are more nurses but that when the Government's reforms are in place—[HON. MEMBERS: "Get on with it!"]—and these appeals are out of the way there will be every opportunity for the nursing profession to establish itself much more, which will enable nurses to feel that they have a much greater relationship with the hospital where they work?

Mr. Clarke: My hon. Friend's wife may have had the misfortune to work in the national health service during the years when a Labour Government allowed nurses' pay to fall 21 per cent. behind inflation. It is now 40 per cent. ahead of inflation since we came to office. The profesesion is becoming well paid and much better staffed. The grading system gives nurses a much better career structure, as all nurses would recognise. It is high time that we got rid of the anomalous appeals system so as to enable the grading structure to work. Nursing is now a better-staffed and better-paid profession, with a better career structure than ever before. Nurses will get a great deal out of our improved and reformed national health service.

Several Hon. Members *rose*——

Mr. Speaker: Order. I request hon. Members to ask brief supplementary questions. Then we shall get further down the Order Paper.

Community Care

2. **Mr. Illsley:** To ask the Secretary of State for Health what representations he has received regarding funding arrangements for the Government's community care proposals.

12. **Mr. O'Brien:** To ask the Secretary of State for Health what progress has been made on the implementation of the community care proposals contained in the National Health Service and Community Care Act 1990.

15. **Mr. Norman Hogg:** To ask the Secretary of State for Health what representations he has received from local authorities regarding the Government's proposed changes in the organisation of community care.

16. **Mr. Andrew Welsh:** To ask the Secretary of State for Health what representations he has received from organisations on the new arrangements for community care; and if he will make a statement.

The Minister for Health (Mrs. Virginia Bottomley): We have received many representations on all aspects of our community care proposals. Those views informed the Government's decision on the phasing of community care and the local authority settlement announced by my right hon. Friend. the Secretary of State for the Environment on 19 July. The implementation of our proposals is

continuing to the timetable outlined by my right hon. and learned Friend the Secretary of State in his statement to the House on 18 July.

Mr. Illsley: Is the Minister aware that many poll-tax-capped authorities such as mine in Barnsley are in considerable chaos following the collapse of the Government's proposals for community care? They are having to make cuts of up to £1 milliion and will face further cuts. Has the Minister discussed that in detail with the Department of the Environment to ensure that there will be adequate funding for those authorities next year?

Mrs. Bottomley: There is no reason for the hon. Gentleman to blame the difficulties of his local authority on the decision to phase the implementation of the full community care proposals. It is clear that his local authority, and many others, will be able to develop their plans further and improve the management of their services. The fact that his authority has been charge-capped suggests that it could well invest some time in ensuring that it has the cost-effective and efficient services for the community once the policy is fully implemented.

Mr. O'Brien: I remind the Minister of the letter that I sent her colleague the Secretary of State on 25 September and the acknowledgement that I received on 28 September. Attached to that was a letter from my constituent, Mrs. June Cadman, who cares for 70 mentally handicapped people, in which she explained the hardship faced by the people in her charge. The letter also contained an appeal for assistance for Leeds city council and Wakefield city council social services department.

Because of the poll tax and the standard spending assessments, it is impossible for local authorities to help private homes. When will the Minister do something to help those people, to sustain those in need of care and attention and to help carers? May we have some assistance, please?

Mrs. Bottomley: There is a project under way in the hon. Gentleman's constituency, involving the regional health authority, the housing department and the local authority, for the relocation of mentally handicapped people in the community. I am sure that my right hon. and learned Friend will reply to the hon. Gentleman's letter shortly. There is much to be done in the provision of care for mentally handicapped people and I am pleased that the hon. Gentleman is as concerned as we are to ensure that services for this needy group improve.

Mr. Norman Hogg: As the Government did not think that community care in Scotland was worth a statement last July, when they announced the two-year delay, what advice is the Minister giving her right hon. and learned Friend the Secretary of State for Scotland, as there is much difficulty among local authorities in Scotland which are strapped for cash because of Government cuts and the inefficiency of the poll tax? A two-year delay in implementing community care looks extremely optimistic.

Mrs. Bottomley: I urge the hon. Gentleman to speak swiftly to my hon. Friend the Minister of State, Scottish Office, who announced on 26 September the full plans for implementation in Scotland. It would be presumptuous of me as an English Minister to make further comment on plans for north of the border.

Mr. Andrew Welsh: Where is the caring face of a Government who delay implementation of community care and starve the system of money for vulnerable groups such as elderly and disabled people? What is the Minister doing to bridge the financial gap between social security benefits and the costs of community care, or between revenue support grant and the costs of community care for local authorities? If the Minister tries to implement this scheme on the cheap she will simply create a recipe for social disaster.

Mrs. Bottomley: Personal social services spending has increased by 47 per cent. in the past 10 years. That is a substantial increase, quite apart from the extra money available through the social security system. My right hon. Friend the Secretary of State for Social Security has made it clear that he is considering closely the income support questions. This year's settlement for local government would be regarded by my hon. Friends as generous and even Opposition Members would regard it as fair.

Mrs. Currie: Is my hon. Friend aware that in Derbyshire the postponement of the community care reforms was met with a great sense of relief, because Derbyshire county council was nowhere near ready and implementation too soon would have put many people's lives and welfare at risk? Is she further aware that the first action of Derbyshire county council in response to poll tax capping was not to cut its administration, its local government newspaper or its publicity, but to cut entirely the grant to the Derbyshire coalition of disabled people?

Mrs. Bottomley: That is yet another item in the catalogue of appalling decisions made by Derbyshire county council, which I understand has increased its staff by 8,000 since the Labour party took control. It is clear that many local authorities need those two years. The Select Committee on Social Services made it clear that there is a pressing timetable to implement the changes by next April and I have no doubt that health authorities, voluntary organisations, the private sector and local authorities will need to spend that time training and thinking through the management and cost-effectiveness of their proposals for care in the community.

Mr. Thurnham: When considering funding, will my hon. Friend bear in mind the far greater cost-effectiveness of the voluntary sector in providing community care, especially for the mentally handicapped?

Mrs. Bottomley: Once again, my hon. Friend leads me to comment on the comments of my hon. Friend the Member for Derbyshire, South (Mrs. Currie) about Derbyshire. Local authorities whose first decision is to cut support for the voluntary sector are thoroughly misguided. The voluntary sector has an excellent tradition of providing care in the community. That is why, for example, we especially identified the voluntary sector to support drug and alcohol misusers in the new specific grant announced by my right hon. and learned Friend the Secretary of State in July.

Mr. Bowis: Is my hon. Friend now able to put at rest the genuine worries about funding of those running halfway houses for people coming out of alcohol and drug detoxification units? Without that service, it is difficult for such people to find their way back into a real life in the community.

Mrs. Bottomley: My hon. Friend rightly identifies that especially needy group, who are costly in terms of services and who most certainly need a development of provision. He will know that there has been careful discussion with those organisations, which resulted in the specific grant announced in July. We believe that it will be possible for their valuable services to grow and to develop.

Mr. Robin Cook: As these will be the last health questions before the uprating statement, can the Minister tell us what hope there is for all those residents on income support who now find that they cannot pay what their private home charges? What does she have to say to those elderly people who have had their personal allowances confiscated, who cannot buy toothpaste or newspapers and who cannot pay for stamps, and who still cannot pay the weekly cost of their home? How can she defend the double standard by which those on income support are put in the shared bedrooms with the poorer services? As it was the Government's decision to delay the community care programme for two years, what do Ministers intend to do for all those elderly and disabled residents who cannot wait until 1993 to pay this week's bill and are likely to be turned out if they try?

Mrs. Bottomley: The hon. Gentleman knows full well that matters of uprating are for my right hon. Friend the Secretary of State for Social Security. However, it remains the case that local authorities will continue to make plans for care in the community. We remain committed to a mixed economy of care. It is important that local authorities, voluntary organisations and the private sector provide for the frail and the vulnerable. The hon. Gentleman always speaks as though resources were no object. One has only to consider—I hope that the poor and the vulnerable will do this—the record of the Labour party when in government. There has been a substantial increase in resources. I can make no further announcements without anticipating the comments of my right hon. Friend the Secretary of State for Social Security.

Children Act 1989

3. **Mr. Bell:** To ask the Secretary of State for Health what progress has been made on the implementation of the Children Act 1989.

Mrs. Virginia Bottomley: We are consulting on the regulations guidance and rules of court necessary to implement the Act on 14 October 1991—363 days away. A comprehensive training and dissemination programme is under way.

Mr. Bell: I am grateful to the Minister for that reply. As the Children Act 1989 came about partly as a result of events in Cleveland, does the Minister agree there are now proper multidisciplinary procedures in Cleveland for the handling of alleged child sexual abuse cases? Is not it a fact that the Cleveland child abuse crisis is at an end? Given the situation in Cleveland, is not it a pity that other authorities are acting as if we had never passed a Children Act through this Parliament? Would not it be helpful if we could advance the date of implementation from October 1991?

Mrs. Bottomley: I fear that it is not possible to advance the date from October 1991. The training programme, involving social workers, court staff and many others, will clearly be taxing for them to implement by that timetable. However, I can confirm that the social services inspectorate's report on Cleveland, which was published on 7 June this year, made it clear that good progress has been made, especially in the area of inter-agency working. It is essential that the lessons are learnt time and again that effective child protection means effective and trusting communication between local authorities, police departments, education departments and health departments. Cleveland has made great strides forward and I hope that many other local authorities will learn those lessons and ensure that they have the same working practices.

Mr. Holt: Will my hon. Friend take it from me that, far from having gone away, the spectre of Cleveland has raised its head again this week? One of the two doctors at the heart of the whole affair, Dr. Wyatt, is now being systematically helped by his cohorts of two or three years ago in his efforts to get his job back in its previous form —which involved diagnosing children as sexually abused and thereby causing much distress to children, parents and grandparents in my constituency and throughout Cleveland. Will my hon. Friend make every effort now, today, to see that this attempt is knocked on the head straight away?

Mrs. Bottomley: I well understand the concern that my hon. Friend has expressed. I can assure him that steps have already been taken by the health authority to resolve the matter. None of us can underestimate the seriousness of the situation that arose in Cleveland, but I believe that the lessons have been learnt. The important point is that the information should be disseminated to ensure that other local authorities across the country learn those lessons—to protect children and, above all, to respect the role of parents.

Mr. Tom Clarke: Does the Minister accept that there will be profound disappointment at the fact that, following Royal Assent, an Act which arose from a great deal of consensus on both sides of the House is to take two years to implement? As the Government have declined to accept the views of the Central Council for Education and Training in Social Work, precisely what proposals do they have for essential training and what progress have they made in their commitment to family courts?

Mrs. Bottomley: I believe that it is rather naive to think that the Children Act could be implemented in its full complexity any faster than is proposed. For example, 80 sets of regulations have to be produced. We are just producing the 20th issue of draft guidance, out of a collection of 30. It is a major task, involving local authorities, voluntary organisations, the police, health authorities and many others. We have a full training programme under way and £10 million worth of resources, in a ring-fenced sum, have been committed to ensure that that training takes place.

We are talking not only about the detailed implementation of the Act but about the updating of "Working Together", the seminal document which advises all those involved of the vital importance of proper and effective communication. So often in child abuse cases, it is communication that goes wrong.

The hon. Gentleman will know that great progress is being made in the integration of the law concerning various aspects of the family—not only children. I recently

announced a review of adoption law and we are also discussing divorce law. We believe that such developments will lead progressively to the creation of the conditions necessary for the establishment of a full family court.

Mr. Sims: My hon. Friend is correct that the Children Act is an extremely complex piece of legislation, and it is probably one of the most important to emerge from Parliament this decade. I am sure that she is aware that practitioners in the field are enthusiastic about the provisions as they learn about them, but is she also aware that there is genuine concern that there may be insufficient resources to implement the proposals correctly? Can she give an assurance that resources will be available?

Mrs. Bottomley: We are committed to ensuring that the Children Act is fully and effectively implemented. None of us can tolerate the existence of child neglect and abuse in our modern society. We have fewer children in care, but there are many children on the at-risk register. It is incumbent on us all—whether as politicians in local or central government or as members of the community—to protect those children. We have a major training programme, and the other resource aspects are the subject of regular discussions between the Department and the local authority organisations. I cannot give any further information about the personal social services allocation until after the autumn statement next month.

Several Hon. Members *rose*——

Mr. Speaker: Order. We are making rather slow progress this afternoon. [HON. MEMBERS: "It is the Minister's fault."] I am anxious to get on.

Social Work

4. **Mr. Harry Barnes:** To ask the Secretary of State for Health what steps are taken by his Department to monitor the ability of individual local authorities to carry out their statutory social work functions.

Mrs. Virginia Bottomley: The Department's social services inspectorate keeps the Department informed about the provision of personal social services by individual local authorities.

Mr. Barnes: Does the Department of Health read the reports and take action based on them, because it seems to me that the Department has little idea of what goes on in local government? For example, when the hon. Member for Derbyshire, South (Mrs. Currie) asked a question it seemed that she had also written the brief from which the Minister gave her answer, as it did not relate in any way to the problems and needs of Derbyshire. What extra money will be provided for the function and operation of the Children Act? The local authorities concerned have asked for £140 million. Will anything like that sum be available?

Mrs. Bottomley: The information about what happens in Derbyshire comes from our "Key Indicators" document. That valuable document, which we produce annually, gives information about precisely how local authorities are spending their resources. In Derbyshire, one in three people over 75 receives a home help, free of charge. I do not believe that that is targeting resources or looking to value for money. That does not show a sense of responsibility in the provision of services.

With regard to resources for the Children Act, the hon. Gentleman, like others, will have to await the decisions and outcome of the autumn statement when he will discover the precise sums involved. I hope that the hon. Gentleman will encourage Derbyshire social services to use that money cost effectively and to resist the gimmicks so often identified by my hon. Friends.

Mr. Gerald Bowden: In monitoring the social work functions of local authorities, has my hon. Friend the Minister had an opportunity to consider the way in which the London borough of Southwark discharged its duties at Grove Park children's home? If the disclosures in *The Sunday Correspondent* magazine are correct, is not it evident that children in the so-called care of Southwark are at even greater risk than if they were not in Southwark's care?

Mrs. Bottomley: My hon. Friend has mentioned that home, which is in his constituency, to me before. The outrage and horror of many who saw precisely what was happening at the Grove Park children's home is shared by us all, and I am pleased to say that the home has closed. I have asked the social services inspectorate to report to me urgently on the provision of residential care for the difficult, turbulent bunch of teenagers in the capital cities. The easiest ones to foster are fostered, but residential homes have to cope with an extremely difficult and troublesome group. We look to the social services inspectorate once again to report back on that and I will certainly have urgent discussions with my hon. Friend the Member for Dulwich (Mr. Bowden) about it.

Sanderson Hospital, Gosforth

5. **Mr. Cousins:** To ask the Secretary of State for Health when he proposes to visit the Sanderson hospital, Gosforth.

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): I have no immediate plans to do so.

Mr. Cousins: Does the Minister accept that the Sanderson hospital is the last long-stay hospital for the elderly in Newcastle which does not face closure? It is part of a hospital group—the Royal Victoria infirmary—which is dithering over opt-out and has to make panic cuts to save £400,000 of overspending up to August. The site would make wonderful executive housing, or can the Minister assure us that there is still a place in the NHS for small kindly hospitals which care for patients who cannot easily be packaged or priced?

Mr. Dorrell: I am not sure whether the hon. Gentleman was advocating the sale of the site for high-value executive houses, but I assure him that it is NHS policy to continue to use the Sanderson hospital for the care of the elderly, for which it currently has a distinguished record.

General Practitioners

6. **Mr. Barry Field:** To ask the Secretary of State for Health how many practices have now expressed an interest in joining the general practitioners' fund-holding scheme; and how many he estimates will meet the eligibility criteria and be ready for fund holding in April 1991.

14. **Mr. Jacques Arnold:** To ask the Secretary of State for Health if he will make a statement on progress being made with applications for practice budgets for general practitioners.

Mr. Kenneth Clarke: Around 350 practices are preparing for fund-holding status from 1 April 1991, and I have been much impressed by the quality and commitment to the scheme of the practices concerned.

Mr. Field: Does my right hon. and learned Friend agree that, while a tiny minority of doctors continue to dispense their own brand of politics, the vast majority are playing an increasingly active part in the delivery of better health care throughout the country? Is it true that on the Isle of Wight a high percentage of doctors have applied to become fund holders?

Mr. Clarke: I am glad to say that on the Isle of Wight three practices have been attracted by the idea of having much more control of how NHS money is spent on the isle. Those three practices cover about 30,000 of the residents, which is about one quarter of the population, so there is a particularly high level of interest on the isle. I also agree with my hon. Friend that the experience of fund holding and of the contract is proving very beneficial. Contrary to all the inventions of last year, the amount of time spent with patients is increasing, the amount of minor surgery is increasing, the amount of time spent on health promotion is increasing and the number of practices carrying out child surveillance is increasing. The number of staff and nurses employed by the practices has increased and they are all earning more money. No doubt the fund-holding practices in the isle intend to add to those achievements if they proceed with their applications.

Mr. Arnold: Is not the approach that we should follow in respect of GPs' practice budgets one of slowly, slowly catchee monkey? Surely the objective is that we should get the finances to where the patients are and give the clout to general practitioners' practices. Would my right hon. and learned Friend care to contrast that with the full-blooded enthusiasm of Opposition Members to continue with a vast centralised bureaucracy?

Mr. Clarke: The pace at which we proceed with fund holding is being determined by the rate at which GPs come forward to volunteer for the scheme. We have 350 practices still actively preparing for next year and many more practices are interested in coming along the year after that. They include some of the people who represented doctors in last year's rows about the scheme and the British Medical Association has now set up a separate group to represent those fund holders, which shows that we are winning converts in quite a lot of places.

I agree with my hon. Friend that the interest of the profession in new developments and what they have achieved from the contract is in stark contrast with the negative positions that have been taken by the Opposition in their sole desire to turn the clock back, if they ever get the chance, to the old bureaucratic and less effective national health service.

Hospital Services, Southend

7. **Mr. Teddy Taylor:** To ask the Secretary of State for Health if he will pay a visit to Southend-on-Sea to inspect the hospital services.

Mr. Dorrell: I have no immediate plans to do so.

Mr. Taylor: Is the Minister aware that, for many years, our excellent hospitals in Southend have had to cope with being seriously underfunded in comparison with other districts because they happen to be in an overfunded region? As a new system of funding based on capitation is coming in in April, can the Minister assure Southend that that fairer system will result in something being done about consistent underfunding?

Mr. Dorrell: I can confirm that, by national standards, Southend has been underfunded over a long period. It is one of the intentions of the reforms that will come in next April that we achieve a fairer distribution of funding around the country. That will not happen overnight, but it is our clear intention that it should happen over a reasonably short period.

Sir Bernard Braine: Is my hon. Friend aware that it is not an inspection that is needed, nor even an admission that our district has been underfunded for many years past? We want some action.

Mr. Dorrell: My right hon. Friend has an Act on the statute book which sets in place the machinery that will allow funds to flow in the way in which he desires. Action is coming.

Mr. Cohen: When we see it we shall believe it. Is the Minister aware that Southend, like in my area of Waltham Forest, is covered by the North East Thames regional health authority, that that authority has recently slashed its capital programme and that many important developments have been cut as a result? When will the Minister do something about increasing that capital programme for a change?

Mr. Dorrell: Since 1979 the NHS capital programme has increased by 57 per cent. in real terms. I wish that I could believe the hon. Gentleman when he says that he will believe it when he sees it. He has seen it for more than 11 years and apparently still does not believe it.

Patient Care

8. **Mr. Andrew Mitchell:** To ask the Secretary of State for Health what initiatives are being taken to promote a better quality of care for patients.

Mrs. Virginia Bottomley: Better quality of service and care for patients is at the heart of the NHS reforms. Key ways of achieving that will be the devolution of responsibility to local level and agreements between purchasers and providers with clearly specified quality standards.

Mr. Mitchell: Is not my hon. Friend's response an eloquent testimony to this Government's commitment to the National Health Service at a time when an aging population and welcome medical advances mean that there is a great deal to be done? Is not that a contrast to the capital-cutting, hospital building programme-cutting Labour Government who used to be in power?

Mrs. Bottomley: I thank my hon. Friend for his words. In the words of my right hon. Friend the Member for Castle Point (Sir B. Braine), we believe in action, not words, and in putting quality at the forefront of our plans for the health service. My hon. Friend will know that the

scheme in his constituency is one of our national demonstration projects, focusing on quality. The children's out-patient department received £110,000 from the Department last year, once again making sure that the patient and the patient's family are at the forefront of health care.

Mr. Kennedy: Given that the Minister is trying to reduce junior hospital doctors' working hours and to improve patient care in that way—as well as the working environment—what will be the effect on that of the national initiative on the opting out of hospitals as they seek self-governing trust status? Will junior hospital doctors be more or less likely to enjoy better working hours and better working conditions?

Mrs. Bottomley: I am pleased that the hon. Gentleman has referred to our determined effort to tackle once and for all the unacceptable problem of some junior hospital doctors working unacceptable hours—unacceptable to them and to patients. Although considerable progress has already been made, we are determined to see further action in the specialties, hospitals and grades where the difficulty persists. I assure the hon. Gentleman that hospitals that become NHS trusts will, of course, abide by the manpower arrangements that have already been established, not only for junior hospital doctors' working hours, but in order to achieve a balance and to meet the safety net requirements.

Dame Jill Knight: Does my hon. Friend concede that there are differing ideas among different patients about what constitutes quality of care, which often have nothing to do with medical care? Some patients want to be in a room by themselves, to have better food or not to be in a mixed ward. How are the proposals progressing that would allow patients to pay something towards achieving those objectives?

Mrs. Bottomley: I greatly appreciate my hon. Friend's contribution. My hon. Friend the Under-Secretary of State recently announced an initiative to allow patients who wish to do so to pay for the extras that make such a difference to their patient care. I remind the House and my hon. Friends of the national quality exhibition that will take place in Birmingham in a fortnight, which will demonstrate practically the many quality initiatives which, above all, seek to make sure that patients, their wishes, interests and concerns will come first and be given the priority that they deserve.

Ms. Harman: Does the Minister accept that a key factor in achieving quality of care for all patients is ensuring that they get the treatment that they need when they need it? Is not the Minister aware that hospitals throughout the country, such as Westminster, are closing wards to all but emergency admissions because of shortage of money? The Minister says that the Government believe in action, not words when it comes to quality health care, but why do the action and the words mean offering cuts to the Treasury instead of saving services for patients who need them?

Mrs. Bottomley: It is rich for the hon. Lady to refer to action, not words. The Conservative party has increased the number of in-patients, and out-patients, and increased the number of day cases. On all fronts, there has been an improvement in the health service, leading to better patient care. However, we want to ensure that we continue to see perinatal mortality at a record low level, and that we see not only a reduction in the number of women dying from cervical cancer, but an increase in the number of coronary artery bypass grafts and kidney treatments. That is why my right hon. and learned Friend the Secretary of State announced last week a programme of health targets to ensure that we continue to focus our efforts on clear, concrete and practical achievements and continue to build a better health service.

Mr. Cormack: Does my hon. Friend accept that one group of patients has, tragically, received bad care? I am referring to the haemophiliac AIDS victims. Does she further accept that if the Government believe in action, not words, we cannot be satisfied with the response that we have received so far?

Mrs. Bottomley: I understand my hon. Friend's words. He will have heard my hon. Friend the Under-Secretary of State in last night's debate. The fact is that there was no case of neglect in those cases. However, we accept the great tragedy and that is why such significant resources have been made available to the families, who were so grievously affected, amounting to an average of £28,000 each. However, we cannot expect that every time there is a tragedy in the health service, when there is no professional neglect, there will be instant compensation, because the implications for us all and for all health care would be enormous.

NHS Trusts

9. **Mr. Cummings:** To ask the Secretary of State for Health if he will make a statement on the progress made on public consultation following proposals for the formation of self-governing hospital trusts.

Mr. Kenneth Clarke: A total of 66 units have applied to become national health service trusts in the first wave, which will become operational in April 1991. Regional health authorities are currently consulting on applications from potential trusts within their regions. I shall announce my decision on each application after I have had an opportunity to consider the outcome of the public consultation.

Mr. Cummings: The Minister will be aware that Newcastle Royal Victoria infirmary is preparing for self-governing trust status in 1991. Is he further aware that in the run-up to 1991, 50 per cent. of children's surgical beds are to be closed for an indefinite period, thus denying a three-month-old baby in my village the chance of major surgery? Will the Minister confirm that the cash crisis in Newcastle Royal Victoria infirmary and the bed closures are part and parcel of a softening-up exercise to enable the infirmary to opt out easily next year?

Mr. Clarke: Newcastle Royal Victoria infirmary is an extremely successful hospital, which, together with the other hospitals in Newcastle, is expanding the service, and has been doing so rapidly during recent years, thus consuming additional resources. I believe that it is the location of one of the biggest building sites in Newcastle, where the next phase of development is being financed at present. It is most unfortunate that some people in Newcastle, who are surrounded by an expanding and improving service, spend their time trying to make allegations about a part of the service where the health authority has chosen its priorities in order to live within

the ever-increasing sum of resources allocated to it. Doctors, nurses and others in Newcastle have expressed an interest in having more control over their own affairs. I am now considering the application in the light of the public consultations.

Mr. Nicholas Winterton: My right hon. and learned Friend is fighting hard for additional funds for the national health service in his negotiations with the Treasury, about which I am delighted. Can he assure me that he is fighting for additional funds for the whole of the national health service, not just for hospitals that are prepared to put in a submission for self-governing status?

Mr. Clarke: Of course, I am buoyed up by my hon. Friend's support for my current negotiations, and am glad to have him on my side. The Government's duty is to ensure that funds are available to carry out the policies to which we are committed. We have to equate that with the need to keep down inflation, which we have done successfully in previous years. The past two public spending rounds have increased the cash available to the national health service by 20 per cent.—a better two-year record than any Labour Secretary of State could ever claim or would ever be likely to claim. My hon. Friend will have to wait to see what happens in the third year.

Mr. Robin Cook: Did the Secretary of State see last week's survey in Tory Sutton and Cheam, which found that among 6,000 residents there was a majority against the local application of six to one? As the Secretary of State cannot carry Sutton and Cheam, would he care to name to the House a single poll of the public that has come out in support of his proposals?

Mr. Clarke: Those surveys are usually carried out on the back of extremely misleading propaganda put out by organisations financed by the Labour party and trade unions. I am considering serious applications by those who work in the hospitals and public consultations that address the issues, not the allegations about opting out of the national health service and other nonsense disseminated by the Labour party. The hon. Gentleman must know perfectly well from his personal experience that there is considerable enthusiasm among the staff and those closely involved in many of the applications for self-governing status. I shall judge them all on whether I believe that those attractive plans can be successfully carried forward to improve the service to patients.

Mr. Michael Morris: Is my right hon. and learned Friend aware that the consultation documents are full of information about how the various trusts will provide the capacity to fill up the hospitals, but are less informative about how they will actually achieve that? Will he ensure that any representation that is received and accepted contains a fulsome part showing how the extra resource will be made available?

Mr. Clarke: I am glad that my hon. Friend is studying the application documents, which is more than most people are doing who are organising local straw polls up and down the country. As my hon. Friend will know, the success of any hospitals in the new national health service will depend on the quality of care that they achieve, the quality of service that they give to GPs and patients and their ability to lag referrals. Some of the applications for self-governing status come from the finest hospitals in the country and they are confident that if they are given more chance to run their own affairs, free from the old bureaucracy, they will attract more patients and resources under the new system.

Cholesterol

10. **Mr. Dalyell:** To ask the Secretary of State for Health if he will make a statement on his proposals for taking action against cholesterol-related problems, in the light of the responses he has had to the document of the departmental working party paper on cholesterol.

Mr. Dorrell: The report from the standing Medical Advisory Committee was widely circulated with an invitation to respond by 31 October. When those responses are received, I shall be in a position to consider what action may be needed.

Mr. Dalyell: Since coronary heart disease kills about 143,000 people in this country, putting us very near the top of the league, over what period will the £25 million announced by Lady Hooper be spent in relation to cholesterol blood-related problems?

Mr. Dorrell: The hon. Gentleman may have heard my right hon. and learned Friend announce last week that he was intending to set up a portfolio of health targets, and he identified coronary heart disease as a specific target: he wanted a 25 per cent. reduction in premature deaths associated with coronary heart disease by the year 2000. The amount of money that the hon. Gentleman identifies will clearly be used towards the achievement of that objective.

Prime Minister

Engagements

Q1. **Mr. Madden:** To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Mr. Madden: May I ask the Prime Minister a question of which I gave her office notice earlier today? Will she take this opportunity to condemn Pol Pot and the Khmer Rouge for the mass murder of more than 1 million innocent Cambodians; and will she tell the House what action she and the Government are taking to stop Pol Pot and his allies marching back to power so that they can murder still more millions of innocent Cambodians?

The Prime Minister: I am grateful to the hon. Gentleman. We have repeatedly made clear our utter abhorrence for the Khmer Rouge and all that it stands for. We have never given support of any kind to the Khmer Rouge. Our aim over many years has been to prevent a return to the atrocities of the Pol Pot years, and, as a permanent member of the United Nations Security Council, we are working to achieve that through a comprehensive political settlement.

Mr. Lester: Does my right hon. Friend agree that those of us who seek to prevent the return of the Khmer Rouge

should wholeheartedly support the Supreme National Council which has now been established, comprising both internal and external Khmers, and that we should wholeheartedly support the comprehensive political settlement which, in annex 2, deals with disarmament, with mines, with caches of weapons, with the return of refugees and with free elections? Does she further agree that, as the British Government recognise neither the external Khmers nor the Hun Sen regime as a legitimate Government, we should talk equally to both sides?

The Prime Minister: I am grateful to my hon. Friend. I agree with him that we should support the efforts of the five permanent members of the Security Council. This is another example of the five permanent members working very closely together. The Supreme National Council includes Hun Sen, Prince Sihanouk, Sonn San and the Khmer Rouge—those are its components. I agree with what my hon. Friend said.

Mr. Kinnock: On the exchange rate mechanism, does the Prime Minister recall that on 20 September she was adamant, in her own words, that

"the Madrid conditions won't be changed and they include getting inflation near to the European average"?

Whatever happened in the following two weeks to make her completely cave in?

The Prime Minister: The right hon. Gentleman will have heard what my right hon. Friend the Chancellor said in his excellent statement. Several conditions were laid out in the Madrid statement. A number of them had been fully achieved; some others were on the way. The most important was progress on the free movement of capital; the next, progress on free trade in financial services; the next, progress on the single market and further progress in competition policy. Monetary conditions here made possible a reduction of 1 per cent. in interest rates. Yes, we could have gone on further and waited until inflation had visibly come down, but so many of the conditions had been met and there was so much speculation about when we were going into the exchange rate mechanism that we took advantage of the excellent opportunity—*[Interruption.]*

Mr. Speaker: Order. These are very important matters.

The Prime Minister: —of the excellent opportunity of monetary conditions' coming within their limits to end all the speculation about when we should go in and go in, just one year after we had increased interest rates to 15 per cent., just before the Tory party conference.

Mr. Kinnock: If the Prime Minister is so confident about her judgment, why will she not simply come to the House next week and speak in the debate? Is not it now obvious that her own personal position on this issue is utterly impossible to justify, and that she is just plain frit?

The Prime Minister: Unlike the right hon. Gentleman, I have a most excellent Chancellor, an excellent Treasury team and a superb—*[Interruption.]*

Mr. Speaker: Order.

The Prime Minister: —and a superb Secretary of State for Trade and Industry. I shall be here answering questions every Tuesday and Thursday, and I hope that one day the right hon. Gentleman may know how to ask a good one.

Mr. Mans: Does my right hon. Friend agree that a responsible policy on the environment must be both practical and realistic, and that to insist on the reduction of CO_2 emissions around the turn of the century, while at the same time discounting the future use of nuclear power, increasing the use of fossil fuels such as coal and promoting cheaper petrol, makes no sense whatever? Does she agree that that policy is highly environmentally damaging as well?

The Prime Minister: I agree with my hon. Friend. If one wants to reduce emissions of carbon dioxide, one of the best ways is to support nuclear power. Recently we have also seen a substantial increase in the price of oil and petrol, without attempting to put it up further. Any promises that are made should be capable of being fulfilled, and the earliest date on carbon dioxide emissions when we can fulfil this promise is the year 2005.

Q2. **Mr. Wallace:** To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wallace: Does the Prime Minister agree that the honourable and decent way forward in the tragic case of the 1,200 haemophiliacs suffering from the AIDS virus is to offer far more generous compensation than has been the case up to now, rather than continuing to fund ever-increasing fees for lawyers to argue the toss over the matter?

The Prime Minister: The Government have already made available some £34 million to the haemophiliacs who are suffering from this very grievous happening, as an ex gratia payment without prejudice to their taking legal action in the courts. Obviously, we wish to know the legal position before any further payment is considered.

Mr. Alexander: Has my right hon. Friend had time to notice British Rail's 25 per cent. pay offer to its track-laying and signalling staff? Does she agree that pay awards of that order will merely outrage fare-paying passengers, stoke up inflation and put off further the day when we can reduce interest rates still more?

The Prime Minister: If my recollection is correct, certain recommendations about signalling were made after the Clapham accident that must be taken into account when one judges that settlement. I am sure that my hon. Friend would agee that it is absolutely vital that we live up to the safety standards required of us by the report following that terrible accident.

Q3. **Mrs. Fyfe:** To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Mrs. Fyfe: Does the right hon. Lady remember saying 15 months ago that lowering United Kingdom inflation was the most important of the Madrid conditions? If that is no longer the case, when and why did she begin to change her mind and decide that the right hon. Member for Blaby (Mr. Lawson) was right?

The Prime Minister: Had the hon. Lady listened yesterday and earlier this afternoon, she would have heard the Chancellor and I both say that a large number of the

conditions had already been met and that there was an opportunity to go into the exchange rate mechanism. We took that decision and it was right. It has been warmly welcomed and I am amazed that Opposition Members are being so small minded about it. Did not they want us to go in?

Sir Jim Spicer: Many hon. Members know the Kuwaiti ambassador, but not many know that three weeks ago his brother-in-law was seized by the Iraqi forces, taken away and tortured for 16 days, and then taken back to his home to be executed in front of his house and family. Will my right hon. Friend assure the House that people who perpetrate such crimes will not escape punishment?

The Prime Minister: We all share the revulsion that has been expressed about that brutal act and we have seen the Amnesty International report about many other brutal acts conducted daily by Saddam Hussein in Kuwait. That makes it clear that we must deal with this man. I agree with my hon. Friend that he must be made answerable for these terrible crimes and must withdraw from Kuwait so that the legitimate Government of Kuwait can be restored. I join my hon. Friend in sending our sympathies to the Kuwaiti Government on this terrible brutality.

Q4. **Mr. Bernie Grant:** To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Grant: Is the Prime Minister aware of the indignation and outrage felt by Cypriots in my constituency about the Government's two-faced attitude to invasions? Troops have been sent to Saudi Arabia as a result of the invasion of Kuwait, but absolutely nothing has been done about the Turkish invasion of Cyprus. Is the Prime Minister—*[Interruption.]*

Mr. Speaker: Order. Mr. Grant.

Mr. Grant: Is the Prime Minister aware that the international financial bandit Mr. Asil Nadir and his company, Polly Peck, have made their money by stealing property, orange groves and hotels from Greek Cypriots who are living in exile in my constituency? Will she do something—*[Interruption.]*

Mr. Speaker: Order. This House is for putting forward views that hon. Members feel strongly about. We have a right to do that.

Mr. Grant: What will the Prime Minister do to prevent this carpetbagger, Mr. Nadir, from bringing his money, his ill-gotten gains, out of the north of Cyprus into this country in order to bail out his company, Polly Peck?

The Prime Minister: Perhaps the hon. Gentleman has forgotten that the events in Cyprus that led to the Turkish invasion and the toppling of Makarios happened during the lifetime of a Labour Government and the decision not to invoke the guarantee was that of the then Foreign Secretary who is now the noble Lord Callaghan. The hon. Gentleman will be fully aware that we wish to see the state of Cyprus continue bi-zonal and bi-communal and that we fully support the efforts of Mr. Perez de Cuellar, the United Nations Secretary-General, to bring that about. The hon. Gentleman knows full well that the matters that he raised in the latter part of his question are under investigation by the serious fraud squad.

Mr. Aitken: Will my right hon. Friend comment on the recent press interview given by the general commanding the British forces in the Gulf, in which he said that he expected that further British troops who are still under training would be deployed in that area? Does my right hon. Friend agree that while that policy may well be welcome and right, it would be preferable for such anouncements to be made in the first place in Parliament?

The Prime Minister: My hon. Friend is aware that the full armoured brigade is on its way there. I know of no intention to send any further people. Obviously, the brigade goes with its full support staff, including the engineers and the full hospital staff, which is not the 8,000 of the armoured brigade but about 11,000 in all. That is a part of the support for the armoured brigade.

Q6. **Mr. Fearn:** To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Fearn: Is the Prime Minister aware that 39 countries have now ratified the United Nations convention on the rights of the child? When will this country ratify those excellent terms? What are we waiting for?

The Prime Minister: I signed the convention on behalf of the United Kingdom when I was at the United Nations; to ratify it, it would have to come before the House.

Mr. Harry Greenway: Is my right hon. Friend aware that Mr. Tony Wilbraham, a Baghdad hostage and father of my constituents Joanne and Paul, could die as soon as Christmas from advanced lung cancer? Will she do all that she can to secure his early release together with that of his wife, who is standing by him and nursing him, and of other sick hostages who, so far, Saddam Hussein has not had the compassion to release?

The Prime Minister: We have every sympathy with Mr. Wilbraham and his family and also with the others who are suffering from terminal illnesses and being so wickedly detained by Saddam Hussein. It shows the true nature of that person. As my hon. Friend knows, our ambassador is still in Baghdad, and he is making strenuous efforts to ensure that those people are released. We utterly condemn Saddam Hussein for not releasing them.

Questions to Ministers

3.30 pm

Mr. Michael Meacher (Oldham, West): On a point of order, Mr. Speaker. I wish to draw to your attention to, and to seek a statement on, a matter that arose yesterday, and which I believe constitutes a serious abuse of the proper procedures of the House. Yesterday, immediately before Social Security Question Time, I happened to come across a set of abandoned papers, of which I have full copies with me. When I was able to examine them more closely after questions, I discovered that they were photocopies of 14 oral questions tabled to Social Security Ministers for that day, together with the replies that were to be given by Ministers—*[Interruption.]* I am sorry that the Prime Minister does not wish to know about this breach of procedure by her party.

The answers in the photocopies were, indeed, exactly the answers that were given by Ministers. In addition, there were 16 pages of briefing, in each case headed with the title "Bull points", putting substantial defensive arguments in favour of the Government's case. It is clear that that material was circulated among Government Back Benchers to assist them at Question Time. It is also clear that the drafted ministerial replies could have come only from the Government. The briefing sheets all had code figures, which I know from my experience in government are used by Whitehall officials. It is a clear abuse of the procedures of this House that advice and briefing from civil servants, which are supposed to be tendered privately to Ministers, are then secretly made available to the Government's supporters for partisan use in the Chamber.

In the past, it has been alleged that the Government were packing the Order Paper with favourable planted questions; it now appears that they are packing Question Time with favourable planted answers. I ask for a full inquiry into the matter and that a statement be made by the Secretary of State when that is complete.

Mr. Speaker: The hon. Gentleman gave me notice during Question Time of his intention to raise that matter. There is no objection to general briefings, and, as the hon. Gentleman said, he knows from his own experience that such briefings are frequently given. However, it is a discourtesy to right hon. and hon. Members who are to ask questions to reveal the proposed answers in advance, and I hope that that practice—if it has occurred—will cease.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): We are used to bogus and hypocritical points of order being raised in this House.

Mr. Speaker: Then I judge that this is not to be one of them.

Mr. Beaumont-Dark: I withdraw the word "hypocritical", but more than one Opposition Member has told me that they have been asked to sign questions that they did not even understand—let alone understand the answer. The hon. Member for Oldham, West (Mr. Meacher) suggests that there is something hypocritical in the Government's actions, but if the Opposition ever came to office—which God forbid—they would do exactly the same things for which they are criticising the Government for doing.

Mr. Speaker: I have already made my own views absolutely clear.

NEW MEMBER

The following Member took and subscribed the Oath:
Edward O'Hara Esq., for Knowsley, South.

BILL PRESENTED

WAR PENSIONS (DISREGARD)

Mrs. Alice Mahon, supported by Mr. Jeremy Corbyn, Ms. Dawn Primarolo, Mr. Harry Barnes, Mr. Bob Cryer, Mr. Dennis Skinner, Mr. George Howarth, Mr. David Hinchliffe, Mr. Harry Cohen, Mr. Bernie Grant and Mr. John Battle, presented a Bill to provide that income from war pensions shall be disregarded for the purpose of assessing entitlement to any benefit payable out of the Social Security Fund or the National Insurance Fund: And the same was read the First time; and ordered to be read a Second time on Tuesday 23 October and to be printed. [Bill 197.]

STATUTORY INSTRUMENTS, &c.

Mr. Speaker: With the leave of the House, I will put together the three motions relating to statutory instruments.

Ordered,

That the draft Housing (Grants for Fire Escapes in Houses in Multiple Occupation) (Prescribed Percentage) (Scotland) Order 1990 be referred to a Standing Committee on Statutory Instruments &c.

That the draft Parliamentary Constituencies (Scotland) (Miscellaneous Changes) Order 1990 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Local Government Boundaries Commissioner (Northern Ireland) Order 1990 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

Mr. Speaker: Ten-minute Bill. Dawn Primarolo.

Mr. Chris Mullin (Sunderland, South): On a point of order, Mr. Speaker.

Mr. Speaker: Order. We are past the time for points of order, but I will hear the hon. Gentleman.

Mr. Mullin: I was on my feet previously, Mr. Speaker. When I attempted to table a question for the Secretary of State for Defence, asking whether British service men or any other employees of his Department had been involved in providing military training——

Mr. Speaker: Order. The hon. Gentleman is not in order to read out a disallowed question. The matter to which he refers has not been brought to my attention, and if the hon. Gentleman feels strongly, as evidently he does, perhaps he will come to see me. However, he cannot raise that matter openly in this Chamber.

Mr. Mullin: Further to that point of order, Mr. Speaker. My question was blocked. On the one hand, the Government want us to believe that they are not giving aid to Cambodian resistance fighters, and on the other, they decline to answer questions about that matter.

Mr. Speaker: Order. I have no responsibility for questions being blocked.

Statutory Minimum Wage

3.38 pm

Ms. Dawn Primarolo (Bristol, South): I beg to move,

That leave be given to bring in a Bill to make provision for the introduction of a statutory minimum wage; to make provision in respect of related duties and responsibilities of employers and wages councils; and for connected purposes.

Members of Parliament enjoy a statutory minimum wage, and it seems wholly wrong that one should be denied to the most poorly paid members of our society. The Government's so-called economic miracle has proved a mirage, especially for the low-paid in our society.

In *Hansard* on 17 May 1988, the Prime Minister argued that proof of the success of her economic policies was that

"Everyone in the nation has benefited from the increased prosperity".—[*Official Report*, 17 May 1988; Vol. 133, c. 801.]

I emphasise her word "everyone". That is the so-called trickle-down theory, but the hallmark of that theory under the Government has been the growth of inequality. The gap between the rich and the poor has increased due to the Government's economic and social policies.

The trickle-down theory originated in America, as so many of the Government's ideas do. John Kenneth Galbraith, an American economist, likened the trickle-down theory to the idea that if one feeds sufficient oats to a horse there will eventually be something for the sparrows. He noted that this theory was more popular with the horse than with the sparrow, which is no surprise. We note that directors awarded themselves pay increases in excess of 33 per cent. last year at the same time that the Government told the low-paid to cut their requests for decent wages.

To give an idea of the scope of low pay, I shall quote from evidence from the south-west region, where my constituency is situated, using Government statistics from the new earnings survey, which shows that the region is riddled with dramatic inequalities between men and women, part-time and full-time workers, non-manual and manual workers. The picture highlights, almost to the point of caricature, the fact that the Government's free market policies bring a divided society where economic affluence for some is paid for by poverty pay for many. It is appalling that people who work long, hard hours, sometimes six or seven days a week, should have to claim benefit to attempt to make ends meet.

Pay inequality has reached record levels. The 1990 new earnings survey shows that, in 1979, the lowest paid 10 per cent. of manual workers earned 68·3 per cent. of average pay. In 1990, the figure has dropped to 63 per cent., and it is lower than at any time since records began in 1886. The gap between the best paid and the lowest paid—pay inequality—is worse in 1990 than it was in 1886.

During the past 10 years, the best paid workers have received real pay increases 16 times greater than those for workers on low pay. The causes of low pay are manifold, but it is clear that, without intervention from Westminster, the south-west, like all other regions, will continue to have widening pay inequality and entrenched low pay.

The single market may well make matters worse by enabling more social dumping, whereby European companies can join relocating United Kingdoms firms to exploit the region's low pay.

A major cause of the poverty experienced by hundreds of thousands of workers and their families, in the south-west and elsewhere in the United Kingdom, are the Government's policies, which encourage the spread of low pay and inequality. The Government's lone opposition to the social charter, the proposed abolition of the wages councils, the threat of benefit suspension for unemployed people who refuse to take low-paid jobs, and encouragement for employers to pay benefit level wages in temporary wage top-up schemes all bear witness to that.

In the south-west, three quarters of a million workers —half those in employment—earn wages below the poverty line of £4·16 per hour; 400,000 workers, of whom eight out of 10 are women, would benefit immediately from the introduction of Labour's plans for a statutory minimum wage of £3·10 per hour.

The majority of workers in the south-west earn less than the Council of Europe's decency threshold of £4·32 an hour. Women are twice as likely to be lower paid than men and part-time workers are two and a half times more likely to earn less than £3 an hour. More and more firms are illegally underpaying their workers, but few are prosecuted, since the wages councils have been marginalised and isolated by the Government. We need to introduce a statutory minumum wage and to strengthen the statutory duties of the wages councils to enforce wages and to protect workers who go to them with complaints of low pay.

These rights must be extended to part-time and home workers, thus following the example of the European Community, which is developing the idea of atypical worker—those who do not work a normal working day. Our equality laws need to be strengthened, and social security benefits must be improved in order to reinforce the work of the wages councils. These proposals are a vital tool in the attack on poverty and inequality. Those who own companies have proved that their strategy is to keep as much as possible for themselves and to pay as little as possible to those they employ, thus hitting women workers the hardest.

A statutory minimum wage should be an essential part of our economic strategy. It would help to counter the trend of short-termism in the United Kingdom, whereby low pay and low productivity are chosen as low-cost alternatives to investment in training and equipment. A statutory minimum wage would lessen the danger of the United Kingdom becoming a low-wage region in Europe, by acting as an incentive to United Kingdom employers to pursue high-wage, high-investment and high-productivity business strategies.

Finally, a statutory minimum wage would alleviate the poverty and misery of hundreds of thousands of families whose labour is exploited by unscrupulous, unreasonable and unfair employers. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Ms. Dawn Primarolo, Mrs. Alice Mahon, Mrs. Audrey Wise, Mr. Jeremy Corbyn, Mr. David Hinchliffe, Mr. Bob Cryer, Ms. Diane Abbott, Mr. Dennis Skinner, Mr. Tony Banks, Mr. Brian Sedgemore and Mrs. Maria Fyfe.

STATUTORY MINIMUM WAGE

Ms. Dawn Primarolo accordingly presented a Bill to make provision for the introduction of a statutory minimum wage; to make provision in respect of related duties and responsibilities of employers and wages councils; and for connected purposes; and the same was read the First time; and ordered to be read a Second time upon Friday 19 October and to be printed.—[Bill 198.]

Orders of the Day

Law Reform (Miscellaneous Provisions) (Scotland) Bill *[Lords]*

As amended (in the Standing Committee), considered. Motion made, and Question proposed.

That the Law Reform (Miscellaneous Provisions) (Scotland) Bill *[Lords]*, as amended, be considered in the following order, namely, new Clauses relating to Part I, Amendments to Part I, new Schedules relating to Part I, new Clauses relating to Part II, Amendments to Part II, new Schedules relating to Part II, new Clauses relating to Part III, Amendments to Part III, new Schedules relating to Part III, other new Clauses, other Amendments, other new Schedules. —*[Lord James Douglas-Hamilton.]*

3.48 pm

Mr. Brian Wilson (Cunninghame, North): Before we get down to a detailed consideration of the Bill as it now stands, I am bound to express on behalf of my colleagues and some of those on the other side of the House extreme concern about the way in which, even at this late stage, the Bill has been handled by the Government. From start to finish, it has been a shambles.

After the long summer recess, we thought that we were coming back to deal in a reasonably civilised way with what was left of the Bill—a much improved Bill after the changes and the arrangements made in Committee between the Opposition and the Government to remove certain clauses. We thought that we were coming back to consider about 30 new clauses and 150 amendments. I freely accept and welcome the fact that many of the new clauses and amendments were the result of concessions made by the Government to Members on both sides of the Committee. So far, so good.

There was also some new business that the Government wished to introduce, which again was perfectly acceptable to us. However, as recently as Saturday morning, through the medium of the radio, we learned that the Government had decided to introduce into the Bill at this late stage two major and extremely contentious clauses. They are not contentious in the sense that we wish to oppose the spirit that lies behind them, but the new clauses merit a great deal of debate and they would have been debated had they been introduced in Committee. But they were not; and now, literally days before the Bill returned to the House, we were given notice that the Government intended to introduce two new clauses.

I refer in particular to the clauses on children's evidence, live television links and supervised attendance orders. We will not oppose those clauses, but at every stage of the progress of the Bill, the legal process in Scotland has been treated with contempt. If the Government accepted that the clauses could not be dealt with fully in Committee —heaven knows, there were enough hours in Committee to debate many matters—how on earth can they logically justify moving them at this stage and saying, "You will now have to consider these matters with 30 new clauses and 150 amendments"? As the Minister well knows, we have at most a day and a half in which to dispense with that business.

Labour Members will do their best to improve what will go on to the statute book. These are matters of concern, importance and complexity, so it is beyond reason to suppose that we shall deal with the major issue of television evidence from children or the extraordinarily major reform in Scottish criminal proceedings of supervised attendance orders being available for fine defaulters in anything like the detail or seriousness that the subjects demand.

It is right that we register our protest at this stage and advise the people of Scotland that, once again, important legal reform is being dealt with by the Government in this cavalier manner. They are interested not in passing what is right but in getting the legislation on the statute book in any shape or form. We will do our best tonight, but once again the behaviour of the Government is a disgrace.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I can reply quite briefly to the hon. Member for Cunninghame, North (Mr. Wilson) and will do so in the same spirit as he approached the subject.

We have a substantial task ahead of us, but I am sure that the House will recognise that the bulk of the amendments were tabled as a result of concessions and commitments given to Back Benchers in Committee. We would be failing in our duty if we did not honour those commitments.

Much of parts I and II of the Bill are complex matters of law, so it is important to take the opportunity on Report to make the drafting as clear and straightforward as possible. We have had to consider carefully the drafting of part II in the light of changes made in Committee. We dropped several clauses in parts III and IV in accordance with the understanding that they would not be reintroduced. Where we have brought forward new issues, the reason has generally been that an issue was raised but not debated in Committee, which was certainly the case in relation to child evidence. The hon. Member for Greenock and Port Glasgow (Dr. Godman) was right to raise that matter in Committee, and he made it clear that he would seek to return to it on Report.

Dr. Norman A. Godman (Greenock and Port Glasgow) *rose*——

Lord James Douglas-Hamilton: I hope to reply positively to the hon. Gentleman later, when we debate child evidence.

Dr. Godman: On a point of order, Mr. Speaker. Is the Minister speaking on a point of order?

Mr. Speaker: It is not a point of order. This is the consideration motion, which is debateable.

Dr. Godman: I seek an assurance from the Minister in order to save time. Will he confirm that the Government will accept all my new clauses on children giving evidence in criminal proceedings?

Lord James Douglas-Hamilton: I intend to accept the central point on video evidence. That does not include every aspect of new clause 1, but we shall go into the details later. I am grateful that the hon. Gentleman reintroduced the new clause.

The dropping of certain provisions on fines had unforeseen effects which made necessary the introduction of the provision on supervised attendance orders. I should be grateful if Opposition Members could exercise a willing suspension of disbelief until we reach new clause 20. For our part, we are ready to debate any of the points that

Opposition Members may consider raise large issues and to explain why we regard the provisions as necessary and desirable in the interests of the Scottish people.

Question put and agreed to.

New Clause 16

DESIGNATED RELIGIOUS BODIES

".—(1) The Secretary of State may from time to time, by order, designate for the purposes of this section such recognised bodies as appear to him—

(a) to have as their principal purpose the promotion of a religious objective;

(b) to have as their principal activity the regular holding of acts of public worship; and

(c) to be bodies which satisfy each of the conditions mentioned in subsection (2) below.

(2) The conditions referred to in subsection (1)(c) above are—

(a) subject to subsection (4) below, that the body has been established in Scotland for not less than 10 years;

(b) that the body can demonstrate to the satisfaction of the Secretary of State that it has a membership of not less than 3,000 persons resident in Scotland who are 16 years of age or more; and

(c) that the internal organisation of the body is such that one or more authorities in Scotland exercise supervisory and disciplinary functions in respect of the component elements of the body and, in particular, that there are imposed on such component elements requirements as to the keeping of accounting records and the auditing of accounts which appear to the Secretary of State to correspond to those required by sections 3 and 4 of this Act.

(3) Where a body is, for the time being, designated under subsection (1) above the following provisions of this Part of this Act shall not apply to the body nor to any component or structural element of the body which is, itself, a recognised body—

section 1(5);
section 3;
section 4, other than subsections (6) to (8) and subsection (12);
section 5(2) and (6);
section 6; and
section 7.

(4) The Secretary of State may determine that the condition mentioned in subsection (2)(a) above shall not be required to be satisfied in the case of a body—

(a) which has been created by the amalgamation of two or more bodies each of which, immediately before the amalgamation, either was designated under this section or appears to the Secretary of State to have been eligible for such designation; or

(b) which has been constituted by persons who have removed themselves from membership of a body which, immediately before such removal, was so designated or appears to the Secretary of State to have been eligible for such designation.".—[*Lord James Douglas-Hamilton.*]

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

I found this the most difficult issue in the Bill. I will try to sum up quickly our point of view on it. New clause 16, in its former guise as new clause 2, was the subject of prolonged debate in Committee. As a result of the concerns of many hon. Members, I agreed to withdraw new clause 2 for further consideration. Having given the matter further thought, I concluded that the new clause should be part of the Bill with only a minor modification to its former form. New clause 16 seeks to provide a measure of exemption from the supervisory and accounting provisions of Part I for religious organisations with a substantial following in Scotland.

Forceful representations were made to the Government that charities for the advancement of religion—Churches—are in some respects a special case. Religious freedom is, of course, a fundamental right of people in this country, and we must be careful that, in establishing a system of supervision, we do not prejudice or appear to prejudice that.

The person concerned with the management and control of a religious charity will frequently be the religious leader of the community. To suspend a religious leader, as the court will be entitled to do for mismanagement of the secular affairs of the religious body, might be viewed as improper interference by the secular authority in spiritual matters. The state is, of course, most anxious not to become involved in any way in the spiritual affairs of the charity.

A most important consideration is that, if we were to provide a blanket exemption for all bodies established for the advancement of religion, many undesirable, cult-like bodies would escape control. Some unscrupulous people might, indeed, deliberately set up charities with spurious religious purposes to escape the controls contained in the Bill. That must be avoided.

A distinction also needs to be drawn between taking action to intervene in a Church's affairs or to enforce compliance, on the one hand, and simply including the Churches within the purview of those provisions concerned with disclosure, accounts and the Lord Advocate's right to investigate, on the other.

Yet a further consideration, and one about which hon. Members who served in Committee were particularly concerned, is that, for obvious reasons, we do not wish to discriminate in favour of one religion over another on grounds of religious doctrine. That is certainly no business of the state.

New clause 16 affords religious organisations capable of meeting certain criteria the opportunity of opting out from the supervisory and investigatory functions of the Lord Advocate and the courts. It enables them to prepare accounts in the manner in which they have in the past, provided that such accounts are generally of a standard similar to those provided for in clauses 3 and 4. It removes the possibility of sanctions being applied for non-compliance, but retains a right for members of the public to seek copies of accounts and the explanatory document.

The provisions are necessarily a compromise, but I believe that they strike a reasonable balance between ensuring that there is internal control within the religious body as regards discipline and the requirement for production of accounts, and preserving a right for the public to be informed, while removing from such bodies anxiety, however misplaced it may seem, about interference by the state.

This is difficult territory, and any solution must be a compromise. The new clause has the support of the Scottish Churches Committee, a body representing all the major Churches in Scotland whose combined membership of people over the age of 16 amounts to 1,600,000. Despite widespread reporting of the Standing Committee's consideration of the original clause and our having since consulted the minor Christian Churches and the non-Christian religions in Scotland, including the Jewish congregations, members of the Islamic and Hindu faiths,

[Lord James Douglas-Hamilton]

Jehovah's Witnesses, the Church of Jesus Christ of Latter-day Saints, the Religious Society of Friends, the Salvation Army and a wide variety of smaller bodies, I have received no representations to the effect that the provisions are unacceptable. On the other hand, I have received strong representations from the Scottish Churches Committee, the Moderator of the General Assembly of the Church of Scotland and various parish ministers to the effect that the new clause should be introduced.

4 pm

Mr. Menzies Campbell (Fife, North-East): I wonder whether the Minister could clarify a matter that is causing me some apprehension. It arises from the justification that he has advanced for the clause. Do I understand that one reason for the clause is to ensure that the Lord Advocate does not have to intervene in the affairs of religious charities in the same way as he might have to intervene in the affairs of non-religious charities?

Surely the issue concerns the standard of conduct and the standard of behaviour of a charity, whether it is of religious origin or not. It is most curious to say that the exemption is being introduced for the purpose of ensuring that the Lord Advocate does not apply the same standard to religious charities as, by law, he would be obliged to apply to non-religious charities.

Lord James Douglas-Hamilton: It is necessarily a compromise, and the public would retain the right to be informed. It is important that the larger Churches should be in a position to administer their own affairs and to have a two-tier system of supervision. It is important that they should have the opportunity to administer that system. We have specified the membership figure of 3,000 because an organisation with fewer members might not necessarily be able to form its own supervisory arrangements, and we had to be certain of that point. The hon. Member for Greenock and Port Glasgow (Dr. Godman) said that he wanted the smaller Churches to be properly consulted and many more of them will be included under the present new clause.

Mr. Donald Dewar (Glasgow, Garscadden): We are starting what I think will be a long journey through this evening, and this will not be the most unimportant of our debates. A great deal of interest was expressed in this subject in Committee and a great many arguments were put to the Minister. The Minister is noted for his courtesy in debate, and perhaps we were misled by that. At the end of our mammoth discussion, he said that he would take away new clause 2, as it then was, and would reconsider it in the light of the many points that had been put to him. I suspect that there will be some disappointment that the changes and adjustments have been made on such a migerly basis——

Mr. Menzies Campbell: Eh?

Mr. Dewar: It is a new word. I have just invented it. I am rather good at that. I hope that *Hansard* will transcribe it accurately, because it represents a nice amalgam of the two words from which it derives.

As I understand it, the only change that the Minister has been able to offer involves bringing the qualifying mark for membership down from 5,000, as it was originally, to 3,000. If one crosses that mark and meets the other obligations and qualifications set out in the new clause, one may get the advantages off the exemptions that are provided.

I have some sympathy with the Minister, because I realise that he was attacked from two totally different directions during our earlier exchanges. A number of people took the view that there was no logical case for the exemption. The hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) and perhaps the hon. Member for Eastwood (Mr. Stewart) were among them. The former argued, perhaps in rather extreme terms, that religious bodies were just as prone to wrongdoing as any other body.

Sir Nicholas Fairbairn (Perth and Kinross): I have always understood that it was an assumption of the Christian Church that we all sin and that the purpose of a church was that we went there to be forgiven. The new clause is based on the assumption that Christians sin less than others. If that is the case, what is the point of the Church?

Mr. Dewar: Indeed. To answer the hon. and learned Gentleman's question with all the seriousness that it deserves, if he examined the Presbyterian doctrine and in particular the doctrine of predestination, he would see that the Church is extremely useful in explaining to people who sin that they can still get to heaven and continue to sin in the meantime. That is a very comforting theological position, which I offer as worthy of study even to an unreconstructed member of the Scottish Episcopalian Church like the hon. and learned Member for Perth and Kinross.

To return to the serious matter under discussion, the Minister had to withstand criticism from the hon. and learned Member for Perth and Kinross, who said that religious bodies are just as prone to wrongdoing as any other body. From that, the Minister argued that we should have no exemption for religious bodies. I did not accept that point of view; many of my colleagues and I were more worried about the fact that the exemption did not seem to be worth very much and the hurdles were such, to borrow a phrase from another setting, that it would be as easy for a religious body to gain the advantages of the exemptions as it would be for a rich man to get through the eye of a needle. Many people who should not be excluded would be excluded. That was our worry and that concern remains.

I do not want to go through all the arguments, but I want to encourage the Minister to comment further on this matter. I am particularly concerned about the worth and practical application of the exemptions. Let us assume that a body has qualified for the exemptions as a religious body. The particularly important points are the accounts records in clause 3 and the annual accounts provisions in clause 4. We are told that a recognised body will not have to conform to those provisions.

That is a quite substantial concession until, as I said in Committee, we consider new clause 16(2)(c), which states that there must be accounting records

"and the auditing of accounts which appear to the Secretary of State to correspond to those required by sections 3 and 4 of this Act."

I do not think that I am being obtuse or difficult when I suggest to the Minister that it is not clear what the exemption is worth. We do not need to accord with clauses

3 and 4 or to run our accounts in compliance with those clauses, so long as the Secretary of State is "satisfied" that our accounts and audits correspond to clauses 3 and 4. That is a little puzzling, and the Minister should comment on it.

Presumably there is a distinction between the two positions. Presumably a Church will be able to say to its auditor—or its board of managers, if it is part of the Church of Scotland—"We can accord to a certain standard which will get past the Secretary of State's scrutiny, but that is a lesser standard than that demanded by sections 3 and 4 of the Act, from which we are exempt."

What is that gap? I agree that that is difficult for the Minister to answer, because it may not be defined. If the Minister defines it too generously, he will be open to attack by the hon. and learned Member for Perth and Kinross, who will say that he is lowering the standards and allowing the sinner to run away with the Church funds, metaphorically—and perhaps literally. On the other hand, if the Minister says that he will make it so tight that at the end of the day it will be just like clauses 3 and 4, as the new clause states, what on earth is the advantage of this new clause and this provision?

The nub of the problem is that we do not know what we are being asked to agree to. Even those of us who have been reasonably diligent and have sat through the many hours of debate and have examined the new clause are none the wiser. That is the kernel of the argument. The Lord Advocate's powers of interdict and suspension under clause 5(2) and (6) and the powers of the Court of Session to manage under clause 6 are comparatively minor matters. At the end of the day, they arise only when some form of defalsification has been flushed out. There is a case for saying that, if that has happened in a charity, in any event those powers should apply.

I ask the Minister to turn his mind to those matters. He warned us that he did not wish in any way to get involved in the spiritual affairs of the nation. His ancestors used to interfere freely in the spiritual affairs of the nation, as I remember from reading 17th-century Scottish history, but I do not want to encourage him in that respect. He started in his usual beguiling way by inviting us all to have a willing suspension of disbelief. My concern is that to accept the new clause or to pretend that we know what it means we must also have a willing suspension of disbelief. I am not very willing in that respect. The Minister must say a good deal more before he can expect hon. Members to nod the measure through.

I am not in the least bit happy. I recognise that the Minister has a powerful argument and that he wrote to many organisations and that none objected. I must take cognisance of that, of course, but many questions, such as the definition of membership, are still unresolved. I fear that a large number of people in perfectly bona fide religious sects operating in Scotland at the moment may find that they are disqualifed from the advantages, ill-defined though they are, of this new clause. The Minister must be a good deal more specific than he has been so far.

Mr. Menzies Campbell: I do not want to traverse the ground that was traversed at length in Committee. The new clause comes forward in substantially the same form as was considered by the Committee. I repeat one point that the Minister has not dealt with, and that is that subsection (1)(b) provides that, to qualify a body must "have as their principal activity the regular holding of acts of public worship".

Certain religious bodies undoubtedly have as their principal purpose the promotion of a religious objective but do not necessarily have as their principal activity the regular holding of acts of public worship. Indeed, by their exclusive nature, some bodies do not permit admission to their ceremonies to people other than those who are already members. Therefore, they cannot be regarded as having as their principal activity the regular holding of acts of public worship, because the public do not have an unfettered right of access.

That provision is unnecessarily restrictive. If a body is bona fide of a religious nature and has as its principal purpose a religious objective, why should it be subject to the restriction which this provision necessarily provides, that it must reflect that religious objective in the regular holding of acts of public worship? That point was raised in Committee, and so far in our proceedings the Minister has not considered it.

I also draw to the Minister's attention subsection (2)(b), which reflects an alteration. The figure before the Committee was 5,000, not 3,000. There must be a justification for that change, and no doubt the Minister will tell us what it is.

One of the effects of setting such a relatively high target is that a religious body that is set up with its principal purpose the promotion of a religious objective, even one that has as its principal activity the regular holding of acts of public worship, will not be able to qualify for the exemption that this new clause provides until it can demonstrate that it has a membership of 3,000 or more. That means that, for small bodies that start up, it may be difficult, if not impossible, to reach the threshold, yet they may be bona fide bodies that have as their principal purpose the promotion of religious objectives.

Why has that hurdle been created in that way? What is the justification for inserting a threshold in terms of numbers? The new clause is far from satisfactory. I regret to say, bearing in mind what has already been described as the Minister's beguiling approach, that he has not really taken to heart the effective criticism that was advanced against the new clause in Committee. That is a great pity, because the exemption is something that we should introduce into our law for the benefit of religious bodies. It is a great pity if the exemption, as drafted, makes it difficult for certain bodies, which would otherwise justifiably be entitled to claim that exemption, to bring themselves within the embrace of the provision.

I hope that the Minister will at least consider the matters that I have raised and now tell the House something of the thinking behind the new clause.

Sir Hector Monro (Dumfries): This will be just a short intervention. Perhaps my hon. Friend the Minister will tell us something about the thinking behind the change to 3,000 members, and about which Churches will now be exempted that were not exempted before. That would give us some idea about the discussions and consultations that he has had since the Committee gave the almost unanimous view that the original clause was not satisfactory. I am sure that my hon. Friend has had discussions with various Churches, so perhaps he could let us know which ones made him change his mind.

4.15 pm

Mr. Harry Ewing (Falkirk, East): I am disappointed that the Minister has brought these provisions back to the House, because they have nothing to do with the right to religious freedom. It is confusing the issue—deliberately, in my view—for the Minister to introduce the new clause by making it clear that everyone has the right to exercise religious freedom. There is no debate about that. There is no difference between any of us participating in this debate on the issue of a person's right to exercise religious freedom.

I am not saying that I do not believe the Minister when I say that I am surprised that the Scottish Churches Committee has not written to hon. Members on this issue. Scottish Churches are never slow to write to hon. Members on a range of issues—that is quite right, and I am not criticising them for it—but in this debate we are being led to believe that, although this is an issue on which Scottish Churches feel strongly, and although they knew that we would debate the matter today, they have not taken the trouble to write to the right hon. and hon. Members.

I should like to nail my colours to the mast erected by the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn). Here I part company, to a certain extent, with my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar), because I do not accept that Church charities—religious charities—should be treated separately or differently from the Royal National Lifeboat Institution, the boy scouts, the Boys Brigade or any other reputable charity in Scotland.

I have not yet heard any explanation for that exemption or difference in treatment. If the Minister is making an exception, I do not understand why it should apply only to a religious body. Furthermore, I honestly cannot see the difference between a religious body that has 3,000 members and one that has 30 members. They are both religious bodies. The new clause is so artificial that it does not bear discussion in this House. However, as the Minister has tabled it, we must discuss it.

As a member of the Church of Scotland, I know what happens when the Church decides to remove non-communicants from the roll. I suspect—I have no doubt that I shall receive a letter from the Church either rejecting or confirming my comments—that in future, in order to keep the number on the roll above the numerical limit that the Bill seeks to impose, fewer non-communicants will be removed from the register than in the past. I do not believe that that will do religious worship, the Church of Scotland or any other religious organisation any credit.

What saddens me even more—I shall not say "angers me" because I have never found it possible to get angry with the Minister—is that we could have defeated him in Committee and taken the clause out of the Bill. In those circumstances, the Minister would not have dared to bring it back to the House, but we took the Minister at his word when he told us that he was going to take the clause away and have a rethink. But he has brought it back, and the extent of the rethink is a reduction from 5,000 to 3,000 in the level of qualifying membership.

I shall not vote against the new clause, because there are other important aspects of the Bill that my colleagues want to discuss. However, I want to place on record my regret that the Minister has chosen to table the new clause. I would love to hear an explanation of why religious charities should be treated differently from the Royal National Lifeboat Institution, the Boys' Brigade, the boy scouts, the Cancer Research Campaign, the Multiple Sclerosis Society or any other charity with national standing that anyone cares to name. There is no difference, because they all serve a marvellous purpose and should all be treated on the same basis. One of them should not be given privileged treatment, as it is in the new clause.

Mr. Allan Stewart (Eastwood): I do not often agree with the hon. Member for Falkirk, East (Mr. Ewing), but he has put his finger accurately on a number of key points that the House must consider. Like him, I was not only disappointed but astonished when my hon. Friend the Minister, with his customary courtesy, told me last night, when I had not yet read the amendments, that the new clause would be on the Notice Paper for the House to consider today. While the Minister said that he would take away the clause and reconsider it, which he has done—the House should be clear about that—my interpretation of the debate, like that of every other member of the Committee, was that the clause would either be withdrawn completely or radically altered.

Let us consider the history of the new clause. The Bill has taken a long time to pass through the two houses, and the provisions were not in the original Bill or in the Bill considered by the other House. To my knowledge, the matter was not raised in the other House, although I could be wrong. It certainly was not raised on Second Reading, but suddenly came to the Committee out of the blue, where it was torn apart by both sides of the Committee. The hon. Member for Falkirk, East was undoubtedly correct to say that, if the original clause had been forced to a Division in Committee, it would have been lost.

Although he has spoken with his customary courtesy, my hon. Friend the Minister must expand his explanation and tell us who are making the representations for the new clause. He has mentioned a committee. Like the hon. Member for Falkirk, East and all Scottish Members, I receive a large number of representations from Churches of all denominations on a wide range of issues. I have not received representations from people arguing for the new clause. My hon. Friend the Minister has referred to the strong representations that he has received, and I have no doubt that the Scottish Office has received strong representations. But if Churches feel so strongly about the matter, why have hon. Members not received strong representations? My hon. Friend the Minister is not at the pearly gates yet and does not answer to the Churches but to the House and to hon. Members.

The Minister has said that there are no objections from the minor churches—I think that that is the correct term —or the non-Christian Churches. I realised that point in Committee, and I am grateful to him for consulting non-Christian churches. Will he tell the House more about what "no objections" means? It could simply mean that a letter is still sitting in somebody's pile somewhere. There is a difference between people positively saying that they are quite content with something, and not responding to it at all.

My fundamental objection to the new clause, even as amended, relates to the point made by the hon. and learned Member for Fife, North-East (Mr. Campbell) in Committee. I should prefer there to be no exemptions, but if there are to be exemptions let them be logical and rational. What is the justification for 3,000? This is not a

statutory instrument; the House is considering primary legislation which cannot be changed without a new Bill. What happens if a Church passes the threshold or if it becomes a little less popular and drops just below the 3,000 point? Who is to decide? The House should not readily agree to the idea of a numerical threshold anyway.

In passing, it is worth pointing out that, if the new clause had been around in Jerusalem in AD 30, our Lord and his disciples would not have qualified—they would not have met the criteria. There was no way in which they could have formed a designated religious body.

The House is being asked to differentiate between religious bodies on purely arbitrary grounds: the number of years for which they have been established and the number of members that they allegedly have. Dividing Churches into these two categories on the basis of wholly arbitrary criteria is fundamentally wrong.

Mr. Jim Sillars (Glasgow, Govan): Those of us who come in on Report are at a disadvantage compared with hon. Members who took part in the detailed, intimate examination in Committee, but it is interesting to see a consensus developing between the hon. Members for Falkirk, East (Mr. Ewing) and for Eastwood (Mr. Stewart). I go along with them; I see no rational grounds for the new clause. Indeed, the hon. Member for Eastwood took it apart, and if it was taken apart in Committee, the most sensible course of action would be for the Minister to withdraw it this afternoon.

I agree with the hon. Members for Eastwood and for Falkirk, East that there is no sense in trying to exclude all other organisations by including the religious bodies. Let us examine the new clause in the light of the Minister's argument. Religious bodies are designated, but subsections (1)(a) and (b) contains a serious contradiction, which would probably exclude the adherents of Islam. Subsection (1)(a) reads:

"to have as their principal purpose the promotion of a religious objective".

Islam would probably qualify under that, but there is a second condition:

"to have as their principal activity the regular holding of acts of public worship".

It does not necessarily follow that that would include Islam. In fact, arguments could be adduced to show that it excludes Islam, which is very different in its theology and practice from the Christian religion.

Public acts of worship form an important part of the whole ethos of Christianity, but the same is not true of Islam. For example, the adherents of Islam pray five times a day—there is a moving clock as the year progresses. There are no major acts of public worship at 2 am either in Glasgow or in Saudi Arabia. Islam is noted for a fundamental belief that there is a short and direct connection between the adherent and God, whereas in Christianity there are many moderators between the adherent and God. Ministers and priests play a far larger role in the Christian religion than do their counterparts, if such there be, in Islam, particularly among Sunni Muslims.

If I were a follower of Islam, where would I fit in in those circumstances? It may be an unhappy consequence of putting new clause 16 on the statute book that, somewhere along the line in two or three years' time, an Islamic group comes along, there is a proper reading of the statute and they are told that, unlike their Christian brethren along the road, they are excluded from the provisions of what the hon. Member for Eastwood correctly pointed out is not a statutory instrument that can be easily altered but a fundamental Act of Parliament. I think that we are entitled to hear from the Minister whether I am correct in my interpretation of the potential exclusion of Islam from subsection (1)(a) and (b).

I noticed that, in the letter that the Minister sent to the hon. Member for Glasgow, Garscadden (Mr. Dewar)—copies of which were received by members of the Committee—he said that he did not receive representations from minority and non-Christian organisations. However, did he specifically raise with the Islamic community in Scotland the problems that might arise under new clause 16?

4.30 pm

Dr. Godman: I wish to express disappointment at the conduct of the Minister, who is usually a generous and courteous Member of the House. He has not played the game with Committee members over the new clause.

As others have said, the new clause might well have suffered defeat as it was originally worded if it had been put to a vote in Committee. The Minister will recall that I expressed serious reservations about its precursor. My concern was that small sects—such as Brethren, which have existed in some of our maritime communities for a considerable time—might well be excluded from the new clause because they had fewer than 3,000 members. Such small religious bodies are increasingly populated by elderly members; as the hon. Member for Eastwood (Mr. Stewart) has said, what happens when their numbers fall below 3,000? The figure of 3,000 is the defining criterion in the new clause.

I should like to hear from the Minister whether he or his officials contacted any of those small religious bodies in our maritime communities—and other communities—to obtain their views on such a clause. I repeat that he has not played the game, and my advice to him is, "Take the new clause away".

Where the interests of small and perhaps declining—in terms of numbers—sects are concerned, it is not good enough. The Minister should think again before attempting to bring such a measure to the House.

Sir Nicholas Fairbairn: I do not want to be contentious on this Bill. I apologise to the Minister if by the slightest chance he feels that I am being duplicitous, but the new clause was not among the many communications that he sent me, with great courtesy and kindness. It therefore came as a surprise to me to discover, at 2.30 pm, that the new clause had got back into the Bill.

I think that the matter is far more serious than has been suggested by any hon. Member who has spoken so far. We have not been slightly annoyed or partially misled; nor do we think that it is not quite right in detail. We have been totally misled, and it is entirely wrong in principle. As those who were not on the Committee will not know, but those who had the fortune—or misfortune—to be on it will, if we had not been misled, without the slightest question the new clause would have been roundly defeated and would never again have seen the light of day. In a spirit of Christian peace and light, we interpreted the Minister's view to be that he would take the animal out of the stable and that it would have its throat cut out of our

[Sir Nicholas Fairbairn]

view. However, it has come back and that is a rotten trick with which to start the debate on Report. I beg the Minister to do the honourable thing and forget it.

It is offensive that the new clause again proceeds upon a false principle that was torn apart by hon. Members in all parts of the House. Either out of deference towards what is called religion, whatever that may be—I do not think that one could get agreement on it—or because of some fear of touching the cloth, we divide Christians into non-sinners or presumed non-sinners and those who work for or collect funds for a charity, who are assumed to be guilty.

We should be clear about some of the exemptions that apply to the so-called religious bodies. To illustrate that, one can do no better than to look at clause 7(1) which says:

"A person who—

(a) has been convicted of an offence involving dishonesty;

(b) is an undischarged bankrupt;

(c) has been removed, under section 6 of this Act, from being concerned in the management or control of any body; or

(d) is subject to a disqualification order under the Company Directors Disqualification Act 1986."

That person is allowed to act for a religious charity but not for any other. I can understand the concepts of compassion and forgiveness of sin, but I cannot understand why a Christian who has committed a crime of dishonesty should not be allowed to raise funds for lifeboats whereas a Christian who is an undischarged bankrupt or who has been convicted of a crime of dishonesty is allowed to raise funds for a priest's retirement. The whole concept is not only confused but basically dishonest.

Let us look further into the matter. I do not know why it should be assumed that we do not touch the cloth. I have defended a few priests for the most serious offences. I appeared in a case in which the priest said to Lord Wheatley, who was a Catholic, "I suppose you will not expect me to give evidence that breaks the confidentiality of confession." Lord Wheatley said, "No, and I will not expect you to commit perjury either, by breaking the oath that I have just administered. My advice to you, Father, is to bring your toothbrush tomorrow."

Dr. Godman: I hope that that was not in Greenock.

Sir Nicholas Fairbairn: There are no lady priests, so this one could not be confined in Greenock.

I understand that we are all equal in the sight of God. This new clause arises from a ridiculous English concept that the established Church is somehow above the law. It has nothing to do with Scotland. Surely the Christian or the religious person would be the first to put his hand before the fire and the first to say, "Search my pockets, take my records, arrest me, prosecute me, do what you will for I know that I am pure," or "I know that I have sinned" —whichever it is.

As I said earlier, even with a membership down to 3,000 —I do not know whether that is at the Lord Chancellor's behest—half the split Free Presbyterian Church does not qualify. It is split into two parts, one of which consists of about 1,200 members. That is the part that thinks that it has the funds, which is a good reason, if ever there was a good reason, why it should not be exempted. I do not know whether the good Samaritan was an atheist. I do not understand why assumptions should be made about his charity if it were discovered that he was, or was not, a faithful Samaritan.

This is a most serious matter. The new clause refers to minor religious bodies, whatever a religious body might be. I should have thought that the fervency of those who collect for lifeboat charities—for those in peril on the sea —would make them a religious body. I should have thought that the fervency of those who collect for the Save the Children Fund would make them a religious body. First, the clause is meaningless; secondly, it is hypocritical; thirdly, it is alien to the law of Scotland; and fourthly, it is an affront and wrong to exempt certain people from the activities of the Lord Advocate—when charities have to be subjected to such—on the presumption of holiness.

I remember a case in Glasgow when the head of the criminal investigation department declined to arrest a priest because he was of the cloth. That priest turned his back until he reached Ireland, where he successfully resisted his extradition to Britain on the ground that the explosives in his possession made his a political crime—yet in the witness box in Glasgow he had given evidence in support of my client and claimed that he had no knowledge of those explosives.

We should not imagine that the human beings who profess a religious belief—whatever that is—and can persuade 2,999 others to join them are holier than the rest of us. So that he can demonstrate that he is not holier than the rest of us, I suggest that my hon. Friend the Minister withdraws the clause so that we can proceed with the Bill.

Mr. John McAllion (Dundee, East): The Minister said that the purpose of the 3,000 limit was, at least in part, to exclude cult Churches from benefiting under the clause. I hope that he agrees that neither the Society of Friends nor the Unitarian Church could be described as cult organisations. However, their numbers in Scotland may well fall below the 3,000 limit. Has the Minister consulted either of those Churches and does he know specifically what the impact on them will be if the clause is passed?

My local Unitarian Church in Dundee has asked me to do everything possible to ensure that the clause is not reinstated in the Bill. If that is the flavour coming from Dundee, I suspect that it is the flavour coming from the Quakers and the Unitarian Church throughout Scotland. I hope that the Minister will deal specifically with the question of those two Churches. When he listed the minor Churches that had been consulted, he did not mention either of them.

Mrs. Maria Fyfe (Glasgow, Maryhill): I do not want to prolong the debate on this issue because there are a great many important aspects of the Bill that we wish to discuss. The Minister's press release referred to the question posed by the hon. Member for Glasgow, Govan (Mr. Sillars) about consultation with the minor Churches, including non-Christian denominations. The Minister nods. Does he recall that that point was pressed vigorously in Committee by several hon. Members, and that he undertook to begin that consultation?

To which bodies did the Minister write? To which non-Christian denominations did he write? When did he write to them? What length of time did he give them to reply? My hon. Friend the Member for Dundee, East (Mr. McAllion) said that the Unitarian Church had expressed concern about the Bill, but it appears from the Minister's

press release that it did not take the opportunity to reply. Perhaps it did not have sufficient time to do so. The Government have a bad record on the way in which they consult—it is often done in a manner designed to create the least possible dissent from their views.

4.45 pm

Lord James Douglas-Hamilton: Some hon. Members have questioned the disapplication of the provision for exempted religious bodies. All religious bodies would probably view the question of what criteria should be used in the appointment of their members to offices in their organisations as a matter for them. We felt that it was necessary to recognise the legitimate interest of religious bodies, and we have therefore retained the provision for such bodies. We have incorporated the two-tier supervisory structure. That will provide the public with the necessary reassurance that the religious bodies will apply their own tests of reasonableness within their own structures. We believe that they will make decisions in which their members and the public can have confidence. Any religious body, on the introduction of a two-tier structure, can obtain the benefit of the exemption provisions.

The hon. Member for Dundee, East (Mr. McAllion) referred to the Unitarian Church. It is ruled out because it does not have a two-tier structure. It is a member of the Scottish Churches Committee, which supports the clause, although the Unitarian Church may not. The Society of Friends would not meet the criteria. It may, however, be a recognised English body. Following consultation, it is clear that the religious bodies, especially the Scottish Churches Committee, strongly support the provision.

The question posed by the hon. Member for Glasgow, Govan (Mr. Sillars) concerns me. I have every reason to believe that there is no impediment to giving Muslims recognition under subsection (1)(b). We explained to all the bodies consulted exactly what the clause contained.

The hon. Member for Glasgow, Garscadden (Mr. Dewar) mentioned the keeping of accounts. That is covered in subsection (2)(c), which requires that

"the internal organisation of the body is such that one or more authorities in Scotland exercise supervisory and disciplinary functions in respect of the component elements of the body and, in particular, that there are imposed on such component elements requirements as to the keeping of accounting records and the auditing of accounts which appear to the Secretary of State to correspond"—

that is the important word—

"to those required by sections 3 and 4 of this Act."

Mr. Dewar: I do not understand the meaning of the word "correspond" in this context. If the Minister is saying that the component elements will have to meet the exact same tests as those included in clauses 3 and 4, by definition the exemption is worthless. If he is saying that they do not have to meet those tests, the word "correspond" appears to have a rather peculiar definition, which he should give us.

Lord James Douglas-Hamilton: As a rough and ready definition, the word "correspond" means "equivalent to". The point is that the Churches wish to exercise the supervision themselves. The question is whether they can be trusted to do that satisfactorily in the public interest, and I believe that they can.

Mr. Dewar: The Minister has said something of interest, which I wish to understand. It appears that he is saying that, for the accounts and auditing procedures, he anticipates that the Secretary of State will insist on exactly the same standards as if clauses 3 and 4 applied. If so, it is not a matter of trusting the Churches, because it is the duty of the Secretary of State to be satisfied on that point and to insist upon it. The Minister is giving the Secretary of State the job of insisting that, in effect, clauses 3 and 4 are complied with. That is a distinction without merit.

Lord James Douglas-Hamilton: I do not see why there should be any concern about the accounts. The Churches are concerned instead about whom they should appoint to the offices in question. They feel that should be a matter for them, that they should have their own supervisory arrangements, and that they can perform those functions at least as well as anybody else. They do not want the state to interfere in their affairs. Whether or not their fears are well founded, they firmly hold the convictions that they do.

Mr. Menzies Campbell: The Minister's announcement that Quakers will not qualify under new clause 16 will come as something of a surprise to people in Scotland. That apart, the clause introduces a new limit of 3,000 persons, whereas the figure was 5,000 in Committee. Why has that change been made, and what is the purpose anyway of a qualifying figure? If the organisation fulfils the other criteria but has only 1,500 members, why should it be debarred from taking advantage of the exemption in new clause 16?

Lord James Douglas-Hamilton: The purpose was to avoid the inevitable descent into sects. A line had to be drawn somewhere, but not so low that cults having dubious purposes would be admitted. After due consultation, it was felt that a figure of 3,000 provided a suitable dividing line at this stage—although, in my view, it could be reviewed in due course.

The bodies that were consulted were the Hebrew congregation, the Islamic faith, Jehovah's Witnesses, the Church of Jesus Christ of the Latter Day Saints, the Society of Friends, the Salvation Army, and a variety of smaller bodies.

Mr. Sillars: What will happen if there is a cult with 4,000 members?

Lord James Douglas-Hamilton: That will depend on whether it satisfies the terms of the clause. I use the word "cult" advisedly. The hon. Gentleman may recall that some years ago a person who purported to be a religious leader caused a large number of young people to commit suicide. We must obviously be extremely careful, for that is not the type of activity that should be supported.

All the Churches that I mentioned have memberships above the 5,000 limit. I remind right hon. and hon. Members that new clause 16 has the support of all the major Churches in Scotland, representing more than 1·5 million members over the age of 16. No body has made strong representations against the provisions.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 23

DORMANT ACCOUNTS OF CHARITIES IN BANKS ETC

'(1) The Secretary of State may appoint a person to be the Scottish charities nominee (in this section referred to as "the nominee") who shall have the functions conferred by this section.

(2) Where the nominee receives from a relevant institution the following information—

(a) that every account held by the institution in the name of or on behalf of a named body is dormant; and

(b) the amount of the balance standing to the credit of the body in each such account,

and he is satisfied that the body is a recognised body, subsection (3) or, as the case may be, subsection (5) below shall apply as regards the body and such accounts.

(3) Where the aggregate amount standing to the credit of the body in such accounts as are mentioned in subsection (2) above does not exceed £5,000, unless it appears to the nominee—

(a) that a person is concerned in the management or control of the body; or

(b) that there are circumstances relating to the body which would make it inappropriate to do so,

he shall transfer the balance standing to the credit of the body in such accounts to such other recognised body as he may determine, having regard to the purposes of the body in whose name or on whose behalf the accounts are held and those of the body to which it is proposed to transfer the funds; and the body to which the funds are transfered under this subsection or subsection (4) below shall be entitled to apply such funds for its purposes as it thinks fit.

(4) Where, in the case of a body to which subsection (3) above applies, the nominee is unable to ascertain the purposes of the body in whose name or on whose behalf such accounts are held, he shall transfer the balance standing in the name of the body concerned to such other recognised body as appears to him expedient.

(5) Where the aggregate amount standing to the credit of the body in such accounts as are mentioned in subsection (2) above exceeds £5,000 or in any case to which paragraphs (a) or (b) of subsection (3) above applies, the nominee shall advise the Lord Advocate of the information received by him in respect of the body and of any other matter which appears to him to be relevant in the circumstances.

(6) Where the Lord Advocate receives information in pursuance of subsection (5) above he shall inform the nominee—

(a) in the case of a body which is a trust, whether he intends to exercise his power under section 11(2) of the Act to appoint new trustees to the body; or

(b) in any case, if he intends to apply to the Court of Session for the appointment of an interim judicial factor under section 6(4)(c) of this Act,

but if the Lord Advocate informs the nominee that he does not intend to proceed under either paragraph (a) or (b) above, subsection (3) above shall apply as regards the body and such accounts as are mentioned in subsection (2) above as if the aggregate amount of the balance referred to in subsection (3) did not exceed £5,000 and neither paragraph (a) nor (b) of that subsection applied.

(7) Notwithstanding anything in any enactment or rule of law to the contrary, the nominee shall, by virtue of this subsection, have the right to effect any transaction (including a transaction closing the account) in relation to any account to which subsection (3) above applies; and the receipt of the nominee in respect of any funds withdrawn or transferred from an account by virtue of this subsection shall, as regards the interest of the nominee in respect of such funds, be a full and valid discharge to the relevant institution holding the account.

(8) No liability (other than liability for a criminal offence) shall attach to the nominee in consequence of any act or omission of his in the performance of his functions under this section.

(9) The power of the nominee to effect transactions, in relation to the accounts of a body shall cease to have effect—

(a) when the Lord Advocate notifies him of his intention to proceed under subsection (6) above;

(b) if the relevant institution by which the accounts are held notifies the nominee that the accounts held by or on behalf of the body are no longer dormant; or

(c) where the nominee becomes aware of the identity of a person concerned in the management or control of the body, when he informs the institution of that fact,

and in any case to which paragraph (c) above applies, the nominee shall also inform the Lord Advocate of that fact.

(10) The Secretary of State may, by regulations made under this section—

(a) make provision as to the procedure to be followed by the nominee in exercising his powers under this section;

(b) require the nominee to make to the Secretary of State an annual report as regards the exercise of his functions and such regulations may specify the form and content of such report; and the Secretary of State shall lay a copy of such report before each House of Parliament;

(c) prescribe the circumstances in which and the extent to which the nominee may apply any interest accruing to any account as regards which subsection (3) above applies during any period for which he is entitled to effect transactions in respect of the account for the purpose of defraying his expenses in connection with the exercise of his functions under this section;

(d) require the nominee to keep accounts as regards his outlays and expenses in connection with the exercise of his functions under this section; and

(e) amend subsections (3) and (5) above by substituting a different figure for the figure for the time being mentioned in those subsections.

(11) Where every account held by or on behalf of a body which appears to a relevant institution to be a recognised body is a dormant account, no obligation of confidentiality or requirement of secrecy (whether imposed by any enactment or rule of law or otherwise) shall prevent the institution from supplying to the nominee information such as is mentioned in subsection (12) below.

(12) Information referred to in subsection (11) above is information relating to any account such as is mentioned in that subsection above which consists of any of the following: —

(a) the amount of the balance of the account as at the date the information is supplied;

(b) the last date on which a transaction (other than a transaction consisting only of the accrual of interest to the account) was effected in relation to the account;

(c) so far as is known to the institution, the terms of the trust deed or other document constituting the body or any information as to the nature of the purposes of the body.

(13) For the purpose of this section—

(a) a "relevant institution" is—

(i) an institution which is authorised by the Bank of England to operate a deposit-taking business under Part I of the Banking Act 1987;

(ii) a building society which is authorised by the Building Societies Commission under section 9 of the Building Societies Act 1986 to raise money from its members;

(iii) such other institution mentioned in Schedule 2 to the Banking Act 1987 as the Secretary of State may, by regulations made under this section, prescribe;

(b) an account is dormant if—

(i) in the period of ten years preceding the date on which the institution reviews the account, no

transaction (other than a transaction consisting only of the accrual of interest to the account) has taken place in respect of the account; and

(ii) the institution has no knowledge of the identity of any person concerned in the management or control of the body in whose name or on whose behalf the account is held.'.—*Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to debate Government amendments Nos. 90 and 91.

Lord James Douglas-Hamilton: In Committee, the hon. Member for Cunninghame, North (Mr. Wilson) tabled an amendment which would have required banks to identify accounts of recognised bodies which had lain unused and to require the Inland Revenue to list such bodies. The object of the hon. Member's clause was for moribund charitable funds to be brought back into use. That principle was warmly supported by Committee members, and I gave the hon. Member an assurance that I would explore with the banks how such moneys might be brought back into charitable use.

The Committee of Scottish Clearing Bankers and the Building Societies Association have been co-operative in exploring how moribund charitable funds might be brought into use. We propose to remove any duty of confidentiality from the relevant institution in respect of dormant accounts and to enable them to inform an authorised person—the Scottish charities nominee—of such accounts. They will pass to the nominee details of the account holders' funds, and information as to the founding document. The nominee is to be satisfied that the account holders are recognised bodies. He will be concerned only with those which are recognised bodies. The nominee will have a right to effect transactions in respect of accounts.

The nominee will take different actions according to whether the aggregate amount in the account is £5,000 or less, or more than £5,000. Where the amount is £5,000 or less, subsection (3) procedures provide that the nominee may transfer the balance to such other recognised body as he may determine, having regard to the purposes both of the moribund body and of the body to which he transfers the funds. In many instances, the amounts will be small, and it will not be economically viable to appoint new trustees. Frequently, trust deeds will not be located and therefore there will be no means of appointing trustees. The important consideration is that the money is made available for charitable use, so he is empowered under subsection (4) to transfer funds to such other recognised body as appears to him expedient.

Subsection (5) relates to accounts with funds amounting to more than £5,000 and to cases under subsection (3)(a) and (b). Under that subsection, the nominee is to advise the Lord Advocate of the information received from the relevant institution about the body together with any other relevant matter. Under the powers of clause 11(2) and clause 6(4), the Lord Advocate is able to appoint trustees or to apply for the appointment of an interim judicial factor. Where the Lord Advocate does not so act, the nominee shall dispense the funds in the same way as those under £5,000.

Subsection (10) empowers the Secretary of State to make certain provisions by regulations. They include the procedures to be followed by the nominee in exercising his powers, in reporting annually to the Secretary of State. They also require him to keep accounts under subsection (10), and the Secretary of State is to lay a copy of the report before each House of Parliament.

The functions of the nominee must be paid for. Subsection (10)(c) enables my right hon. and learned Friend to prescribe the circumstances in which, and the extent to which, the nominee may apply any interest accruing during the period when he may effect transactions. Such interest would be used for defraying the nominee's expenses. There will therefore be no public expenditure implications.

Power for the relevant institutions to report to the nominee are included in subsections (11) and (12). Clause 11 removes any duty of confidentiality while subsection (12) sets out the information to be provided to the nominee. I have received an assurance from the banks that their branches will undertake routine periodical trawls of dormant accounts to identify any that they believe fall within the definition of "recognised body". The institutions have assured me that they will make every effort to identify moribund charitable accounts and will make particular efforts to identify accounts with balances in excess of £50. Below that figure, the cost of the efforts involved in addressing the matters becomes a balancing factor, but they have undertaken to use their best endeavours.

Given the assurances and co-operation of the relevant institutions, I am confident that this new provision will prove a very worthwhile innovation in ensuring that good use is made of charitable funds.

Sir Nicholas Fairbairn: The criteria in subsection (13)(b) are very rigid, referring to

"the period of ten years preceding the date on which the institution reviews the account"

and to the institution having

"no knowledge of the identity of any person concerned in the management or control of the body".

Ten years seems to me to be an arbitrary period. Surely it should be that if the institution has lost contact with any person concerned with the body's management, the funds will be considered dormant in those circumstances.

Lord James Douglas-Hamilton: I sympathise with the point that my hon. and learned Friend makes. We entered into detailed negotiations with the banks, and new clause 23 is drafted in such a way as to ensure that it can be effectively implemented. The spirit of the amendment proposed by the hon. Member for Cunninghame, North has been honoured; although a slightly different approach has been taken, nevertheless substantially the same objective is achieved in bringing funds into use. I am grateful to the hon. Member for Cunninghame, North for raising the matter and I hope that the House will support the clause.

Mr. Wilson: This is probably the first evidence I have seen since entering the House of a good idea—if I can claim that for it—being translated into legislation. I am grateful to the Minister and to his civil servants for the work that has gone into producing what I hope is a useful reform, and one that was not conceived of at any stage of the Bill.

Scotland will be taking the lead with this interesting innovation, and if it proves half as relevant as was suggested in Committee, it may be viewed with envy by other parts of the United Kingdom. In Committee, I

[Mr. Wilson]

qualified the value of my proposal but said that it could be useful in some cases—but as other members contributed their anecdotes, the suspicion grew that perhaps we were on to something much bigger than I had realised at the outset. It remains to be seen just how substantial that innovation will be.

The basic point, which I shall reiterate for hon. Members who were not on the Committee, is that in my experience and in random contacts and researches in every rural and urban community in Scotland, there are funds which were raised for some specific purpose and which, for all sorts of historical reasons, have fallen into dereliction. In some cases, those funds have lain in banks for many years and no one knows that they are there: their purpose and the people who administered them have become lost in the mists of time.

I shall follow this matter with considerable interest to see if we shall uncover something big or whether the funds are more modest.

5 pm

Sir Nicholas Fairbairn: I congratulate the hon. Gentleman on achieving the amendment. Many private accounts which were set up by or for people who are now dead, must be sitting in the coffers of banks. Perhaps he would like to table another amendment to the next law reform Bill to deal with those.

Mr. Wilson: I should be so lucky. However that is a good point, and the hon. and learned Gentleman may recall that one of his English colleagues said in Committee that a Select Committee had discovered that literally tens of millions of pounds were being held in accounts on behalf of people who had gone into mental institutions or similar places. Money in bank accounts which to all intents and purposes have become defunct could amount to a great deal. We are taking the first step in Scotland, and I warmly welcome it.

For my own clarification, as I am sure the Minister has attempted to meet the spirit of the original amendment, I shall ask him two questions—the first about the term "recognised bodies". As more than a few months have intervened, I have perhaps become hazy about all the debates that we had about recognised bodies, but in practical terms, are we talking about the type of organisation established perhaps 100, 50 or 30 years ago —in most cases pre-war—when the definitions of a recognised or non-recognised body were not current, as they have only recently become?

Within the terms of the clause, will the phrase "recognised bodies" give the nominee access to the type of accounts which I have described? That question is purely for information, as the answer obviously could transform the situation, and I might have to withdraw everything good I said if that is not the case.

Lord James Douglas-Hamilton: The answer is yes.

Mr. Wilson: That is excellent; I shall withdraw nothing.

Secondly, I should like clarification about the public availability of information given to the nominees. I should have thought that to some extent the activities of the nominee should be demand-led. If a village hall is to be built, and folk can check up and find that there is a 50-year-old village hall fund which no-one knew anything about, then that is clearly better than having to wait for the nominee to tell them at some random time that such a fund exists. Will there be public access to the information that the nominee obtains?

Lord James Douglas-Hamilton: Is the hon. Gentleman aware that the nominee will have to publish an annual report and from time to time may have to advertise information depending upon the situation, and that that matter is currently being looked into?

Mr. Wilson: I know about the annual report and I welcome it, but it will deal with what has been done in the past year, rather than list funds and give an idea of what the nominee may do. However, I am happy to leave the matter there. Clearly, once a register of such funds is established, there should be public access to it.

I do not want to delay the House, and I am delighted with what the Minister has done. I am perfectly happy with the mechanisms drawn up to bring this into effect. We shall know within a year or two whether the measure will be substantial. The important thing is the certainty that, in some communities in Scotland, money which would not previously have been available for useful purposes, which was given for useful purposes, will be unlocked because of the new clause. In that spirit, I thank the Minister for his efforts.

Madam Deputy Speaker: Does the Minister wish to respond before I put the Question? He does not have to, as there seems to be a degree of agreement.

Lord James Douglas-Hamilton: No.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 7

DUTIES OF COMMISSIONERS OF INLAND REVENUE

'If any person requests from the Commissioners the name of any recognised body or other information relating to that body set out in section 1(1)(b) of this Act it shall be the duty of the Commissioners to supply that information in so far as it is in their possession.'—*[Mr. Dewar.]*

Brought up, and read the First time.

Mr. Dewar: I beg to move, That the clause be read a Second time.

A minute ago, Madam Deputy Speaker, you referred to a degree of agreement. I guess that that will not exist with this new clause. I fear that the gap between myself and the Minister over this clause is unbridgeable.

I regard this clause as a matter of some importance, because I hate to think how many hours we spend discussing the first 13 clauses of the Bill in Committee. As every hon. Member who has taken even a passing interest in the Bill will know, in those 13 clauses we have erected an extraordinarily complex machinery of control and scrutiny.

We considered rules for accountants and auditors, and the powers of investigation of the Lord Advocate and the Court of Session, and we immersed ourselves in the world of recognised bodies, non-recognised bodies, registered charities and non-registered charities operating in Scotland, and in the problem of what constituted a Scottish charity, which greatly interested us. Many of those bodies had inescapable duties laid upon them, carrying the full force of the law. All that hung on the peg

of a new definition of charity, and a new availability of information about charities existing in Scotland which was to come from the Commissioners of Inland Revenue.

What astonished me, and no doubt other hon. Members, in Committee was that, although we were laying down duties for members of charitable organisations, we were laying no duty upon the Commissioners of Inland Revenue to make the basic information available about whether a charity was recognised for tax purposes.

That was a key matter, because the writ of the Charity Commissioners does not run in England. There is no register of charities which one can consult at present. We were going to put that right by giving people the opportunity to obtain information about who or what is registered for tax purposes as a charity by applying for it to the Commissioner of the Inland Revenue.

I was amazed to discover, in part I, clause 1(i) of the Bill that there is

"No obligation as to secrecy or other restriction upon the disclosure of information imposed by statute or otherwise shall prevent the Commissioners of Inland Revenue (in this section referred to as "the Commissioners") from disclosing . . . to any person who requests it, the name of any recognised body and the address last used by the Commissioners for any communication with the body and the year when such communication occurred."

The Minister explained that he did not wish to make it a duty to give us such information. After all, the Inland Revenue might be in difficulties—presumably it might be in the middle of some cost-cutting exercise or have a difficulty over staff. In theory, because there is no duty to provide information in the Bill, one is merely removing an inhibition that might prevent it from giving such information.

If I turned up and said that I wanted to find out about body X, and whether it is recognised as such, as defined in part I of the Law Reform (Miscellaneous Provisions) (Scotland) Bill, the Commissioners of Inland Revenue might say that, for various reasons, they had fallen behind with their work in compiling the records, they are hard pressed and, in one way or another, it is not very convenient; and they could ask me to go away and come back at some future date. Legally, there will be no reason why they should not do that.

The Minister will no doubt say, "It won't be like that; the CIR will carry out their part of the bargain." But there is no legal imperative that they should do so. That is an unsatisfactory state of affairs, which new clause 7 seeks to put right.

We are erecting a complicated system around the duty to disclose which, it turns out, does not apply to the CIR. For example, let us consider the duty of a recognised body to make available on request to any member of the public an explanatory document setting out its aims and objectives. If it delays for more than one month in doing so, a complaint can be lodged with the Lord Advocate. If such complaint is lodged with him, then it may be noted for the purposes of clause 1(2). That is all posited on the assumption that there will be disclosure by the CIR.

I take the simple view that it would make this whole construction a good deal more logical and understandable to everyone concerned if we imposed upon the CIR the duty of disclosure, as explained and described in clause 1. I hope, therefore, that the Minister will accept new clause 7. It is simple and straightforward and seems to me to provide justice to both parties to the bargain.

Mr. Menzies Campbell: I support, as I did in Committee, the observations of the hon. Member for Glasgow, Garscadden (Mr. Dewar). When we create a sophisticated and, in some respects, an extremely onerous system for the regulation of charities in Scotland, a system which contains a number of explicit responsibilities and duties which we have not shrunk from spelling out in substantial—some would say overly substantial—detail, it is ludicrous to send this part of the Bill on its way if it does not contain an express duty to permit disclosure of the information that clause 1 is designed to elicit. As has been forcefully pointed out, if there is no duty, then, for any reason which may appear to be appropriate to the Commissioners of Inland Revenue, they may decline to make available the information that this part of the Bill is designed to give public currency.

The Minister endeavoured in Committee—in my judgment, hardly successfully—to provide justification for the absence of that duty. He will remember that the way in which the relevant part of the Bill is framed creates a right for the CIR not be be bound by what is otherwise the universal rule of confidentiality. Even that came under scrutiny in Committee. The fundamental and central issue is whether the CIR are obliged to make information available. The absence of a duty of the kind that the new clause seeks to impose would make a substantial part of what this part of the Bill endeavours to bring about unattainable. I hope, therefore, that the Minister will be willing to accept the new clause or, if he is not prepared to do that, to give a better explanation for not doing so than he tendered in Committee.

Lord James Douglas-Hamilton: Clause 1 rightly overrides the Inland Revenue's confidentiality rules, and empowers the Inland Revenue to disclose to the public the names and addresses of Scottish bodies that it recognised as charities for tax purposes. The new clause tabled by the hon. Member for Glasgow, Garscadden (Mr. Dewar) would place a statutory duty on the Inland Revenue to disclose that information.

The new clause returns to a point that we discussed in Committee. I undertook then to consider what was practicable. I understand why the hon. Gentleman has raised the point, and I have considered it with great care. However, I am afraid that his new clause would lead to some practical problems. I think that the arrangements already provided for by clause 1 will work satisfactorily.

It may help hon. Members who were not on the Standing Committee if I explain how the arrangements for public information will work. Once clause 1 comes into operation, members of the public will be able to ask the Inland Revenue's claims branch in Edinburgh whether particular Scottish bodies have been recognised as charities for tax purposes. Inquiries can be made either in writing or by telephone. The public will also be able to go to the claims branch office at Trinity Park house in Edinburgh and inspect a list of Scottish bodies which have been recognised as charities and which have been in contact with the Inland Revenue within the last 20 years. The list is likely to include about 15,000 charities and will be updated regularly.

The Bill also gives the public the right to obtain further information about the charities direct from the charities themselves. Thus, members of the public will be able to have access to useful information which is not at present

[Lord James Douglas-Hamilton]

publicly available. Furthermore, if there is sufficient demand for the microfiche, it will be made available in other public places.

5.15 pm

We have to bear in mind the fact that the Inland Revenue's records of charities date back to the 19th century. They were designed to meet the needs of tax administration, rather than as a public index. There are many cases where a Scottish body asks the Inland Revenue whether it qualifies as a charity for tax purposes, but it seldom, if ever, makes an actual claim to tax exemption later, because it does not receive the particular types of income on which it would need to claim a tax repayment.

When a charity is wound up, it does not necessarily have to notify the Inland Revenue, so the Inland Revenue's index of charities will include many bodies which were recognised as charities many years ago but which no longer exist, or which have long since moved from their original address.

Some inquirers may ask the Revenue about only one or two charities, but others may ask about a substantial number, or inspect the whole list. In that case, the new clause would in effect place a duty on the Revenue to provide a list of all Scottish charities ever recognised, which would mean going back very many years.

Mr. Tam Dalyell (Linlithgow): Is the Minister sure that he is right when he says that a charity does not have to inform the Inland Revenue if it is wound up? I recollect a Finance Bill—I cannot put a date on it because I sat on a number of Committees that considered Finance Bills—that discussed charity law in great detail. The Inland Revenue claimed that it found out the very moment when a charity ceased to operate. This is tied up tightly with charity law.

Lord James Douglas-Hamilton: If registered, that would certainly be the case. I have received briefing not only from Scottish Office officials but also from the Inland Revenue on this point.

The point that I am making is that much of the information included in such a list would be out of date. That would be unhelpful, and indeed positively misleading, to the public. That is why we propose that the list available for inspection will include only bodies which have had contact with the Revenue within the last 20 years. If an inquiry is made about a particular named body, it will of course be possible for the Inland Revenue to check back to their earlier records; and, of course, charities which are still active but have not been in touch with the Inland Revenue for more than 20 years can contact the Revenue again and ensure that they are included in the list.

It is also possible that some small local charities will not be recorded in the central list at the claims branch because, at some time in the past, they have been dealt with by a local tax office which has consulted the claims branch informally. If any such bodies come to light, they can of course be added to the claims branch list, but if the Inland Revenue was put under a statutory duty, as the new clause proposes, it would have to make a comprehensive search of all local office files before the system came into operation, in order to ensure that it could comply with the duty. That would involve disproportionate work and expense.

For all these reasons, I think that the new clause would be undesirable and would lead to practical problems. I can assure the House that the Inland Revenue will provide the information which clause 1 empowers it to do in the way I have already explained. I therefore hope that the hon. Gentleman will not feel that it is necessary to press his new clause.

Mr. Dewar: I am sorry to disappoint the Minister, but I cannot say that my doubts have been swept away. He made the point that members of the public have a right, which cannot be defeated, to request information in the form of an explanatory document from a charity. It is odd, therefore, that members of the public should not have the right to request from the Commissioners of Inland Revenue essential information that would establish whether the body from which they might wish to require further information has charitable status.

I was not impressed by the Minister's remarks. I am sure that the Commissioners of Inland Revenue will attempt to be helpful when they can, but I do not see why they alone should be left with a power of discretion that is not allowed to any of the other parties under part I of the Bill.

New clause 7 is not immodestly drawn; it merely insists that there should be a duty on the commissioners to give "the name of any recognised body or other information relating to that body set out in section 1(1)(b) of this Act." We are suggesting not that they produce something that is not available to them on their records but merely that they ensure that the information on those records is available. If a local charity has never been recorded at central headquarters and has slipped through the net, its name cannot be produced. We are laying on them a duty to give information that is available and is on their records, to guard against the possibility that for some reason they will either allow the matter to slip, exercising their discretion, or will not make the information available.

I cannot say that the Minister has reassured me. I do not think that his objections to the new clause are substantial, and I intend to press it.

Lord James Douglas-Hamilton: I want to be clear that I did not mislead the hon. Member for Linlithgow (Mr. Dalyell). He asked whether charities have a need to inform the Revenue. The answer is that they do not need to do so for tax purposes, but they must give information on tax as required by the Revenue.

Question put, That the clause be read a Second time:—

The House divided: Ayes 141, Noes 184.

Division No. 317] **[5.21 pm**

AYES

Abbott, Ms Diane	Campbell, Ron *(Blyth Valley)*
Allen, Graham	Campbell-Savours, D. N.
Archer, Rt Hon Peter	Canavan, Dennis
Ashdown, Rt Hon Paddy	Clark, Dr David *(S Shields)*
Banks, Tony *(Newham NW)*	Clarke, Tom *(Monklands W)*
Barnes, Harry *(Derbyshire NE)*	Clwyd, Mrs Ann
Barnes, Mrs Rosie *(Greenwich)*	Cohen, Harry
Barron, Kevin	Coleman, Donald
Battle, John	Cook, Robin *(Livingston)*
Bell, Stuart	Cousins, Jim
Bennett, A. F. *(D'nt'n & R'dish)*	Crowther, Stan
Bidwell, Sydney	Cryer, Bob
Blunkett, David	Cummings, John
Bray, Dr Jeremy	Cunliffe, Lawrence
Bruce, Malcolm *(Gordon)*	Cunningham, Dr John
Callaghan, Jim	Dalyell, Tam
Campbell, Menzies *(Fife NE)*	Darling, Alistair

Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fairbairn, Sir Nicholas
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foster, Derek
Fyfe, Maria
Galbraith, Sam
George, Bruce
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howarth, George *(Knowsley N)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Radice, Giles
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sheerman, Barry
Sheldon, Rt Hon Robert
Sillars, Jim
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Thomas, Dr Dafydd Elis
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. John McFall.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Aspinwall, Jack
Baker, Rt Hon K. *(Mole Valley)*
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Browne, John *(Winchester)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carrington, Matthew
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Evennett, David
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lester, Jim *(Broxtowe)*
Lightbown, David
Lord, Michael
McCrindle, Robert
MacKay, Andrew *(E Berkshire)*
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mellor, David
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Mudd, David
Neale, Gerrard
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Price, Sir David
Raison, Rt Hon Timothy
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Ward, John
Watts, John
Wheeler, Sir John
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Nicholas Baker and
Mr. Timothy Wood.

Question accordingly negatived.

New clause 12

CODE OF PRACTICE

'(1) It shall be the duty of the Secretary of State, before the end of the period of one year beginning with the passing of this Act, to prepare in draft a code of practice containing such practical guidance as in the opinion of the Secretary of State would be helpful for the purposes of Part I of this Act.

(2) Such a draft shall in particular contain guidance—
(a) on the proper procedures and administrative arrangements for a charitable body, and
(b) on the provision of information to the public by a charitable body regarding its activities and purposes.

(3) The Secretary of State shall, before the end of the period of one year beginning with the passing of this Act, lay before both Houses of Parliament a draft of the code of practice prepared by him under subsection (1) above, to be approved by resolution of both Houses.

(4) The Secretary of State may from time to time revise the whole or any part of a code of practice brought into effect under this section, provided that such revisions are laid before, and approved by, resolutions of both Houses of Parliament.

(5) A failure on the part of any person to observe any provision of a code of practice which is for the time being in force shall not of itself render him liable to any proceedings; but in any proceedings under this or any other Act—
(a) any such code shall be admissible in evidence, and
(b) any provision of such a code of practice which appears to the Court to be relevant to any question arising in the proceedings shall be taken into account by the Court in determining that question.'.—*[Dr. Godman.]*

Brought up, and read the First time.

5.30 pm

Dr. A. Godman: I beg to move, That the clause be read a Second time.

My code of conduct is designed with the specific aim of giving guidance to those seeking to set up charities, as well as advising them of the need to adhere to the complicated rules and regulations that are outlined in part I. My hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) said a few minutes ago that we are faced by an extraordinarily complicated structure of rules and regulations for charities. He is right.

In part I, for example, the topics range from clause 1,
"Information as to recognised charities",
to:
"Duty to keep accounting records",
"Annual accounts and report".
and the role of the Lord Advocate in this scheme of things, which is dealt with in clause 5. The role of the Court of Session is outlined in clause 6. Clause 7 is concerned with the disqualification of persons concerned in the management of such bodies. We all know that, occasionally, the odd character happens on a charity and exploits it in his own nefarious interests. There is also an important clause, clause 9, concerned with small charities.

There is a need for a code of conduct for small charities. I remind the Minister and the House of the Industrial Relations Act 1971. I think that it came into force on 28 February 1972, as you would know, Madam Deputy Speaker. That labour law was dreadful in itself, but its one redeeming feature was the code of practice that was introduced with it. It was aimed largely at small companies that were unfamiliar with the formal processes of collective bargaining. I put it to the Minister that small charities are in a position with this Bill analogous to that of the small firms confronted with the code of practice in 1972. I hope that this provision survives longer than the Industrial Relations Act 1971 did.

There is an important principle here. I was not in Parliament at that time. Although I was opposed to the Industrial Relations Act 1971, I welcomed the code of practice because it was a fine little document in terms of grievance and disciplinary procedures. I would argue that this legislation concerning charities—especially small charities—needs such a fine little document.

Some people may say that there is no need for such a code of practice. I can perhaps understand the reason for such reservations, especially, for example, in respect of the fine charity with which I am involved, which was mentioned just now by my hon. Friend the Member for Falkirk, East (Mr. Ewing). Like many large and long-established charities, the Royal National Lifeboat Institution has a strict code of conduct for its various component bodies and strict rules governing its collections and other charitable activities. But often small charities are formed when a number of people come together to give sustenance to those in distress.

For example, in my constituency, following the tragic death of a couple who died in horrible circumstances in a house fire in Port Glasgow, a number of neighbours came together with the object of raising money to provide the young daughter with sustenance and comfort. In fishing communities, in particular, people come together in the immediate aftermath of a tragedy to raise money for the dependants of those who have been lost; that is also not an unfamiliar experience in mining communities.

I promise to be brief, Madam Deputy Speaker. I am anxious to hurry along to the new clauses dealing with children giving evidence in criminal proceedings. In passing, let me say that I am delighted with the fine, generous comments that the Minister made when he referred to those new clauses.

We need to give guidance to small charities, because such bodies may not have the means to obtain advice from lawyers or similar professionals. A code of practice could, I think, give comfort to the individuals involved—particularly in regard to their onerous responsibilities vis-a-vis the Lord Advocate. Some of those responsibilities are entirely right and proper, but the Government must nevertheless give guidance to such bodies. I look forward to a positive response from the Minister to the new clause.

Lord James Douglas-Hamilton: The new clause tabled by the hon. Member for Greenock and Port Glasgow (Dr. Godman) would provide guidance to charities on how to comply with the requirements of part I of the Bill. The hon. Gentleman proposes that that should be achieved by introduction of a code of practice that would require approval by resolution of both Houses of Parliament. He also proposes that such a code should not be legally binding but that where a person has failed to observe any provisions of the Bill it should be admissible in court proceedings and could be taken account of by the court in its determination.

I sympathise with the purpose and aim of the hon. Gentleman, which is essentially to provide guidance to charities on how to comply with the requirements laid upon them by part I. I do not, however, believe that the means of providing that guidance should be as proposed in

the new clause. I do not consider it necessary to provide a code of practice when adequate provisions are set out in the primary and secondary legislation.

I also have some doubts about asking the court, as the new clause provides, to have regard to the code of practice in determining a question that will already have been covered in the primary legislation. That strikes me as likely to frustrate, rather than assist, determination by the courts. However, I certainly accept that the charities should have guidance on how to comply with the requirements of part I and I assure the hon. Gentleman that full guidance on that will be provided by the Scottish Home and Health Department by means of publicity, and also by circulars to recognised bodies.

I should also mention the fact that the Scottish Council for Voluntary Organisations already provides helpful guidance to charities and it will, no doubt, continue to do so. Now that he has been given that assurance, I hope that the hon. Gentleman will not seek to press the new clause.

Dr. Godman: The Minister is an honourable man and I am perfectly willing to accept his assurance that the provisions will be publicised. On the basis of that assurance, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

INFORMATION AS TO RECOGNISED CHARITIES

Amendments made: No. 90, in page 2, line 2, leave out from 'body' to end of line 5 and insert

'such as is mentioned in subsection (1A) below,'.

No. 91, in page 2, line 9, at end insert:—

'(1A) A recognised body referred to in subsection (1)(a) above is a body—

(a) which appears to the Commissioners to be or to have been carrying on activities which are not charitable or to be or to have been applying any of its funds for purposes which are not charitable;

(b) which is certified by the Lord Advocate as being a body in respect of which information has been provided to the Scottish charities nominee by a relevant institution in pursuance of section *[Dormant accounts of charities in banks etc.]* of this Act.'.—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move Government amendment No. 1, in page 2, line 43, leave out 'conclusive' and insert 'sufficient'.

Clause 1(7) provides that, for the purposes of any proceedings under part I of the Bill, a certificate signed by a person authorised to do so by the commissioners of Inland Revenue shall be "conclusive" evidence of the fact that the Revenue has recognised the body as a charity. It was suggested in Committee that the word "sufficient" would be preferable and consistent with other legislation. My hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) had a lot to do with the amendment.

Mr. Menzies Campbell: I welcome the fact that the Minister has shown rather more flexibility today than he did during our long passage at arms in Committee, when hon. Members on both sides of the House argued the matter quite forcefully.

Will the Minister confirm that what is now to be legislated for is a system in which a challenge will be available to someone who seeks to challenge the accuracy of what is apparently purported to be correct by virtue of the provision. The argument in Committee turned on the question whether, if the evidence was conclusive, no challenge would be permitted. By substituting the word "sufficient", the Minister has opened the door to challenge in cases where that may be appropriate. That seems to me a more equitable way in which to dispose of the matter than was originally envisaged in the Bill.

Sir Nicholas Fairbairn: I will just say that my gratitude is sufficient; it is not conclusive.

Amendment agreed to.

Clause 2

NON-RECOGNISED BODIES

5.45 pm

Lord James Douglas-Hamilton: I beg to move Government amendment No. 2, in page 3, line 3, leave out subsection (2) and insert—

'(2) For the purposes of this Part of this Act, any body which is not—

(a) a recognised body; or

(b) a body which is—

(i) registered as a charity in England and Wales under section 4 of the Charities Act 1960; or

(ii) a charity which is not required to register by virtue of subsection (4) is a non-recognised body.'

Madam Deputy Speaker: With this we may take Government amendment No. 13.

Lord James Douglas-Hamilton: Clause 2(2) defines the expression "non-recognised" body. The subsection was criticised by my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) and by my hon. Friend the Member for Ipswich (Mr. Irvine), who found the double negatives confusing. The amendment is a drafting amendment, the purpose of which is to avoid the use of multiple negatives.

Mr. Dewar: I am sorry that the hon. Member for Ipswich (Mr. Irvine) is not with us today because, on occasion, he greatly entertained me in Committee. I certainly had a great deal of sympathy with his inability to follow the tortuous double negatives that were built into the Bill.

Out of curiosity, I should like to engage the Minister's attention on a much smaller matter. By a happy coincidence, amendment No. 13 refers to clause 13, which states:

"'non-recognised body' has the meaning given by section 2 of this Act".

Amendment No. 13 would remove the words

"has the meaning given by"

and insert the words

"shall be construed in accordance with"

Can the Minister explain why that important change is proposed and what practical difference the amendment will make?

Lord James Douglas-Hamilton: It makes for greater accuracy and clarity and would make the provision easier for the general public to interpret.

Amendment agreed to.

Clause 5

Powers of Lord Advocate to investigate charities and to suspend trustees

Lord James Douglas-Hamilton: I beg to move amendment No. 3 in page 7, line 2 after 'apply' insert 'by summary application'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos 4 and 5.

Lord James Douglas-Hamilton: These amendments relate to procedural matters under clause 5. Amendment No. 3 is a simple clarifying amendment which makes it plain that application by a nominated officer to the sheriff for an order under clause 5(6) is by the summary application procedure.

Amendment No. 4 is also a clarifying amendment. Subsection 5(6)(a) specifies that the nominated officer may apply to the sheriff for an order requiring a person to attend to answer questions and provide information at a time and place specified in the order. The insertion of the word "and" makes it clear that the order requires the person not only to attend, but also to answer questions and provide information.

Amendment No. 5 inserts a new subsection after subsection (6). It reflects concern in Committee that a person required by a court order to provide answers to the nominated officer might be faced with the choice of obeying the order and incriminating himself by answering the questions or possibly to commit an offence by refusing to make a statement and thus breaching the court order.

It is important to bear in mind that these are civil and not criminal proceedings. They relate to the investigation of an officer appointed by the Lord Advocate to discover whether there appears to have been misconduct or mismanagement of a charity's affairs. I recognise the concern expressed by several Committee members, including the hon. Member for Glasgow, Garscadden (Mr. Dewar), that there should be no room for doubt. The amendment makes it clear that a person must answer truthfully questions put to him by a nominated officer when an order has been made under subsection (6) and that he may not refuse to answer on grounds that his answer might incriminate him.

The new provision that amendment No. 5 seeks to insert also makes it clear that no answer to a question under subsection (6) may be used in any subsequent criminal proceedings against the person. I believe that in practice the nominated officer will act more like a Department of Trade and Industry official than a procurator fiscal. If he asks a question and receives an apparently incriminating reply, the nominated officer will normally terminate the interview immediately and refer the matter to the Lord Advocate with a view to the matter being referred to the police for criminal investigation if an incriminating answer gave rise to questions not as to whether there had been a breach of trust, but as to a serious crime.

Mr. Menzies Campbell: On the occasion of such a transaction as the Minister has described, does he envisage that the nominated officer would put the person summoned on oath and require him to take the oath in conventional terms like that taken by a witness giving evidence in court?

Lord James Douglas-Hamilton: Statements to the nominated officer will not be under oath.

Mr. Dewar: Although it is difficult with our time constraints and our inability to amend the Bill now, I would like the Minister to give us a little more help. He has already shed some light on the Government's intentions. As the Minister has said, the concern is that we have a rather cumbersome procedure whereby the Lord Advocate, having decided to inquire into a charity, appoints a nominated officer. If that nominated officer meets a refusal to co-operate, he can go to the sheriff for an order under clause 5(6) which would force the person concerned to answer questions or to furnish information at a time and place specified in the order.

The concern was that that person might in effect be asked to incriminate himself. The Minister has explained that we are talking about civil proceedings and that nothing that is said will be admissible in evidence in any subsequent criminal proceedings.

The position is still quite difficult. If I am being interrogated or questioned by the nominated officer, it will cause me some unease if I have to answer a question which, if I answer it honestly—we are talking about the real world here—will be written down and although it may not be used as primary evidence in any criminal proceedings, will be passed to the Lord Advocate who is, after all, instructing the nominated officer. The Lord Advocate has certain other duties of a criminal nature. Obviously I may be prejudicing my future quite considerably if I proceed to follow the advice that the Minister has given and answer the questions honestly.

I want to be clear about what would happen if I do not answer the questions. If I say that I am very sorry, but I do not want to answer a particular question, am I caught by clause 5(7)? I have complied with the order in the sense that I have turned up and answered questions. Do I have to answer every question? If I say that, in effect, I wish to plead the Scottish equivalent of the fifth amendment, will I be caught by the penalty in clause 5(7) or would I be a person under clause 5(8)

"who wilfully alters, suppresses, conceals or destroys and record which he may be required to furnish or transmit"?

I should not have thought so, but what is the sanction? The person is not on oath, as the Minister has explained. He cannot be in contempt because he is not in a court although I suppose that it may be a "once removed" contempt of the order made under clause 5(6) by the sheriff.

Apart from a sense of scout's honour which may not apply very strongly in the circumstances that I have outlined, what is to stop someone simply saying, "I've told you all that I intend to tell you and I've gone as far as I'm going"? Someone might well want to do that if he was being precognosced about the matter by the Crown Office or anyone else. I am still a little unhappy about a situation in which the Minister glibly states that someone must answer questions which of course are not admissible as evidence but which will be put on a hot line and a quick fax machine back to the Lord Advocate. That person is being placed in a position in which, apparently, he has to incriminate himself.

Sir Nicholas Fairbairn: I am extremely worried, and the worries that I voiced in Committee have not been allayed by this, I assume, charitable attempt by the Minister to remove them.

The hon. Member for Glasgow, Garscadden (Mr. Dewar) has put his finger on a number of important points. With regard to this provision, we are in a nebulous state. I do not know whether the appearance is to be in public or in private, or whether members of the press or the CID are entitled to be present. There is certainly nothing in the statute to prevent their being present.

I do not believe that the sheriff could say to someone, "You are going to be asked a question," and then have any alternative under the statute but to say, "And you've got to answer it." That is the thrust of the provision. It would take a brave fellow to say, "I have actually read the provision and I know that I've got to turn up, but I equally know that there is no provision telling me that I've got to answer." If someone is dragged along to a star chamber court and put before a judge, there is an assumption that one must answer. If I was a sheriff, I would find it difficult to know whether I was entitled to order the chap either to answer, or be prevaricating on a contempt, or to say that the chap did not have to answer.

Mr. Menzies Campbell: The hon. and learned Gentleman is right to point to the absence of a clear indication in the Bill of what would happen in the circumstances that he has described. Has he considered the fact that the ambiguity and lack of specification in the Bill may go further than even he has imagined? The sheriff may not necessarily be involved in the proceedings after he has issued an order to a nominated officer. On the face of the Bill, it seems that, once someone becomes a nominated officer, it is up to that person to go off and examine—using the word loosely—the person against whom the order has been made. However, all that seems to be regarded as taking place away from the sheriff court and away from the presence of the sheriff. If I am right about that, the possibility of the precise difficulty to which the hon. Member for Glasgow, Garscadden (Mr. Dewar) eloquently referred seems, if anything, to be yet more likely than the circumstances that the hon. and learned Gentleman has postulated.

Sir Nicholas Fairbairn: I am obliged to the hon. and learned Gentleman. There are terrible pitfalls which are not cured by the amendment. I had forgotten, of course, that the nominee can take someone off to a hole in the wall and cross-examine him. There is no suggestion that he needs corroboration of what that person is supposed to have said. There is no suggestion of the principles of safeguard against being misled. One has only to be involved in cases concerning customs and excise officers rather than policemen to realise how important such protections are.

6 pm

Apart from that, two other matters give me the greatest concern. First, is the nominee allowed to say that the press can be present so that admissions which are not admissible in evidence against the fellow can be published in the press? If that fellow says, "As a matter of fact, my granny was suffering from cancer so I just nicked all the funds before I cut the head off the beagle," and it appears in the press but is not admissible in evidence, I should not have thought that the "not admissible in evidence" provision was very helpful.

Secondly, I am worried about the presumption of guilt which arises easily, if sometimes properly, in the minds of policemen and prosecutors. If the nominee sends along a document which states that Willie Smith admits that he has been subtracting 50 per cent. of donations over the years, or any other incriminating statement, do not tell me that any prosecution will not proceed on the assumption that that is true when previously there was no evidence to suggest it. The fact that one cannot actually use those words does not help. Heaven knows, there is not an hon. Member present who does not know of cases in Scotland in which evidence was not invented to justify presumed assumptions, particularly of an alleged confession.

The amendment is dangerous, not because the Minister is not trying to help, but because the provision does not help. The nominee can wear a knuckleduster and say, "You answer my questions or I will hit you." That might be a breach of the law. He might say, "You realise that if you do not give me the answers that I would like, you may be in severe trouble." That is not a breach of the law by a nominee. I suppose that it might be a form of assault, but he is not an officer of the law—he is trying to get the answers that he wants.

It is a terrible path that the Lord Advocate and the courts of Scotland are being asked to tread. People collecting for charities will be subjected to a third degree from which even the most appalling terrorist would be protected.

Mr. Harry Ewing: I approach this matter on the basis that the interviews will be held in private and that the press will not be present. Two points worry me. The first is the lack of corroboration. Will the person being interviewed be entitled to have a representative present with him at the interview and whether the person who was nominated by the sheriff will have someone with him to corroborate the interview? The law of Scotland is based on corroboration. The Minister should say something about corroboration.

Secondly, the Minister explained what would happen in the interview. Once, in the view of the nominated person, the person being interviewed gives an incriminating answer, the nominated person would then, to use the Minister's words, immediately terminate the interview. Whether the Minister likes it or not, that would be a judgment. The nominated person would judge that the person being interviewed has made a statement that may or may not lead to criminal proceedings but which certainly merits being reported to the Lord Advocate for further investigation on the basis that criminal proceedings might follow. That is fraught with difficulties. I am not sure how that matter can be handled, and I am not happy about it.

It seems that there will be a one-to-one situation—no corroboration. The nominated person will make a judgment the background of a statement by the person being interviewed and will immediately terminate the interview. The matter will then be sent to the Lord Advocate for further investigation. As the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) said, that is fraught with difficulties. I know that this matter is difficult for the Minister also, but I should be grateful for further explanation of those points.

Mr. Menzies Campbell: The difficulties that have arisen in short consideration of this matter only serve to underline the fact that, when the provisions were framed and when the additional amendment was sought to be added, there was insufficient analytical consideration of the nature of the transaction between the nominated

[Mr. Menzies Campbell]

officer and the person who was summoned by virtue of an order of the sheriff. Ex facie of the Bill, the sheriff, having pronounced his order, is functus—he no longer has part in the proceedings. The nominated officer goes off with the order. It is as though an attempt had been made to add to the procedure known as commission and diligence and specification of documents—the equivalent of discovery in England and Wales.

It is as though, in addition, something had been added which requires a person to provide information in formal or informal circumstances, depending on the decision of the nominated officer, and which may be public or private because there is no specification of the proper method of proceeding. The circumstances may be formal or informal in the sense that one nominated officer may adopt the wholly informal approach—that of a conversation—and another may treat the matter with greater formality and ask the person who has been summoned to sit in a certain place and to conduct the proceedings in a particular way as though it were a formal investigation.

Sir Nicholas Fairbairn: Another matter that the hon. and learned Gentleman might care to consider is that he adduced from the Minister the fact that the proceedings would not be under oath. If they are not under oath, on what possible basis could there be a prosecution for an offence under section 2 of the False Oaths (Scotland) Act 1933?

Mr. Menzies Campbell: I am much obliged to the hon. and learned Gentleman, who has anticipated my next point. It appears that the nominated officer must give some warning when the proceedings commence. If, depending on my answer, I may be liable to prosecution for contravention of the False Oaths (Scotland) Act 1933, albeit perhaps a prosecution that is not founded on what I may have said, surely I should be entitled to a warning that the proceedings before the nominated officer might have that criminal consequence, yet there is no such provision.

The Minister says—no doubt sincerely—that, when an incriminating answer appears to have been given, the nominated officer will terminate the interview. Whether he does or not is the nominated officer's choice. Nothing in the Bill states that, as soon as an incriminating answer is given, the nominated officer must terminate the interview. Furthermore, neither the nominated officer nor the person being questioned may appreciate at a particular moment that that is an incriminating answer and might have the consequences to which other hon. Members have referred.

That is why the point made by the hon. Member for Falkirk, East (Mr. Ewing) is so important. If a person is summoned to meet a nominated officer, is he or she entitled to be represented, or is this situation similar to the examination for bankruptcy proceedings about which there was considerable doubt in Scotland for a long time on the question whether the bankrupt was entitled to be represented at his own proceedings?

Far too many questions have been left unanswered. To return to my earlier point, they remain unanswered because there has not been any rigorous examination of the consequences of inserting such a provision in the Bill. It is perfectly right for the hon. and learned Member for Perth and Kinross to talk with some awe about the powers of the Customs and Excise and of VAT inspectors. The hon. and learned Gentleman knows that, in the case of the Lord Advocate *v.* Friel, Lord Ross—now Lord Justice-Clerk Ross—took a vigorous view against the method of questioning used by the Customs and Excise inspectors. He held strongly that they were not entitled to conduct themselves in a way that was contrary to the principles laid down in the law of Scotland, stemming from the case of Chalmers *v.* the Lord Advocate.

Far too many questions are unanswered. There are far too many opportunities for mistake, confusion and injustice. That is why I believe that the provision does not bear the hallmark of careful and analytical consideration and it certainly does not bear the hallmark of any rigorous

My final point echoes to some extent what was said by the hon. Member for Glasgow, Garscadden (Mr. Dewar). An answer may be incriminating. It may not be able to be used in criminal proceedings later against that person. It may form the basis upon which other investigations can be carried out, by referring, for example, to the location of a certain piece of evidence. The statement about where the evidence is said to be located may not be admissible, but if someone examines the box in which the papers that have been referred to can be found, those papers and their findings may in turn come to be the incriminating evidence. It is artificial to suggest that there is as much protection as the Minister appears to claim for a person who is asked in response to an order from the sheriff.

Sir Nicholas Fairbairn: On the hon. and learned Gentleman's point about the False Oaths (Scotland) Act, although a section states that that may not be used in evidence in criminal proceedings, there is no way in which the Act comes into this unless it can be put to the person who is on oath, when subsequently charged with a criminal offence, that he or she previously said something different from the nominee.

Mr. Menzies Campbell: The hon. and learned Gentleman is quite correct. To establish a conviction under the False Oaths (Scotland) Act 1933, it will be necessary to prove that what was said to the nominated officer was false, and that can be done only by leading evidence in relation to what was said to have been incriminating.

This is a can of worms. Although it is commonplace in Committee or on Report for hon. Members to complain that the provisions are insufficiently detailed or insufficiently well thought out, in this case such criticisms are more than germane. They go right to the heart of what the Minister is endeavouring to persuade the House to accept. I hope that he will realise that hon. Members of all parties have advanced points of great substance, not mere debating points.

If, in the light of what has been said, he is not satisfied with what he is trying to persuade the House to accept, he should take the honourable course and withdraw the

6.15 pm

Lord James Douglas-Hamilton: Several interesting points have been raised. I begin with the question asked by the hon. Member for Glasgow, Garscadden (Mr. Dewar) about whether the person who is being interviewed would be caught by clause 5(7) if he or she refused to answer the question. The person would be so caught, because

subsection (6) requires the person to answer such questions as may be asked under subsection (4). An offence would therefore have been committed.

The hon. and learned Member for Fife, North-East (Mr. Campbell) asked whether a sheriff would be present at the interview. The hon. Member for Falkirk, East (Mr. Ewing) asked about corroboration. The sheriff will not be involved in the interview. The offence will be required to be proved beyond reasonable doubt in the same way as any other offence and will be subject to the requirement of corroboration.

Mr. Dewar *rose*——

Lord James Douglas-Hamilton: I shall give way to the hon. Gentleman in a moment.

The hon. Member for Falkirk, East also asked whether a person is entitled to be legally represented at the interview. The Bill does not create a right for a person to be legally represented, but I assure the hon. Gentleman that no objection will be made if a person wishes to be legally represented at the interview.

The hon. Member for Carscadden——

Mr. Menzies Campbell: I am grateful to the Minister for giving way, and I do not wish to thrash this point unnecessarily. Suppose the nominated officer said, "I am not prepared to allow you to have the solicitor of your choice present at this examination." The person who has been summoned has no right to the presence of a solicitor or any other person. If the nominated officer takes that decision, the person who has been summoned will have to abide by it. How can that be just?

Lord James Douglas-Hamilton: I am giving an undertaking that that will not happen. Such a person would be allowed to have a solicitor with him.

Mr. Dewar: Could the Minister say a little more about the effect of the criminal penalty in clause 5(7)? Obviously, an offence would have to be established by corroborated evidence. One therefore assumes that there will be people in the room other than the interviewee and the interviewer——

Mr. Menzies Campbell: Such as a shorthand writer?

Mr. Dewar: Is there, for example—I am being helpfully prompted from the left—likely to be someone such as a shorthand writer present? If there are only two people in the room, corroboration will prove a remarkable difficulty. Perhaps the Minister could say something about that.

Lord James Douglas-Hamilton: I sincerely hope that in most of the cases that we believe would involve a possible breach of trust, or something of that nature, there will be no question of criminal proceedings. However, if somebody refuses to answer or to provide accounts where they undoubtedly exist, the provisions will prove necessary to ensure that those who have given money to a charity or those who will benefit from it are not disadvantaged or prejudiced in the process.

Mr. Dewar: Absolutely. However, I am referring to what the Minister helpfully said about clause 5(7)—that, if a person refuses to answer a question, he or she will be open to a fine not exceeding level 5 on the standard scale. That is clearly a criminal prosecution. I am simply trying to establish who the Minister expects to be in the room to provide the corroboration.

While the Minister is at it, perhaps he could say more about his guarantee that a solicitor can represent the person being interviewed. It will be an odd situation, because presumably a solicitor is present to give his client advice about his right and might well be tempted to say, "I don't think that you should give that information, because you will incriminate yourself." What would be the solicitor's position if he gave that advice and if the client purported to take it?

Lord James Douglas-Hamilton: The hon. Gentleman has answered his own question—he said that a shorthand writer or someone of that nature would probably be with the nominated person. If an offence were committed, it would be subject to the normal rules relating to proof and corroboration when it came before a court.

Sir Nicholas Fairbairn *rose*——

Lord James Douglas-Hamilton: I want to answer the question about false oaths, and my hon. and learned Friend can come back on this in a minute if he likes. It is clear that no answer to a question under subsection (6) can be used in any subsequent criminal proceedings. This will operate in the same way as Department of Trade and Industry inspectors, who have not run into tremendous difficulties in this connection. There are precedents for DTI inspectors making investigations. If, when making an investigation, an inspector, instead of finding evidence of breach of trust, runs into a case of serious fraud, he stops immediately and reports it to the Lord Advocate.

I mentioned that no answer to a question under subsection 6 could be used in any subsequent criminal proceedings against the person, except under section 2 of the False Oaths (Scotland) Act 1933, which relates to the making of false statements without oath. Section 2 states:

"If any person knowingly and wilfully makes (otherwise than on oath) a statement false in a material particular, and the statement is made—

(a) in a statutory declaration; or

(b) in an abstract, account, balancing sheet, book, certificate, declaration, entry, estimate, inventory, notice, report, return or other document, which he is authorised or required to make, attest, or verify by, under, or in pursuance of any public general Act of Parliament for the time being in force; or

(c) in any oral declaration or oral answer which he is authorised or required to make by, under, or in pursuance of any public general Act of Parliament for the time being in force,

he shall be guilty of a crime."

I think that that is quite straightforward, and there is no question of that provision being repealed.

Amendment agreed to.

Amendments made: No. 4, in page 7, line 4, after 'attend' insert 'and'.

No. 5, in page 7, line 12, at end add—

'( ) A person shall not be excused from answering such questions as he may be required to answer by virtue of subsection (6) above on the ground that the answer may incriminate or tend to incriminate him, but a statement made by him in answer to any such question shall not be admissible in evidence in any subsequent criminal proceedings against him, except in a prosecution for an offence under section 2 of the False Oaths (Scotland) Act 1933.'.—*[Lord James Douglas-Hamilton.]*

Clause 6

POWERS OF COURT OF SESSION TO DEAL WITH MANAGEMENT OF CHARITIES

Amendment made: No. 6 in page 10, line 11, leave out from 'the' where it second occurs to '; and' in line 12 and insert

'charitable purposes of that body, or the charitable purposes which are purported to be the purposes of that body'.—*[Lord James Douglas-Hamilton.]*

Clause 9

SMALL CHARITIES

Lord James Douglas-Hamilton: I beg to move amendment No. 7, in page 13, line 43, leave out 'intentions' and insert 'spirit'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 8.

Lord James Douglas-Hamilton: These are purely drafting amendments. I am grateful to my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn), who drew our attention to drafting inconsistencies in Committee.

Amendment agreed to.

Amendment made: No. 8, in page 14, line 16, leave out 'intention' and insert 'spirit'—*[Lord James Douglas-Hamilton.]*

Clause 11

APPOINTMENT OF TRUSTEES

Amendments made: No. 9, in page 16, line 10, leave out 'both the Lord Advocate and'.

No. 10, in page 16, line 13, at end insert—

'(2) Where in the case of any trust which is a recognised body—

(a) the number of trustees is less than three; and

(b) it appears to the Lord Advocate that the trustees will not, or are unable to, exercise their power under subsection (1) above,

if it appears to the Lord Advocate expedient to do so, he may exercise the power in place of the trustees.'—*[Lord James Douglas-Hamilton.]*

Clause 13

INTERPRETATION OF PART I, REGULATIONS AND ORDERS

Lord James Douglas-Hamilton: I beg to move amendment No. 11, in page 16, line 35, leave out 'an unincorporated body'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 12.

Lord James Douglas-Hamilton: Clause 31 provides a definition for "body" that is intended to make it clear that "body" refers to unincorporated bodies such as trusts or associations. They are purely drafting amendments.

Amendment agreed to.

Amendments made: No. 12, in page 16, line 38, after 'court' insert

'in relation to an unincorporated body'.—*[Lord James Douglas-Hamilton.]*

No. 13, in page 16, line 46, leave out

'has the meaning given by'

and insert

'shall be construed in accordance with'.—*[Lord James Douglas-Hamilton.]*

New Clause 15

BOARD'S INTERVENTION POWERS

'.—(1) The powers conferred on the Board by this section may be exercised if, after such inquiry (if any) as the Board consider appropriate, it appears to them to be desirable to do so for the purpose of protecting the interests of the clients, or prospective clients, of an independent qualified conveyancer or an executry practitioner (each of whom is in this section referred to as a "relevant practitioner").

(2) The Board may, in particular, exercise any such power where it appears to them that a relevant practitioner—

(a) is no longer a fit and proper person to provide conveyancing services or, as the case may be, executry services;

(b) has ceased, for whatever reason, to provide such services; or

(c) has failed, or is likely to fail, to comply with regulations made under section 15(10A) or, as the case may be, section 16(10) of this Act.

(3) The Board may direct the relevant practitioner not to dispose of, or otherwise deal with, except in accordance with the terms of the direction—

(a) any assets belonging to any client of the practitioner and held by or under the control of the practitioner in connection with his business as an independent qualified conveyancer or, as the case may be, an executry practitioner; or

(b) any assets of the practitioner which are specified, or of a kind specified, in the direction.

(4) The Board may direct the relevant practitioner to transfer to the Board, or to such persons (in this section referred to as "the trustees") as may be specified in the direction—

(a) all assets belonging to any client of the practitioner and held by or under the control of the practitioner in connection with his business as an independent qualified conveyancer or, as the case may be, an executry practitioner; or

(b) any assets of the practitioner which are specified, or of a kind specified, in the direction.

(5) A relevant practitioner to whom a direction is given may, within 21 days of the date on which the direction is received by him, apply to the Court of Session, which may make such order in the matter as it thinks fit.

(6) A relevant practitioner to whom a direction is given shall comply with it as soon as it takes effect (and whether or not he proposes to apply to the Court of Session under subsection (5) above).

(7) If, on an application to the Court of Session by the Board, the court is satisfied—

(a) that a relevant practitioner has failed, within a reasonable time, to comply with any direction given to him; or

(b) that there is a reasonable likelihood that a relevant practitioner will so fail,

the court may make an order requiring the practitioner, and any other person whom the court considers it appropriate to subject to its order, to take such steps as the court may direct with a view to securing compliance with the direction.

(8) Any assets which have been transferred as a result of a direction given under subsection (4) above shall be held by the Board, or by the trustees, on trust for the client or, as the case may be, the practitioner concerned.

(9) The trustees may deal with any assets which have been transferred to them only in accordance with directions given to them by the Board.

(10) If the Board have reasonable cause to believe that a relevant practitioner or an employee of a relevant practitioner has been guilty of dishonesty resulting in pecuniary loss to a

client of the relevant practitioner, they may apply to the Court of Session for an order that no payment be made by any bank, building society or other body named in the order out of any bank, building society or other account or any sum deposited in the name of the relevant practitioner without the leave of the court and the court may make such an order.

(11) Any direction under this section—
(a) shall be given in writing;
(b) shall state the reason why it is being given;
(c) shall take effect on such date as may be specified in the direction (which may be the date on which it is served on the relevant practitioner); and
(d) may be varied or revoked by a further direction given by the Board.

(12) In this section—
"assets" includes any sum of money (in whatever form and whether or not in any bank, building society or other account) and any book, account, deed or other document held by the relevant practitioner on his own behalf in connection with his business as a relevant practitioner or on behalf of the client concerned; and
"independent qualified conveyancer" and "executry practitioner" respectively include any independent qualified conveyancer or executry practitioner whether or not he was registered as such at the time when the matter in relation to which the Board exercise or propose to exercise their powers under this section arose and notwithstanding that subsequent to that time he has ceased to be so registered.'—*[Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 38, 51, 53 and 63 to 66.

Lord James Douglas-Hamilton: The new clause was not heralded during our discussions in Committee, so it may be helpful to the House if I briefly outline its purpose and effect.

The provision is intended to enhance the regulatory structure under which the board is to operate. It corresponds closely to an amendment brought forward during the Report stage of the Courts and Legal Services Bill. The new clause gives the board the power to intervene in the business of an independent, qualified conveyancer or an executory practitioner where it appears to the board that the interests of the practitioners' clients are likely to be put at serious risk. I do not envisage that that power will be used often, but it could prove valuable if a practitioner were to deviate from acceptable business practice to such an extent as to threaten the interests of clients or prospective clients.

Under the new clause, the board's powers are backed up by an enforcement mechanism that allows it to go to the Court of Session for an order to secure compliance. I do not believe that the new clause is controversial. It represents the final component of the regulatory regime that we have established for independent qualified conveyancers and executory practitioners.

Mr. Dewar: I am quite prepared to accept that the new clause is non-controversial, and I am delighted to hear that it is the final component. However, I fear that it may not be the last time that I hear about independent qualified conveyancers. I understand that the new clause deals largely with the winding up of businesses of independent qualified conveyancers—not a particularly cheery subject for those who have faith in the new breed of operator. I am advised that it gives the conveyancing board powers similar, in terms of dealing with their assets, to those allowed to the Law Society of Scotland, in terms of sections 45 and 46 of the Solicitors (Scotland) Act 1980. I certainly do not have strong feelings on that matter, and I am prepared to see it go through.

Mr. Harry Ewing: Does the Minister envisage that the procedure would be activated on a complaint from the client, or is there some other way that I have not understood?

Lord James Douglas-Hamilton: It would normally be activated on a complaint from the client, unless some untoward facts were discovered. I sincerely hope that nothing of that nature will ever occur.

Question put and agreed to.

Clause read a Second time and added to the Bill.

New clause 22

MULTI-NATIONAL PRACTICES

'. Before section 61 of the 1980 Act there shall be inserted the following section—

"*Multi-national practices*

60A.—(1) Subject to the provisions of this section, solicitors and incorporated practices may enter into multi-national practices with registered foreign lawyers.

(2) The Council shall maintain a register of foreign lawyers, and may make rules with regard to registration; and, without prejudice to the generality of the foregoing, such rules may include provision as to—
(a) the manner in which applications for registration are to be made;
(b) the fees payable in respect of such applications;
(c) conditions which may be imposed in respect of registration; and
(d) the period for which any such registration is to run.

(3) Section 34(2) and (3) apply to rules made under subsection (2) as they apply to rules made under that section.

(4) Any foreign lawyer may apply to the Council to be registered as such for the purposes of this section and the Council shall, if they are satisfied that the legal profession of which the applicant is a member is so regulated as to make it appropriate for him to be allowed to enter into a multi-national practice with solicitors or incorporated practices, enter his name on the register.

(5) Subject to subsection (6), the Secretary of State may by order made by statutory instrument provide that any enactment or instrument—
(a) passed or made before the commencement of this section;
(b) having effect in relation to solicitors; and
(c) specified in the order,
shall have effect with respect to registered foreign lawyers as it has effect with respect to solicitors.

(6) Before making any order under subsection (5), the Secretary of State shall consult the Council.

(7) An order under subsection (5) may provide for an enactment or instrument to have effect with respect to registered foreign lawyers subject to such additions, omissions or other modifications as the Secretary of State specifies in the order.

(8) No order shall be made under subsection (5) unless a draft of the order has been approved by both Houses of Parliament.".'—*[Lord James Douglas-Hamilton.]*

Brought up, and read the first time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 97, 100, 101 and 113 to 115.

Lord James Douglas-Hamilton: New clause 22 will be welcomed by the whole House. The Bill already provides for the removal of existing statutory barriers to the formation of multinational practices. The new clause makes it clear that Scottish solicitors are entitled to enter into such practices. More significantly, it gives the council of the Law Society of Scotland powers to regulate such practices.

The House will wish to know that the amendment has been discussed with the Law Society, which indicated its support for the new clause and the policy in general. The new clause places the Council of the Law Society under a duty to maintain a register of foreign lawyers with whom Scottish lawyers are to be permitted to go into partnership. They will be lawyers whose native jurisdiction is regulated to the society's satisfaction.

The new clause is an enabling power rather than a detailed attempt to regulate multinational practices. It creates a flexible framework within which details can be worked out in the light of developments in national legal practice, and thus the Secretary of State is accorded a regulation-making power under subsection (5) to attach existing statutes and statutory instruments to foreign lawyers practising in Scotland or in partnership with Scottish solicitors where he considers that appropriate. That power is to be exercised only after consultation with the Law Society's council and is subject to affirmative resolution in both Houses of Parliament.

I believe that the new clause paves the way for the enhancement of business opportunities for the Scottish legal profession and better services for clients.

The remaining amendments in the group are primarily intended to clarify the position of multi-disciplinary practices in the regulatory framework that governs solicitors. The House will be aware that the Bill already provides for the removal of the existing statutory barriers to the formation of multi-disciplinary practices—those involving solicitors and members of other professional disciplines—and for shifting responsibility for the extent to which multi-disciplinary practices should be permitted to the council of the Law Society of Scotland. That is quite proper, as the solicitor profession in Scotland is very much a self-regulating one, and it should be for the council to decide on practising structures for its members.

Mr. Dewar: There is no objection from any quarter with which I have been in touch to the proposals on multinational practices in the new clause, but it would be helpful if the Minister said a little more about them.

I understand that multinational practices contain foreign lawyers who will register with the Law Society of Scotland and who are not necessarily restricted to being lawyers who qualified in another EC country—they can come from any part of the world. Amendment No. 114 defines a foreign lawyer as

"a person who is not a solicitor or an advocate but who is a member, and entitled to practise as such, of a legal profession regulated within a jurisdiction outwith Scotland".

Sir Nicholas Fairbairn: Does foreign in this case include England?

6.30 pm

Mr. Dewar: I assumed that it does, for these purposes. No doubt the Scottish National party would take an interest in the matter if its members were present, but unfortunately their enthusiasm for law reform in Scotland ran out some hours ago and they are not here to participate in discussing this relevant point.

For these purposes it is fair to say that a foreign lawyer will be an English lawyer, so an English lawyer can become a partner in a Scottish law firm as long as he is registered with the Law Society of Scotland and it is satisfied with his qualifications and his ability to practise. I am not sure what test the society will apply—perhaps the Minister will tell us.

The English jurisdiction is fairly close to the Scottish one, but it seems that even a Spanish, Australian or Papua New Guinean—I cast no aspersions—could perfectly well become a partner. Presumably the Law Society of Scotland will apply a test of competence in the law of Scotland before such a lawyer is allowed to join a practice. No doubt those matters have been discussed with the Law Society; perhaps the Minister can tell us more.

One of the problems with the Bill, of which even Members who are not connected with the measure will have heard, is the extreme danger of reading it in terms of the words that appear within its covers. Sometimes the Government mean the opposite of what the legislation appears to do. That was exemplified in the case of the multidisciplinary practices, which we are defining in the Bill. I am delighted, incidentally, to see the hon. Member for Tayside, North (Mr. Walker) in his place. Not only does he hold the distinguished office of vice-chairman of the Conservative party in Scotland, but I note that he is acting as parliamentary private secretary to the Under-Secretary of State, a responsibility that he bears with distinction. Perhaps it is now one that substitutes for his vice-chairmanship, which dangles by the proverbial thread.

As the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) will recall, when we discussed multi-disciplinary practices, we were removing the barriers to them. That was the clear message on the face of the Bill, but it emerged that that was not what we were doing at all. We were not inviting the arrival of those practices. The Government had entered into a private agreement with the Faculty of Advocates first, and thereafter rather more publicly with the Law Society of Scotland, to the effect that they would approve any regulations that would ban multi-disciplinary practices. So there were to be none at all in Scotland in the foreseeable future.

There was a moment of high comedy when we were asked not to defeat a certain part of the Bill on the ground that it prevented the Office of Fair Trading from interfering with our affairs, and because that office was being banned from the field, level or otherwise, it would be even harder for multi-disciplinary practices to enter by the side door or the back door.

So, despite the defining of multi-disciplinary practices, the Government, the Committee and everyone else have agreed not to have them. I want to find out whether the same will apply to multinational practices. Although we appear to be removing barriers and giving them the green light, perhaps there is already an agreement not to have them. Can the Minister clear up that point and say a word or two about the MDPs that we are so neatly defining in

amendment No. 114, sub-paragraph (ab)? That may be something of an academic exercise, in view of the arrangements that have been reached, but although the matter was spelt out in Committee, it might be helpful if it were spelt out again on the Floor of the House.

Mr. Harry Ewing: I welcome the proposal to have multinational practices. I suspect that one of the great difficulties of pursuing cases on behalf of clients against the background of tragedies such as Piper Alpha and Lockerbie is our lack of experience in working on a multinational basis. But it is also important to warn the people of Scotland of what lies ahead. I look forward to the day when Ross, Harper and Murphy becomes Ross, Harper, Murphy, Ashrap, Gomez and Waleski.

Mr. Menzies Campbell: I should like to ask the Minister to be forthcoming about what precisely is conveyed by subsection (4), which reads:

"Any foreign lawyer may apply to the Council to be registered as such for the purposes of this section."

Some distinguished foreign lawyers may find the prospect attractive.

"The Council shall, if they are satisfied that the legal profession of which the applicant is a member is so regulated as to make it appropriate for him to be allowed to enter into a multi-national practice with solicitors or incorporated practices, enter his name on the register."

One can see circumstances in which the legal profession of which the applicant is a member is so regulated as to ensure that he is a person of good character or financial probity, or that he regularly fulfils responsibilities equivalent to those in Scotland under the solicitors accounts rules. Legal professions may prudently impose such tests on these lawyers, but there appears to be no provision here requiring the council to consider whether they are sufficiently expert in and knowledgeable about Scottish law to be able to enter a professional relationship with Scottish lawyers.

It may be argued that it should not matter whether a person qualified in Spanish law is sufficiently qualified in Scottish law, but partnerships of solicitors attract joint and several liability; so it may equally be argued that before any multinational practice may be created a lawyer coming to it from a foreign jurisdiction should be shown to be well enough versed in the law of Scotland at least to understand the responsibilities of partnership in Scotland.

As I read subsection (4), it is concerned with the way in which the native or the domestic legal system of which the foreign lawyer is a member may be regulated. It is not concerned with whether any such applicant is sufficiently versed in Scottish law to understand the consequences of entering into a partnership with Scottish solicitors. That seems to me to be an omission. Perhaps it is a deliberate omission; if so, no doubt the Minister will tell us. If he accepts that it is an omission by reason of oversight, however, I hope that he will at least give some consideration to the point that I have made. At the very least, it seems to be desirable that anyone entering into a partnership with a Scottish lawyer should be aware of what the consequences may be, in terms of personal liability and what the responsibilities to the Law Society of Scotland and the provisions of the accounts rules undoubtedly are.

Lord James Douglas-Hamilton: One of the questions that I was asked was whether the term "foreign lawyer" included English lawyers. Amendment No. 114 defines "foreign lawyer" as

"a person who is not a solicitor or an advocate but who is a member, and entitled to practise as such, of a legal profession regulated within a jurisdiction outwith Scotland."

The hon. and learned Member for Fife, North-East (Mr. Campbell) and the hon. Member for Glasgow, Garscadden (Mr. Dewar) asked who would decide which jurisdictions were acceptable for inclusion in the register of foreign lawyers—for example, whether the educational requirements were sufficient. That will be for the Law Society regulations to decide. The test will be the arrangements for training and fitness in the home jurisdiction of the applicant concerned.

I was also asked whether multi-disciplinary practices would exist. The answer is yes, if the Law Society wants them. The amendments provide for them to be adequately regulated. The hon. Member for Garscadden looks amused, but it is important that we secure the acceptability of the amendments. The Law Society pressed hard for the amendments on multinational practices, and I suspect that there will be more pressure in that regard. The Secretary of State and I both devilled, before being advocates to a QC who is now a European judge—that is a sign of the greater contact between European nations.

Let me say to the hon. Member for Falkirk, East (Mr. Ewing) that I am surprised that, as the shadow Secretary of State is a partner of Ross, Harper and Murphy, he did not at least mention the name of the hon. Member for Garscadden before mentioning many extra names.

Mr. Dewar: I wish this point to be put clearly on the record. On multi-disciplinary practices, the Minister is saying that the Government will abide by what the Law Society of Scotland wants—that they will endorse the decision. If the Law Society wants multi-disciplinary practices, so be it, and if it does not, so be it.

Lord James Douglas-Hamilton: That is exactly what I am saying. I have had very satisfactory meetings with the Law Society, and I can confirm that it finds the amendments acceptable.

Mr. Menzies Campbell: Is the Minister saying that, if the Law Society of Scotland considers it appropriate that a foreign lawyer should have some knowledge of Scottish law and the consequences and liabilities of entering into partnership with Scottish solicitors, it may impose that as a qualification before admitting any individual to the register that it will maintain?

Lord James Douglas-Hamilton: Yes, it could regulate multinational practices. We are at an early stage, but obviously it will become an issue in 1992, when there will be more competition between European countries. It is only right that this provision should be included in the Bill so that they can take the necessary action as required.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 14

THE SCOTTISH CONVEYANCING AND EXECUTRY SERVICES BOARD

Lord James Douglas-Hamilton: I beg to move amendment No. 21, in page 18, line 31, leave out 'providing such services in the course of practising as solicitors'.

Mr. Deputy Speaker (Mr. Harold Walker): With this we may take Government amendments Nos. 22, 34 and 99.

Lord James Douglas-Hamilton: The amendments are intended to deal with the concerns expressed by a number of hon. Members in Committee about the demarcation of regulatory responsibilities between the Scottish Conveyancing and Executry Services Board and the Law Society. The hon. Member for Glasgow, Garscadden (Mr. Dewar) and the hon. and learned Member for Fife, North-East (Mr. Campbell) both spoke eloquently on this topic. I hope that they will agree that the amendments make it absolutely clear that the jurisdiction of the board does not extend to solicitors, who will be regulated by the Law Society alone. It will not be possible for a solicitor to register as a qualified conveyancer or an executry practitioner without first having had his name removed from the roll of solicitors. I believe that the amendments clarify the position.

Mr. Dewar: I welcome that. There was considerable concern in Committee about the possible overlap when someone was both a solicitor and an independent qualified conveyancer. There was a feeling that there might be differences in the rules and regulations and problems about jurisdiction.

As I understand the import of this group of amendments, the conveyancing board will look after the qualified conveyancers and the Law Society will rule supreme with solicitors. The two cannot be combined. That seems a sensible improvement on the rather confused situation that could potentially have existed. I thank the Minister for his efforts.

Amendment agreed to.

Amendment made: No. 22, in page 18, line 37, leave out 'providing such services in the course of practising as solicitors'.—*[Lord James Douglas-Hamilton.]*

Clause 15

QUALIFIED CONVEYANCERS

Lord James Douglas-Hamilton: I beg to move amendment No. 23, in page 19, line 21, leave out '(4)' and insert '(13)'.

Mr. Deputy Speaker: With this we may also consider the following amendments: No. 136, in page 19, line 24, leave out 'may' and insert 'shall'.

Government amendments Nos. 24, 25, 35, 36 and 37.

6.45 pm

Lord James Douglas-Hamilton: I shall be happy to accept amendment No. 136 when it is moved. It ensures consistency between the rules governing registration of executry practitioners and qualified conveyancers, and I am grateful to the hon. Member for Glasgow, Garscadden (Mr. Dewar) for bringing it before the House.

Amendments Nos. 23, 24, 25, 35 and 36 seek to establish a standard time limit for appeals against decisions made by the Scottish Conveyancing and Executry Services Board relating to disciplinary matters and to the refusal of applications for registration as a qualified conveyancer or as an executry practitioner. The House will have noted that clause 18(10) already provides for such a time limit in connection with the disciplinary measures imposed by the board. The amendments aim for a consistent approach throughout part II.

I am sure that the House will agree that 21 days is a reasonable period within which an aggrieved practitioner can be expected to appeal against a decision made by the board. It corresponds exactly to similar provisions in the Solicitors (Scotland) Act 1980, which is perhaps the most relevant comparable legislation.

Amendment No. 37 fulfils an undertaking that I gave to my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) during the Committee's consideration of his amendment No. 253. Its purpose is to place the Secretary of State under a specific duty to include provisions relating to educational qualifications and practical training in the regulations governing the conduct and practice of executry practitioners, which he is required to make under clause 16. While it was always the Government's intention that such matters should be covered in the regulations, the amendment puts the matter beyond question. I wish to make it clear that we have responded to the concern expressed by the hon. Member for Garscadden in Committee.

Mr. Dewar: There is no time to go over what is obviously an improved position. I can only say that I am grateful to the Minister for accepting amendment No. 136, which I shall move when we come to it. It is important that we give proper attention to educational qualifications and to training qualifications in the area where both qualified conveyancers and executry practitioners operate.

The amendments that we shall consider this evening go a long way to meet some of the doubts and anxieties that were expressed in Committee, and I am glad to see them on the amendment paper.

Amendment made: No. 136, in page 19, line 24, leave out 'may' and insert 'shall'.—*[Mr. Dewar.]*

Amendments made: No. 24, in page 19, line 31, after 'may' insert

', within 21 days of the date on which the Board's decision is intimated to him,'.

No. 25, in page 19, line 33, leave out

'if he is not satisfied'

and insert

'within 21 days of the date on which the outcome of such review is intimated to him'.

No. 97, in page 20, line 5, at end insert—

'or

(d) a multi-disciplinary practice within the meaning of that section,'.—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 26, in page 20, line 22, at end insert—

'(10A) The Secretary of State shall, subject to section 36 of this Act and after consultation with such persons as he considers appropriate, by regulations make such provision as he thinks fit with a view to maintaining appropriate standards of conduct and practice of independent qualified conveyancers, and such regulations shall, in particular, make provision with respect to—

(a) the manner in which such conveyancers conduct the provision of conveyancing services;

(b) conflicts of interest;
(c) the contractual obligations of such conveyancers;
(d) the holding of clients' money; and
(e) the disclosure of and accounting for commissions.

(10B) Regulations under subsection (10A) above shall be made by statutory instrument and no regulations shall be made under that subsection unless a draft of the regulations has been laid before, and approved by a resolution of, each House of Parliament.'

Mr. Deputy Speaker: With this we may take Government amendments Nos. 27 to 32, 43, 56 and 57.

Lord James Douglas-Hamilton: Broadly speaking, the amendments reflect the terms of an amendment that was tabled in Committee—again, by the hon. Member for Glasgow, Garscadden (Mr. Dewar)—with some further consequential amendments.

The purpose of the amendments is to place responsibility for making rules governing the conduct and practice of independent qualified conveyancers in the hands of the Secretary of State, who will be required to make such rules in the form of regulations that will, in turn, be subject to affirmative resolution in both Houses of Parliament. When our amended conveyancing proposals were brought before the Committee, our initial view was that it should be for the board to make the rules, subject to the approval of the Secretary of State; however, on reflection a further degree of parliamentary scrutiny is considered appropriate, and I am happy to commend the amendments that so clearly reflect the Committee's wishes.

Mr. Dewar: This is becoming something of a dialogue, but for the best of all possible reasons the Minister has again been helpful. The decision that the Secretary of State should make resolutions that are open to affirmative procedure strengthens parliamentary scrutiny in an area in which there is a degree of public interest. My hon. Friend the Member for Dundee, East (Mr. McAllion) is muttering. I assure him that the whole point is to allow him into the discussion rather than having it confined to the conveyancing board. I hope that he is pleased at that, and I look forward to hearing his many contributions when we debate the regulations that will ultimately be laid.

Amendment agreed to.

Amendments made: No. 27, in page 20, line 25, leave out 'subsections (12) and (13)' and insert 'subsection (12)'.

No. 28, in page 20, line 28, at end insert 'and'.

No. 29, in page 20, leave out lines 33 to 45.

No. 30, in page 21, line 5, leave out 'or (11)(c)'.

No. 31, in page 21, line 11, leave out 'a' and insert 'an independent'.

No. 32, in page 21, line 11, leave out
'rules made under subsection (11)(c)'
and insert
'regulations made under subsection (10A)'.—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 33, in page 22, line 4, at end insert—

'(18A) Where an offence under subsection (17)(a) above is committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of—
(a) any director, secretary or other similar officer of the body corporate; or
(b) any person who was purporting to act in any such capacity,
he (as well as the body corporate) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(18B) Where an offence under subsection (17)(a) above is committed by a partnership and is proved to have been committed with the consent or connivance of a partner, he (as well as the partnership) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.'

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 39, 83 and 86.

Lord James Douglas-Hamilton: In a sense, the amendments are technical. They are designed to remove existing doubts about whether the law at present would allow the prosecution of individual partners and managers of organisations involved in the provision of legal services as well as the organisations themselves.

Amendment agreed to.

Lord James Douglas-Hamilton: I beg to move amendment No. 98, in page 22, line 4 at end insert—

'(18C) Any independent qualified conveyancer who provides conveyancing services upon the account of, or for the profit of, any person other than—
(a) a solicitor;
(b) an incorporated practice within the meaning of section 65 of the 1980 Act;
(c) a multi-disciplinary practice within the meaning of that section; or
(d) another independent qualified conveyancer,
knowing that person not to be a solicitor, incorporated practice, multi-disciplinary practice or independent qualified conveyancer, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.'

Mr. Deputy Speaker: With this it will be convenient to consider the following amendment No. 137, in page 22, line 4 at end insert:—

'(18C) Any independent qualified conveyancer who provides conveyancing services upon the account of, or for the profit of, any person other than—
(a) a solicitor;
(b) an incorporated practice within the meaning of Section 65 of the 1980 Act;
(c) a multi-disciplinary practice within the meaning of Section 65 of the 1980 Act; or
(e) another independent qualified conveyancer,
knowing that person not to be a solicitor, incorporated practice, multi-disciplinary practice, or independent qualified conveyancer, shall be guilty of an offence and liable in summary conviction to a fine not exceeding level 4 on the standard scale.'.

Government amendments Nos. 110 and 112.

Lord James Douglas-Hamilton: This group of amendments clarifies the business relationships which can be entered into by independent qualified conveyancers and solicitors. The first amendment fulfils an undertaking that I gave in Committee to my hon. Friend the Member for Eastwood (Mr. Stewart). It prevents an independent qualified conveyancer from acting on an agency basis for persons other than solicitors or other independent qualified conveyancers. The obvious example of such an arrangement—I do not think that it is a likely scenario—would be a large financial institution seeking to use independent qualified conveyancers as agents, thus gaining access to the financial market by the back door. Amendment No. 137, which was tabled by the hon. Member for Glasgow, Garscadden (Mr. Dewar) similarly

[Lord James Douglas-Hamilton]

seeks to prevent such business relationships, and is virtually identical to amendment No. 98, which I hope he will feel able to support.

Amendment No. 110 clarifies the extent of the provision in section 26 of the Solicitors (Scotland) Act 1980 which makes it an offence for solicitors to act on a similar agency basis for unqualified persons. It makes it clear that solicitors will be able to act on such a basis for independent qualified conveyancers and executry practitioners within their specific areas of legal practice. The amendment also makes it clear that solicitors will be able to work on that basis in law centres. That matter was raised in Committee by the hon. Member for Garscadden and, although we discussed it only briefly, the Committee clearly supported the concept of law centres. I think that the law centre in Castlemilk was mentioned. Therefore, the amendment removes one of the remaining legal obstacles to the establishment of law centres and it has the support of the Law Society.

Amendment No. 112 disapplies the offence provision in section 32 of the 1980 Act from independent qualified conveyancers preparing writs relating to heritable or moveable estate. I suggest that they relate only to moveable estate connected with the conveyancing transaction concerned. The amendments are concerned primarily with agency arrangements involving solicitors and qualified conveyancers.

Mr. Dewar: This is a complicated series of amendments and it would not help if I were to plunge into them. At the moment I am not sure that I am competent to do so. I am grateful to the Minister for a series of proposals which largely meet points that were raised in Committee. It is important for the independence of qualified conveyancers to be safeguarded. That is a polite way of saying that this is another move to ensure that the banks and building societies do not get into this field, as originally envisaged. As I understand it, the amendment will prevent conveyancers from being employed by banks or building societies. They will have to work on their own behalf or for solicitors. They cannot work for a financial institution as was at one time envisaged. That is important.

The law centres are a rather technical matter. A number of points were raised about them in Committee and I shall certainly consider how far the Minister has been able to go. I am glad that he feels that he has been able to meet some of the worries expressed by the law centres. The movement has not had as much positive encouragement in Scotland as it deserves. Perhaps we may return to that on another occasion.

Sir Nicholas Fairbairn: I welcome the amendments, which I thought that I had suggested.

Mr. Brian Wilson (Cunninghame, North): You can have them.

Sir Nicholas Fairbairn: No man is a prophet in his own country. I hope that the message will go from here that it will be a criminal offence for anybody to attempt to get around the exclusion of institutions to do conveyancing by employing them as runners, lackeys or fags—whatever one may call them. It is a criminal matter now, and it is important for that to be known.

Amendment agreed to.

Amendments made: No. 34, in page 22, leave out line 9.

No. 99, in page 22, line 11, leave out 'such' and insert 'conveyancing'.—*[Lord James Douglas-Hamilton.]*

Clause 16

EXECUTRY PRACTITIONERS

Amendments made: No. 35, in page 22, line 44, after 'may' insert

'within 21 days of the date on which the Board's decision is intimated to it'.

No. 36, in page 22, line 46, leave out

'if it is not satisfied'

and insert

'within 21 days of the date on which the outcome of such review is intimated to it'.

No. 37, in page 23, line 16, leave out 'may' and insert 'shall'.

No. 38, in page 23, leave out lines 22 to 25.

No. 39, in page 23, line 47, at end insert—

'(16) Where an offence under subsection (14) above is committed by a partnership or by an unincorporated association (other than a partnership) and is proved to have been committed with the consent or connivance of a partner in the partnership or, as the case may be, a person concerned in the management or control of the association, he (as well as the partnership or association) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.'—*[Lord James Douglas-Hamilton.]*

Clause 17

EXECUTRY SERVICES BY RECOGNISED FINANCIAL INSTITUTIONS

Lord James Douglas-Hamilton: I beg to move amendment No. 40, in page 24, line 1, at beginning insert

'Subject to subsection (2A) below,'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 41, 42, 124 and 141.

Lord James Douglas-Hamilton: The most important of these amendments is No. 41 which is again designed to meet the concerns expressed in Committee by the hon. Member for Glasgow, Garscadden (Mr. Dewar) relating to the competence of a recognised financial institution wishing to offer executory services. The amendment requires such an institution to notify the board that it complies with certain standards about the educational qualifications and practical training of its executory staff, which will be prescribed in regulations made by the Secretary of State. The provision ensures that financial institutions recognised under clause 17 employ adequately trained staff for the purposes of offering executory services. I am happy to accept amendment No. 141 in the name of the hon. Member for Garscadden. It should not be confused with amendment No. 41, which is also in this group. That provides that the regulations will be subject to affirmative resolution.

Amendments Nos. 40 and 42 deal with the possibility that an institution might, for whatever reason, fail to maintain a suitable complaints mechanism or suitable standards of training for its staff, notwithstanding the fact that it was fully up to standard at the time when it notified the board of its intention to offer executory services. In

such circumstances, the institution is required by the amendment to stop providing executory services and to notify the board that it is doing so.

The amendments go a long way towards meeting the concerns expressed in Committee. Amendment No. 124 is technical and clarifies clause 17 in relation to the Insurance Companies Act 1982. Section 16 of that Act specifies the areas of business which, under statute, insurance companies are permitted to undertake. The amendment makes it clear that clause 17 does not extend that area of business. The amendments will introduce additional consumer safeguards for the provision of executory services.

Mr. Dewar: I thank the Minister for the amendments. As he said, they are in response to worries expressed by me and other hon. Members in Committee. I had better mention other hon. Members in case I stand on the distinguished and learned toes of the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn). I am prepared to share the technicality of this matter with him.

It is important that financial institutions such as banks and building societies which are already offering executry services to the public should not, because they are already in the field, be exempt from providing qualifications in training and education for those dispensing the service. It would have been an anomaly if anyone registering as an executry practitioner now had to meet certain standards, while the big boys who were in the area earlier were exempt from the same requirement. Amendment No. 41 seems to meet that point. I shall not even complain about my amendment (a) not appearing on the order paper. The main purpose of the Committee has been met.

7 pm

I am glad that the Minister has accepted amendment No. 141, which means that regulations laid under clause 17(1) will be subject to positive resolution by the House. That is consistent with what we decided earlier this evening, and it is appropriate. I thank the Minister.

Amendment agreed to.

Amendments made: No. 41, in page 24, line 3, after 'so;' insert—

'(aa) it complies with such requirements as may be prescribed by regulations made by the Secretary of State with respect to the educational qualifications and practical training of those of its employees who are to be engaged in the provision of executry services;'.

No. 42, in page 24, line 23, at end insert—

'(2A) Where—

(a) a recognised financial institution ceases (for whatever reason) to comply with the requirements with respect to educational qualifications and practical training referred to in paragraph (aa) of subsection (1) above;

(b) a recognised financial institution ceases (for whatever reason) to be a member of, or otherwise subject to, a scheme referred to in a notice given by it under that subsection; or

(c) such a scheme ceases to comply with the requirements mentioned in paragraph (b)(ii) of that subsection,

the recognised financial institution shall notify the Board of that fact and shall forthwith cease providing executry services.'

No. 124, in page 24, line 29, at end insert—

'(4A) This section, so far as it relates to a body or subsidiary mentioned in subsection (2)(c) or (d) above, is without prejudice to section 16 of the Insurance Companies Act 1982 (restriction of insurance companies to insurance business).'—*[Lord James Douglas-Hamilton.]*

No. 141, in page 24, line 30, leave out subsection (5) and insert—

'(5) Regulations under subsection (1) above shall be made by statutory instrument and no regulations shall be made under that subsection unless a draft of the regulations has been laid before, and approved by a resolution of, each House of Parliament'.—*[Mr. Dewar.]*

Clause 18

PROFESSIONAL MISCONDUCT, INADEQUATE PROFESSIONAL SERVICES, ETC.

Amendment made: No. 43, in page 24, line 39, leave out

'rules made under section 15(11)(c) or, as the case may be, regulations made under section'

and insert

'regulations made under section 15(10A) or'.—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 44, in page 25, line 20, at end insert—

'(ee) in a case where the practitioner has provided inadequate professional services, to direct the practitioner to pay to the client by way of compensation such sum, not exceeding £1,000, as the Board may specify;'.

Mr. Deputy Speaker: With this we may discuss Government amendments Nos. 45, 125, 79 to 81 and 126.

Lord James Douglas-Hamilton: These amendments fulfil an undertaking that I gave during the Committee's consideration of new clause 12, which was tabled by the hon. Member for Glasgow, Garscadden (Mr. Dewar). I said that I would accept the principle behind that new clause, and I have tabled the amendments to do so.

The amendments provide the Council of the Law Society, the Scottish Solicitors Discipline Tribunal and the Scottish Conveyancing and Executry Services Board with a power to order the payment of compensation by a practitioner against whom a complaint of providing inadequate professional services has been upheld. It is intended that the compensation will be for distress or inconvenience that the client has suffered, although it will be open to those disciplinary bodies to order the payment of compensation for a specific and quantifiable financial loss. Amendments along these lines have been pressed for by the Scottish Consumer Council since the introduction of the Bill in another place and I am confident that the consumer lobby will give them a warm welcome. The Law Society of Scotland has indicated that it does not dispute the principle on which the amendments are based.

The House will wish to be aware that a corresponding provision along these lines is included in the Courts and Legal Services Bill—indeed, it was specifically sought by the English Law Society. The amendments also include a further refinement, included after detailed discussions with the Law Society of Scotland, which makes it clear that any decision of the board, the tribunal or the council cannot be founded upon in any proceedings in order to show negligence on the part of the practitioner; that any award of compensation will be totally without prejudice to the client's right of redress under civil law; and that the amount of any award of compensation can be taken into

[Lord James Douglas-Hamilton]

account in the calculation of any award of damages by a court. Those provisos are eminently sensible and will, I hope, meet with the approval of the House.

The compensation power provides a useful additional remedy to the disciplinary sanctions already available to the board, the council and the tribunal.

Mr. Dewar: We have been moving along at fair lick and we have dealt with a great many quite important, but on the whole technical, matters.

The amendment is worth a particular welcome. It has been tabled in response to a new clause that I moved in Committee, but in a sense it is the culmination of a campaign. I join the Minister in paying tribute to the Scottish Consumer Council that lobbied for the amendment. Its chair, Barbara Kelly, was present when these matters were discussed in Committee. The amendment provides an important new power and extends the remedies available to the public in their dealings with solicitors when something has gone wrong. That is useful and important.

We are all aware that the Law Society rightly takes a stringent view of dishonesty or a failure to abide by the solicitors' account rules. However, the general public have felt for some time that there has been a lack of provisions to deal with problems of shoddy work, delay, inadequacy or incompetence. The Law Society already has the power to instruct that the work be put right either by the solicitor free of charge, or by another solicitor at the expense of the defaulting solicitor.

I am aware of the problems through my experience in my constituency and through my contacts with the public. Even those who are now somewhat distant from the everyday business of the law profession are often recipients of stories about it and tales of distress. There is no doubt that those who are faced with inadequate professional services, and the delay and the problems that flow from that, suffer inconvenience and distress. It is right that a power should be available to the Law Society, through its disciplinary machinery, to offer some form of compensation.

The wear and tear on the nerves and the general aggravation that can result from the problem of trying for many weeks, perhaps months, to get a satisfactory answer from the defaulting solicitor can be a considerable burden for those concerned. I think that £1,000 is a fair sum to have available as an upper limit—not as compensation, but as a payment to mark the inconvenience and distress that has been caused.

Sir Nicholas Fairbairn: The hon. Gentleman said that it was not compensation, but the amendment states, "by way of compensation".

Mr. Dewar: I understand that, and I know that there was some discussion about whether the word "compensation" should be included. I am interpreting the word as I believe it will be interpreted in practice. It is not compensation for a loss, but the giving of some solace for the inconvenience and distress that has been caused. Had the amendment been tabled in Committee, I would have looked for a different word——

Sir Nicholas Fairbairn: "Solatium".

Mr. Dewar: "Solatium" has been suggested by a man of law as a suitable shot at getting the right nuance.

I am making a distinction of some importance, and whatever the word in the Bill, I suspect that it will be approached more in the terms of solace or solatium by the Law Society when it operates the scheme. It is in that spirit that I welcome the amendment as an important improvement on the current position. Although a minor matter on another level, it is important to those concerned. It is right that the powers should be available, and I am glad that the Minister has given way on that.

Sir Nicholas Fairbairn: I welcome the amendment, but I want to put certain questions to my hon. Friend the Minister. I am not sure whether I misheard him, but I thought that he suggested that the fine—it is solatium for the client but a fine for the practitioner—could be subtracted from any award given in civil proceedings. That would be wrong.

I do not like absolutes such as £1,000. People may have suffered appalling experiences and immeasurable losses. There is nothing magic about £1,000, except that it operates on the decimal system. It is idiotic. We just agreed to amendment No. 33, which contains words in the law of Scotland that are new to me:

"shall be liable to be proceeded against and punished accordingly."

Is it not the threat of eternal life to be proceeded against and punished accordingly? It does not say, "You will only be burnt for 10 minutes," or "Satan's oven will not be allowed to be turned up above 50 degrees." If we are to introduce into the law of Scotland the concept of according punishment, why not do it here?

It seems ridiculous to pluck from the air some symbolic, maniacal figure such as £1,000. If an appropriate sum would be £10,000, £50,000 or, as in a recent case in England, £3 million, why should that not be the sum awarded? I see no point to imposing a limit. Why not use instead the words "and punish accordingly"? If we are to introduce marvellous, 16th-century wording of that kind into the law of Scotland, why impose a limit of £1,000? If it is suggested that the award is made by way of compensation, will not the argument be made by the lawyer appearing for the solicitor in future civil proceedings that the complainant has already been compensated? The advocate may argue that, under the Act, the Law Society has awarded compensation of £958.

While I welcome the right of the board to punish delinquent practitioners, the choice of words is most unfortunate, because the word "compensation" can be used in two senses. In cases of reparations, one often finds that the person suffering an injury only begins to recover when he or she has won their case—even if they are awarded only one penny. I appreciate that the complainer may be compensated in the sense that he or she will be made to feel better, but there is also the punishment of the delinquent practitioner to consider. I ask my hon. Friend the Minister seriously to reconsider whether there needs to be an imaginary limit rather than revert to those wonderful and ancient words of "punish accordingly".

Lord James Douglas-Hamilton: I first make the point that such compensation cannot be founded upon in the courts if a negligence action is subsequently raised, because it relates to distress or inconvenience arising from inadequate professional services. We are talking not in terms of punishment but of assisting the individual

concerned. Compensation paid to the client is not to be regarded as a fine upon the solicitor. There is a maximum of £1,000, and the Law Society can award up to that sum —but it does not set limits on what the courts can award. In any event, negligence actions are completely separate from the provision before us.

Amendment agreed to.

Amendment made: No. 45, in page 25, line 43, leave out 'or (b)' and insert ', (b) or (dd)'—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 46, in page 25, line 47, at end insert—

'(6A) Where a practitioner—
(a) fails to comply with a notice under subsection (6) above; or
(b) complies with such a notice but the Board are not satisfied as to the steps taken by the practitioner to comply with the direction to which the notice relates,
the Board may apply to the Court of Session for an order requiring the practitioner to comply with the direction to which the notice relates within such time as the court may order.'

The amendment provides the board with an additional enforcement power, to enable it to ensure compliance with any disciplinary direction that it may issue under clause 18(6). It allows the board to invoke the power of the court in support of its disciplinary measures, by providing for it to seek an order from the Court of Session requiring the practitioner to comply with a disciplinary direction. A similar power is available to the council of the Law Society, to secure enforcement of its disciplinary decisions by application to the solicitors' disciplinary tribunal. The amendment provides a useful addition to the board's powers, and I commend it to the House.

Amendment agreed to.

Lord James Douglas-Hamilton: I beg to move amendment No. 47, in page 26, leave out from the beginning of line 21 to 'refrain' in line 27.

Mr. Deputy Speaker (Sir Paul Dean): With this, it will be convenient to consider the following: Government amendments Nos. 48 to 50.

Amendment No. 139, in schedule 7, page 94, leave out lines 13 to 15 and insert:—

'In paragraph 14 for the words "may be published in such manner as the Tribunal may determine" there shall be substituted the words "shall where the solicitor complained against is found guilty of professional misconduct or of providing an inadequate professional service be published in such manner as the Tribunal may determine and in all other cases every decision may be published in such manner as the Tribunal may determine."'.

Government amendment No. 84.

7.15 pm

Lord James Douglas-Hamilton: Amendment No. 47 was the subject of considerable debate in Committee. It deals with the extent of the publicity that should be given to the decisions of the Scottish Conveyancing and Executry Services Board and of the Scottish Solicitors Discipline Tribunal. Hon. Members who were on the Committee will recall that, following lively debate, I undertook to reconsider the matter.

I have reached the view that all decisions of both the board and tribunal should be published, including the names of the practitioners against whom there has been no finding. In doing so, I have taken fully into account representations to the effect that even an acquittal could damage a practitioner's reputation, on the argument that there is no smoke without fire. However, I do not believe that that is likely to be a problem in practice—not least because there is likely to be little public interest in the names of those who have been acquitted. That has proved to be the case south of the border, where the English solicitors' disciplinary tribunal publishes its findings in full. The General Medical Council does likewise.

I do not accept that any special provisions should be made for Scottish solicitors in that respect. Both the board and the tribunal retain a discretion to refrain from publishing names or any other information that might damage the interest of persons other than the practitioner or his close associates or their families. That proviso was requested by the Lord President of the Court of Session, and is eminently sensible. The drafting amendments seek to remove the uncertainty about the effects of the provision that was expressed in Committee. I am aware that this issue divided the Committee, but I am satisfied that the amendments capture its overall mood.

Mr. Dewar: I am bound to observe that the amendments do not capture my mood. The Committee was divided—not between parties, but between those in all parts of it, which presented the Minister with a genuine difficulty in reaching his decision. It would not be sensible to pursue my objections at this stage, but I must express my personal regret at the Minister's decision, which I believe is the wrong one.

It is important that any solicitor held to be guilty of dishonesty or of bad practice, who is the subject of any finding of guilt—to use a shorthand, lay term—in respect of proper professional ethics should have his name and the finding published. However, I have grave reservations about that being done where there has been no finding of fault.

I am unimpressed by the Minister's arguments. Even in General Medical Council findings of no fault or not guilty, its hearings are held in public and it publishes its findings, but its practice should not bind us in considering the correct procedure in disciplining solicitors. Anyone who followed the recent case of the unfortunate doctor who was found not guilty of having sexual intercourse with one of his patients will know that even the colour of his underwear became the subject of prurient and astonishingly widespread public interest. That doctor would be amazed to hear the Minister say that a finding of not guilty may not necessarily damage the reputation of the individual concerned. Of course it can.

I accept that the General Medical Council is in a slightly different situation, in that its hearings are public, so that journalists can attend to report the juicy bits of evidence. That will not happen with solicitors' hearings, but even where there is no finding of fault, details of the hearings may still come to the public notice.

Perhaps I should now put on my own sackcloth and ashes and tell the Minister that such hearings are matters of not only public but professional interest. Although I read the informative articles in each issue of the Law Society of Scotland's journal when I was in private practice, I also checked the records of the disciplinary committee that appeared at the back of that publication. If I learned that one of my colleagues or someone whom I vaguely knew had been up before the committee, and even if that individual had not been found to be at fault,

[Mr. Dewar]

I could not help noting that a charge had been brought at all—and the fact that it had did not do that individual's reputation any good in my mind.

To be quite honest, his professional reputation suffered. People used to say, "Well, you know, he has been before the disciplinary committee a couple of times. All right, they didn't get anything on him, but!" Solicitors are no more objective about presumptions of innocence than any other group, and they are just as much of a gossipy village as any other vested interest or professional group. It is nonsense for the Minister to say that there will be no damage.

In amendment No. 84 we have gone to great lengths to say that there need not be publication if it would damage the interests of any person other than the solicitor, his partner or their families. Also, there ought to be some consideration for the inevitable damage that could result for someone who is also worthy of consideration: the solicitor who has been the subject of allegations which have not been proved to be justified.

Publication is bound to have a damaging effect, for the reasons that I have given. Clearly, my own preference would have been for my amendment No. 139, because it said that there should be no discretion, if there was a finding of fault, which is a big change from the present arrangements. If solicitors were found guilty of the complaint made against them, their names had to be published, subject to the necessary qualifications in amendment No. 84.

However, if the finding was not guilty, we should at least leave the element of discretion so that, if it was clear that there was no moral turpitude and the allegations made had been held not to be proved, the discretionary committee of the Law Society could decide that, even if there was an interest in ventilating the circumstances of the case because it made a point of practice about which solicitors ought to be aware, it could be done without naming the solicitor concerned. That seems to be a sensible provision, and I am sorry that it has not found favour with the Minister. He is wrong, and individuals may suffer as a result.

Sir Nicholas Fairbairn: I agree wholeheartedly with the hon. Member for Glasgow, Garscadden (Mr. Dewar) as I can imagine nothing more harmful than publication. As he generously suggested, professional people are no less scurrilous in their suspicions, although there should be a presumption of innocence, than non-professional people. If someone comes up before the disciplinary committee and gets off twice, all they will say is that he has got away with it again. Publication will be a slur on a solicitor's professional reputation and it will be impossible to remove it.

I was astonished that a Scottish Minister should pray in aid the English section of the General Medical Council as an example to show that people did not suffer. I do not suppose there is any hon. Member in the Chamber who does not remember the name of the doctor the hon. Member for Garscadden mentioned, but the women with whom he was supposed to have had intercourse were protected and known as Mrs. A and Mrs B.

The General Medical Council presumed guilt before it started, because it said that a couple of women could not be named, although their practices could not be affected as they did not have any. Their livelihoods and their families would not be affected, but the council said that the man who was wrongly accused could be named and the press were able to name him. I would not want the English section of the General Medical Council to be taken for an upholder of morals if that is the way that it behaves.

Therefore, at the very least there should be the discretion not to disclose the name of a solicitor against whom a complaint has been made. I could name many cases—but I shall not—in which a disappointed litigant has made allegations against a solicitor, frequently at the same time as litigation but often years later, for motives which were entirely vindictive, irrational and emotional. There is absolutely no reason why the solicitor's livelihood, or that of his family and his partners, as well as his clients' interests should be put at risk by the publication of such an accusation. People remember accusations, but they rarely remember acquittals.

Mr. Menzies Campbell: If the Minister seeks to rely on the General Medical Council, one can only assume that he was on holiday throughout the months of August and September. Anyone who had any regard to the nature and degree of publicity which attached to the proceedings referred to by the hon. Member for Garscadden could not but believe that a procedure which resulted in such publicity was thoroughly defective and damaging. The subject of such publicity has little chance of recovering.

I hope that the individual we are discussing will recover, but the nature of the coverage in the press, on television and radio was such that he will find it a substantial obstacle to overcome. These matters must be assessed against the principle of public interest. It is clearly in the public interest that they should know about solicitors who have contravened the rules and regulations and have been found guilty of so doing.

One might argue that, for the public's protection, they should know which solicitors have fallen below the prescribed standards of behaviour and conduct, so that they can exercise a choice about going to that solicitor. Also, they can be advised that discipline and behaviour are taken seriously by the Solicitors Discipline Tribunal.

Where is the public interest in publishing the names of people who have not been found to have contravened the regulations? Hon. Members on both sides of the House and in Committee have accepted that the professional and financial consequences may be substantial for the individual concerned and for his partners and associates.

The Minister has taken a broad brush, and decided to publish and be damned, but the people who will be damned are those who do not deserve to be. Even at this stage, the Minister should be able to exercise his independent judgment, and take a decision for which he would be praised by both sides of the House—a decision that would reflect an independence of mind appropriate to the office that he holds—and say that he will think the matter over again. If he withdrew the amendment and gave it further consideration, he would earn the respect of the whole House.

Mr. Harry Ewing: It is a great pity that the example of the General Medical Council has been thrust into the debate. There is no comparison between a medical practitioner who is accused of misconduct and the procedure followed when a legal practitioner is accused of malpractice.

In the case of the medical practitioner, whether a consultant or general practitioner, a whole host of procedures are followed before the case finally goes to the General Medical Council. Many cases do not even reach the council, because they are dealt with and disposed of at an intermediate stage. That is not the case with legal practitioners, because there is only one avenue for dealing with their alleged misdemeanors.

The example of the General Medical Council is a red herring, for the reasons I have already stated and also because the council is constituted differently from the tribunal which considers allegations made against legal practitioners. The General Medical Council includes members of the public. My hon. Friend the Member for Aberdeen, North (Mr. Hughes) was a lay member of the council for a number of years, and a number of lay members sit in judgment on cases. There is no comparison between what happens to a medical practitioner and what happens to a legal practitioner when they transgress.

The Minister ought to accede to the request by the hon. and learned Member for Fife, North-East (Mr. Campbell) and take this matter away. There is no doubt whatsoever that it would do almost irreparable damage to a solicitor practising in a closely knit community. Anyone who thinks that closely knit communities are to be found only in villages knows nothing of some of Scotland's larger urban areas. In my constituency, all the solicitors who practise in Falkirk, Grangemouth and Bo'ness are well known to every person who lives in those communities. If, after a disciplinary hearing, any one of those solicitors was found not to have transgressed yet had his or her name published, I can give the Minister an absolute guarantee —my hon. Friend the Member for Linlithgow (Mr. Dalyell) is here; he knows the communities that I am talking about as well as I do, and in the case of Bo'ness better than I do—that that solicitor's practice would be damaged beyond repair.

7.30 pm

It is a major error for the Minister to suggest that those who are found not to have trangressed should have their names published. I accept what the Minister said about there being no smoke without fire. A balance has to be struck. Do we publish the name of someone who is found not to have transgressed and therefore seek to clear that person's name, or do we withhold the name and hope that people accept that that person has not transgressed?

I accept that a balance has to be struck, but it is not a fine balance. The heavy balance of probability comes down in favour of not publishing that person's name. Damage will be done in any case, but the damage could be minimised by not publishing the names of those who were found not to have transgressed. The names of those who were found to have transgressed should certainly be published, but those who have not transgressed can do without the ignominy of their names being published, with the statement that they have been found not guilty. There is nothing more damning. The Minister ought therefore to withdraw the amendment.

Mr. Dalyell: When colleagues have spent many hours on a Bill, those hon. Members who did not spend those many hours upstairs ought to be reticent. Perhaps, however, I may be allowed to break silence on this issue —and briefly.

I am strongly in favour of the arguments that were first advanced by my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar). My strong, ferocious feeling is the result of constituency experience. When my hon. Friend the Member for Falkirk, East (Mr. Ewing) referred to Bo'ness he may have been thinking of a particular case that arose some years before Bo'ness became part of his constituency, when I represented it. The case is indelibly marked on my memory. It demonstrates how vulnerable solicitors can be if someone bears a grudge against them, a grudge that is perhaps completely ill-founded. Doctors are also vulnerable, and the police are becoming more and more vulnerable.

As my hon. Friend the Member for Falkirk, East said, the trouble is that there is no smoke without fire. Mud sticks in small Scottish communities. This is not a party matter. When it becomes clear that the mood of the House of Commons is such that the Minister ought to think again —this Minister has a reputation, well deserved, in my opinion, for decency and for listening—and since he has heard colleagus on all sides ask him to think again about this matter, as a result of all our experiences, he should do so. Therefore I ask him, please, to do so.

Lord James Douglas-Hamilton: We have had very interesting debates, both tonight and in Committee. The tenor of the representations made on that occasion was rather different. Powerful speeches were made in Committee on the subject in support of the proposition that there should be no special treatment for lawyers on the question of what publicity should be given to the disciplinary decisions of the relevant regulatory authorities.

Views on the matter do not divide along party political lines. For example, on that occasion the hon. Member for Falkirk, East (Mr. Ewing) said that he saw no grounds for making a special case for lawyers in this context. On looking into the position with regard to similar professional regulatory authorities, I am of the firm view that the case for giving publicity to the decisions of the council, the tribunal and the board in all cases is conclusive.

I recognise the strongly held views both inside and outside the legal profession on this question. Nevertheless, I believe that the amendments that I have tabled reflect a sensible and moderate approach. I hope, therefore, that the hon. Member for Glasgow, Garscadden (Mr. Dewar) will not feel that he has to press amendment No. 139 to a Division. I do not see the need for any secrecy in connection with the decisions of the tribunal or the board, whatever the outcome of the case in question.

Mr. Wilson: We intend to press this matter to a vote because an important point of principle is involved. What both we and the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) have been asking is: do we believe in smearing people? To publish a verdict of innocence but still to broadcast the fact that the case occurred amounts to stigmatising a person's reputation.

Sir Nicholas Fairbairn: I advise the hon. Gentleman —I shall not charge for this opinion—that if he wants to defame someone without the risk of having to pay damages, all that he needs to say is, "My dear boy, let me be the first to deny this rumour that is going about that you are a paedophile."

Mr. Wilson: Perhaps we could have a conference to agree on which rumours about the hon. and learned Gentleman we should deny.

I am not a lawyer; I have a journalistic background. People have come to see me on many occasions because they were obsessed by what they regarded as a legal grievance. That has occurred particularly in the Highlands. Crofting throws up innumerable cases of that kind. Such people go to every lawyer in the Highlands and Islands and become absolutely convinced that each new lawyer they see is more bent and less interested in their case than the previous lawyer. People who are obsessed in that way take their case from lawyer to lawyer.

I have spent many hours trying to get to the bottom of complicated cases in order to find out whether someone has been badly treated. As soon as one realises that a person has been to 10 lawyers and that the first nine agree, one's suspicions are aroused. When a person is convinced of his rectitude but when in law he does not have a leg to stand on, the idea that the lawyers should be exposed as having failed their client, or should be suspected of having failed their client by the publication of this material, would be gratuitous, offensive and unnecessary, and would not lead to public satisfaction with the process. It would discredit people who had no cause to be discredited.

We all agree that wrongdoing and malpractice should be published, but where malpractice and wrongdoing have been found not to have been committed there should be no publication. It is a simple principle. I wish that it could be extended beyond solicitors to many others. There is nothing so damaging as the dirty little paragraph in a local newspaper telling the world that someone has been found not guilty of something. Two wrongs do not make a right. Let us not enshrine in law, by means of the amendment, the principle that solicitors should be treated in the same way.

Mr. Deputy Speaker: The Question is that the amendment be made——

Mr. Dewar *rose*——

Mr. Deputy Speaker: Order. We are dealing with amendment No. 47.

Mr. Dewar: On a point of order, Mr. Deputy Speaker. It would save a lot of confusion if I say that I shall recommend to my hon. Friends that we force a Division on amendment No. 139.

Mr. Deputy Speaker: The hon. Gentleman can do that, but it appears way on in the Order Paper. We cannot take a Division on amendment No. 139 until we reach it on the Order Paper. The hon. Gentleman could certainly divide the House on that amendment, but it would not happen for some time. Perhaps he would like to reconsider his position in the light of that.

Mr. Dewar: The only way that I could achieve the effect that I wish is either to vote for amendment No. 139 or against Government amendment No. 84. That might have the effect of marking the point that I make. I do not know whether it would be easier to divide on Government amendment No. 84. Unfortunately, it is a mixed bag of amendments, but I am sure that the Chair understands my difficulty.

Mr. Deputy Speaker: If I could help the hon. Gentleman, I would, but Government amendment No. 84 appears a long way down the Order Paper. It will not be possible to vote on it until we reach it.

Mr. Dalyell: Further to that point of order, Mr. Deputy Speaker. Might not this be one of the occasions when parliamentary procedure is a bit unhappy in its effects? In the light of what has been said, some hon. Members would like to give the Minister time to consult his ministerial colleagues and advisers and reach a considered decision. I am very much against Ministers being forced, at point blank range, into a decision when, if given more time, they might reach a different decision.

Mr. Dewar: In the circumstances, I will not divide the House at this point, but I reserve the option to do so on amendment No. 139 when we reach it. That would be common sense. I am attracted to the point made by my hon. Friend the Member for Linlithgow (Mr. Dalyell). I do not know whether the Minister has any room for manoeuvre, but he will have gathered that we feel quite strongly about this point of principle and that our feelings are shared by some Conservative Members.

I hope that it is not improper to say that I have had conversations with the Law Society on the matter and that in general it supports the point that I am making. There is quite a group of interested people and of people of some expertise, and perhaps in the interval before we reach amendment No. 139, the Minister will consider his position and consult representatives of the Law Society, who are in the building.

Mr. Deputy Speaker: I understand the difficulty that the House is in, but I can give the hon. Member for Glasgow, Garscadden (Mr. Dewar) an assurance that, when we reach amendment No. 139, if he desires to divide the House, that desire will be conceded by the Chair.

Mr. Harry Ewing: Further to that point of order, Mr. Deputy Speaker. To clear the mind of hon. Members, the vote on amendment No. 139 is anything but imminent. As I read the Order Paper, it would be the last vote in our consideration. That takes the pressure off the Minister and gives him much more time to reach that sensible conclusion.

Mr. Deputy Speaker: I hope that we have reached a sensible and happy conclusion.

Amendment No. 47 agreed to.

Amendments made: No. 48, in page 26, in line 29, after 'than' insert '(i)'.

No. 49, in page 26, line 30, leave out 'and' and insert 'or (ii)'.

No. 50, in page 26, line 31, after first 'or' insert '(iii)'.

No. 51, in page 26, line 42, leave out 'inquiries under this section' and insert

'this section and section *(Board's intervention powers)*.'

No. 125, in page 26, line 42, at end insert—

'(11A) The Secretary of State, after consulting the Board, may by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament, amend subsection (2)(dd) above by substituting for the sum for the time being specified in that provision such other sum as he considers appropriate.

(11B) The taking of any steps under subsection (2) above shall not be founded upon in any proceedings for the purpose of showing that the practitioner in respect of whom the steps were taken was negligent.

(11C) A direction under subsection (2)(dd) above to a practitioner to pay compensation to a client shall not prejudice any right of that client to take proceedings against that practitioner for damages in respect of any loss which he alleges he has suffered as a result of that practitioner's negligence, and any sum directed to be paid to that client under that provision may be taken into account in the computation of any award of damages made to him in any such proceedings.'—*[Lord James Douglas-Hamilton.]*

Clause 20

INTERPRETATION OF SECTIONS 14 TO 19

Amendment made: No. 53, in page 27, line 29, at end insert

'except where the context otherwise requires'.—*[Lord James Douglas-Hamilton.]*

Clause 28

RULES OF CONDUCT ETC.

Amendments made: No. 100, in page 36, line 35, after 'discipline)' insert—

'(a) at the end of subsection (1A) there shall be inserted—

"and

(f) make such additional or different provision as the Council think fit in relation to solicitors who, or incorporated practices which, are partners in or directors of multi-disciplinary practices."; and

(b)'.

No. 101, in page 36, line 39, leave out from 'prohibiting' to 'shall' in line 42 and insert

'the formation of multi-disciplinary practices'.—*[Lord James Douglas-Hamilton.]*

Clause 31

JUDICIAL APPOINTMENTS

7.45 pm

Lord James Douglas-Hamilton: I beg to move amendment No. 54, in page 39, line 21, leave out 'and the High Court of Justiciary'.

Mr. Deputy Speaker: With this, it will be convenient to consider Government amendments Nos. 55 and 70 to 77.

Lord James Douglas-Hamilton: There has been considerable support for the principle underlying the new provisions contained in paragraph 4(2)(b) of schedule 4 relating to the filling of vacancies in the Inner House of the Court of Session. Under existing provisions, when a vacancy arises in a division of the Inner House, the most senior lord ordinary is automatically appointed. In many circumstances, it may well be that, not least by virtue of his experience, the most senior lord ordinary is indeed the best-fitted judge to fill the vacancy, but, equally, there is no reason to suppose that that will necessarily be true on each and every occasion.

The Buggins' turn principle, if I may so describe it, may have worked well enough in the past, but it hardly seems appropriate in modern circumstances. In recent years, there has been a very substantial increase in the work loads of the Supreme Courts, a significant increase in the number of judges and an increased use of extra divisions in the Inner House. Until 1988, judges of the Inner and Outer Houses received identical salaries but in that year, to reflect current circumstances, the Top Salaries Review Body recommended, and the Government accepted, that a salary differential should be introduced.

To reflect those changes, provision has been made in the Bill for vacancies in the Inner House to be filled by the Lord President and Lord Justice Clerk in consultation, as appropriate, with the other judges. In our deliberations in Committee on these new provisions, it was suggested that it would be appropriate for there to be statutory provision for the Secretary of State also to be involved in these appointments. My hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) was keen on that amendment. The Secretary of State is, of course, involved in other judicial appointments to the Supreme and Sheriff Courts, and with regard to appointments to the Inner House it would seem to be appropriate for there to be some measure of accountability to Parliament.

On that basis, the Government have tabled the amendment, which provides that the consent of the Secretary of State will be required for appointments to the Inner house. The Lord President and the Lord Justice Clerk have been consulted about the amendment and have expressed themselves content with it, for their interests. The amendment meets the concern expressed in Committee, and I commend it to the House.

The purpose of amendments Nos. 54, 55, and 71 to 77 is to put beyond doubt the jurisdiction of temporary judges appointed under the provisions of the Bill. It has been the intention since the outset that judges, whether permanent or temporary, appointed under the new provisions should, like the existing senators, be able to sit in the Court of Session and the High Court, and the amendments are designed to ensure that that will be so.

Mrs. Fyfe: Will political involvement mean that henceforth the Minister might take the opportunity to monitor the appointment of women judges, whether they be temporary or permanent, Inner or Outer or superior or inferior?

Lord James Douglas-Hamilton: The principle is that they are appointed on merit.

Sir Nicholas Fairbairn (Perth and Kinross): I thank the Minister for making these changes, but during the recess I have had a better idea than the one that I suggested to him, and I should like to put it on record in *Hansard.*

The Bill provides that the Lord President and the Lord Justice Clerk shall consult such other judges as they think appropriate. It seems proper that they should consult all the judges. One of the greatest Scottish traditions, for judges, peers and other matters, is that those who are part of the fraternity should judge who is appropriate to act on their behalf. The Senate of the College of Justice is a collegiate court. Until the life peerage was introduced, which some of us greatly regret, the peers of Scotland elected from their number those whom they thought worthy to be in the House of Lords, and peers created before 1707—I am not sure whether the Dukes of Hamilton were—are entitled to nominate which of their children shall succeed them. I hope that the Minister appreciates that terrible duty. The concept of democratic selection is an important matter.

With the greatest respect to my hon. Friend the Minister, I must say that he is not being quite truthful with the House when he says that the purpose of the amendment, which seeks to leave out the words:

[Sir Nicholas Fairbairn]

"and the High Court of Justiciary",

is to put beyond doubt that the people named are allowed to appear. No judge is appointed as a judge in the High Court of Justiciary. He is appointed as a Senator of the College of Justice, and he takes the oath in the Court of Session and not in the High Court of Justiciary. He is entitled to appear in the High Court of Justiciary, although the amendment does not say that. It says merely that, for the purposes, he is a Lord Commissioner of the Senate. I say with respect through my hon. Friend to his civil servants that they have realised that they got it wrong historically and they have corrected it. However, when we correct a mistake, let us not pretend that we are trying to put matters beyond doubt.

Mr. Menzies Campbell: It seemed a rather curious provision when it was first put forward that promotion, as I suppose that it would be regarded, from the Outer House to the Inner House should be left to the Lord President of the Court of Session and the Lord Justice Clerk who, after all, are the people who occupy the chairs of the two appellate divisions of the court. What the Minister has now told the House that he is prepared to accept represents a proper compromise, not least because those appointed to the office of Senator of the College of Justice are appointed by the monarch, but on the recommendation of the Secretary of State for Scotland.

To introduce the Secretary of State into the procedure by which a judge may be promoted from the Outer House to the Inner House seems entirely consistent with the procedure adopted when judges are appointed in the first place. For that reason, I welcome what the Minister has said. It reflects a proper balance of the interests that we have discussed. The Minister has properly reflected the argument in Committee in what he has told the House that he is willing to accept.

Amendment agreed to.

Amendment made: No. 55, in page 39, line 32, leave out 'and the High Court of Justiciary'.—*[Lord James Douglas-Hamilton.]*

Clause 36

ADVISORY AND SUPERVISORY FUNCTIONS OF THE DIRECTOR

Amendments made: No. 56, in page 42, line 36, after 'section' insert '15(10A) or'.

No. 57, in page 42, line 38, leave out 'or (11)(c)'—*[Lord James Douglas-Hamilton.]*

New clause 13

RESTRICTION ON NUMBER OF PERSONS IN LICENSED PREMISES

'.—(1) After section 38 of the principal Act (power of licensing board to make byelaws) there shall be inserted the following section:—

"*Restriction on number of persons in licensed premises.*

38A.—(1) A licensing board, when granting a licence, may attach a condition to the licence limiting the number of persons to be admitted to the premises in respect of which the licence is granted.

(2) The holder of a licence to which a condition under subsection (1) above is attached or any employee or agent of his shall be guilty of an offence if there is a breach of such a condition."

(2) In section 17(6) of the principal Act (appeal as to conditions attached to licence) after the expression "38(3)" there shall be inserted the expression ",38A(1)".

(3) In Schedule 5 to the principal Act (offences and penalties) after the entry in respect of section 38(4) there shall be inserted the following entry:—

"Section 38A(2)	Breach of condition attached to licence	Yes	Yes	level 3 on the standard scale".'.

—[Lord James Douglas-Hamilton.]

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

In Committee in another place, an amendment was moved enabling a licensing board, in granting renewal of a licence, and after consulting the fire authority, to fix, in the interests of public safety, the maximum number of persons entitled to be within the premises concerned from time to time and to make that number of condition of the licence.

On behalf of the Government, the then Minister of State said that he was aware of the problems of overcrowding in public houses in the Borders in the summer months that had given rise to the amendment, notwithstanding that under the Bill the fire authority will be added to the list of competent objectors to applications and that boards will have increased powers to impose restriction orders on licensed premises. He said that the Government would take the matter away and consider it further with a view to returning to it during the later stages of the Bill. I must say to the hon. and learned Member for Fife, North-East (Mr. Campbell) that members of his own party made that proposal.

Mr. Menzies Campbell: Name them.

Lord James Douglas-Hamilton: The proposal was put forward on behalf of the noble Lord Mackie of Benshie, who used to be a Member of this House.

I remember the former Secretary of State, Willie Ross, being asked by an hon. Member who represented a Cunninghame constituency when he had last been in a Scottish pub. His reply was, "Not as long as I can remember."

I believe that there is a serious safety risk. I could go through the evidence from the police and from the firemasters in certain circumstances. The point was made in the other place that there were similar provisions for restrictions on numbers in other enactments in respect of which similar difficulties could be said to exist in terms of the concentration of people in particular parts of the building. Lord Tordoff doubtless had in mind, among other enactments, section 41 of the Civic Government (Scotland) Act 1982, which provides that a public entertainment licence shall be required for the use of premises as a place of public entertainment, and that a licensing authority may attach conditions to such a licence limiting the number of persons to be admitted to the premises. So far as we are aware, enforcement of that provision has not given rise to any difficulty.

A number of licensing boards have already invited the Secretary of State to consent to amendment of byelaws to include a provision that would enable the board to limit the number of persons in licensed premises. However, in our view, such a provision could not be framed in a way that was not ultra vires, and the Secretary of State has been powerless to act.

I should mention that the chief constables of Grampian and Central, and the firemaster of Grampian have all written to express their concern about the lack of control of numbers in licensed premises. They suggest that, in some cases, it can lead to extreme danger to the public as a result of overcrowding. They are concerned that there are no powers under present licensing legislation to enable them to act.

The Scottish Office shares that concern and sees the new clause as an important additional public safety measure. In our view, it should not lead to widespread restrictions on numbers being imposed. We should expect licensing boards to consider the circumstances carefully when they have it in mind to impose such a condition, to do so with due regard to any concern of the applicant and to set such a condition only when they are satisfied that the measure is necessary in the interests of public safety. The premises, for example, may be regularly crowded for social events such as birthday parties and discos. The new clause is deliberately widely drawn so that boards will be able to specify the condition in the terms appropriate to a case. It will, of course, be open to the applicant to appeal to the sheriff against the terms if he so wishes.

Mr. Wilson: I thought for a moment that the Minister was going to give us a wee song, perhaps something like, "I knew a man who knew a man who couldn't get a drink in Peebles". The difference is that the man who could not get a drink in Peebles is a Member of the House of Lords. It is a tradition with these people when there is a slight irritation to think, "We'd better get some legislation through because we couldn't get to the bar at the common ridings."

This is a foolish and potentially dangerous proposal. If it is generally enforced, it will cause infinitely more problems than it will ever resolve. In his somewhat puzzling closing remarks, the Minister seemed to suggest that he did not want to see it enforced. Why on earth is it being put on the statute book when there are already many other ways of addressing the problem?

It is worth looking a little more closely at the origins of the new clause and also pointing out that we heard nothing of it in Committee. If we had, it would have received the usual savaging from Committee members of all parties. It was best withheld as a little surprise package for tonight.

It was not, alas, Lord Mackie of Benshie in person who introduced the new clause. It was Lord Tordoff who, according to the Minister, thinks of little else but the Civic Government (Scotland) Act 1982. I have been asked who Lord Tordoff is. I am sure that the hon. and learned Member for Fife, North-East (Mr. Campbell) will be able to give us copious biographical details. Unfortunately Lord Tordoff had to do the job because Lord Mackie of Benshie, he apologised, could not be present as he had an engagement at the cathedral in Lincoln involving laying up the colours of his old squadron. In the course of researching this matter, I am bound to wonder at the crowded social life that Lord Mackie enjoys.

Sir Nicholas Fairbairn: I know that we are not supposed to know anything about Members of the other place. Has Lord Tordoff ever been in Scotland and, if so, has he ever been in a pub in Scotland?

Mr. Wilson: Perhaps he got his title from what he perceived to be the instruction shouted at him when he entered a pub in Scotland.

The plot thickens because Lord Tordoff informed the House of Lords:

> "The amendment arises out of discussions between my hon. Friend Mr. Archy Kirkwood and the police, and correspondence between my right hon. Friend Sir David Steel and the Ettrick and Lauderdale District Council"—

this is the exciting bit—

> "following experiences in the Roxburgh district."

In his peroration, Lord Tordoff declared:

> "It is because of that considerable perturbation in the Borders that I move the amendment."—[*Official Report, House of Lords*, 17 May 1990; Vol. 409, c. 412-13.]

8 pm

I thought to myself, "Perturbation is building up in the Borders, so by the time we reach the new clause, the Liberal Benches will be crowded with perturbed Borderers." Only a few minutes ago, I saw the distinguished former leader of the Liberal party, the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) entering the Chamber. What is more, he had brought with him the right hon. Member for Yeovil (Mr. Ashdown). I thought to myself, "Here is a true measure of the perturbation in the Borders. The right hon. Member for Tweeddale, Ettrick and Lauderdale not only comes here in person; he brings the leader of his party with him." But then they left. So where is testimony to the source of the disease? Where are the hon. Members ready and willing to support the proposal?

Mr. Menzies Campbell: It is too crowded.

Mr. Wilson: I do not think that there is any danger of the Liberal Benches becoming too crowded.

Where is the first-hand evidence of the circumstances that gave rise to this nonsense in the first place? Alas, we are not to hear from the perturbed representatives of Border constituencies—unless, that is, the hon. and learned Member for Fife, North-East is acting as their surrogate. Perhaps he will be the Lord Tordoff of these proceedings.

I accept that the power in the new clause is an enabling power. The new clause does not say, "This must happen" but allows licensing boards to set limits if they so wish. But once the power exists, it will be used. The licensing boards are not noted for their coyness. They do not usually say, "There are things that we can do but we decline to do them." If the power exists to set limits, they will set limits.

Such limits will become part of the normal licensing procedure and the important point is that they will apply on a year-round basis. They will be in force every day of the year. For 360 or even 364 days of the year, they may be perfectly sensible and reasonable limits. What I find irritating and unacceptable about the new clause—and this is why I have referred to its origins and to common ridings and riots in Roxburgh—is that it is aimed specifically at overcrowding in pubs on the big day in the small town. It is aimed at the big day in the local community—the one day in the year, perhaps, when the pubs will be en fête and overspilling and when people will be pouring into them in a general atmosphere of bonhomie.

[Mr. Wilson]

For that one day in the year, there may not really be enough pubs to cope, but everyone adjusts and things go along very well. They certainly go along very well in every community—large or small—that I know in Scotland. If pubs have to observe a limit to avoid being found guilty of a criminal offence, there will have to be a man at the door —like a MacBrayne purser—standing there clicking them in and clicking them out, or perhaps even a turnstile, to ensure that the number of people in the pub does not exceed the legal limit.

Let me go back to my home town for an example. I am not familiar with the Border ridings, which may, indeed, be riotous occasions, but I think the Cowal games—the ones I know best—are quite a good example. I should not like to be the guy standing at the door of a pub during the games weekend saying, "We can have 150 inside; would the other 500 mind waiting outside in an orderly queue until there is room in the pub?" I am sure that neither Lord Tordoff nor Lord Mackie of Benshie imagined themselves being outside in the queue. No doubt they thought that they would be inside among the 150. The new clause would cause infinitely more problems than exist at present.

The problem would also arise on the night of the big football match, when pubs near the ground are inundated with people. Of course, people exercise their judgment: if the pub is so crowded that it is clear that they are not going to get a drink, they will not stand there waiting. I know that people should not drink on the way to football matches—it is very wicked—but some of them do. The pubs are crowded when people go in for a quick drink between work and an evening kick-off. Under the new clause they would be told to stand in a queue by a man on the door regulating the number of people in the pub to avoid a criminal offence being committed. I know that I am approaching the matter in a light-hearted way but I say in all seriousness that, in this, I can see the potential for trouble. It is ridiculous to legislate without taking account of the real circumstances that are bound to arise.

Another objection, raised in the other place by Lord Macaulay of Bragar, is that there may be only one man standing at the door in a pub where there are three bars. Two of those bars might be empty while the other is going like a fair. That would mean that we should have to have three men standing at each pub door to ensure that each space within the same licensed premises fell within the law. The new clause is impractical and unworkable and anyone who has anything to do with the licensed trade will confirm that.

There are already many ways of countering overcrowding. We already have legislation on the statute book. In the notes that the Minister kindly supplied to us, he points out that, in preparing the new clause, the Government had regard to section 1 of the Civic Government (Scotland) Act 1982 and that they also took account of the fact that, under the present Bill, the fire authority will be added to the list of competent objectors to applications, and boards will have increased powers to impose restriction orders in relation to the hours of opening of licensed premises. I repeat that there are many ways of approaching the matter, although I shall not go into all of them now. The most sensible way of dealing with serious overcrowding is for the police to exercise their right to enter and say, "There are too many people in this pub; please get some of them out." That is how matters function on a practical basis. It would be wrong, foolish and misguided to legislate as is proposed. It gives me no pleasure to do so, but I confidently predict that the new clause would create an awful lot more problems than it would solve. The Minister should take it away and reconsider it.

Sir Hector Monro: The hon. Member for Cunninghame, North (Mr. Wilson) has put the case for the opposition so well that not a great deal needs to be added. I hope that my hon. Friend the Minister will think twice about proceeding with the new clause. He knows that it would have had no hope of getting through the Standing Committee—for the very good reason that it is impracticable. I am the last chap to want to legislate for something that is practically impossible.

The new clause seems to have stemmed from Lord Mackie's visits to Border common ridings. As someone who has been to many dozens of common ridings—in the Borders, in Dumfries and Galloway and even in Strathclyde—I know that they are conducted with great good humour, that the police always manage the crowds with great sympathy and that the whole day goes by without any trouble. It is significant that those who advocate the new clause seem to belong to the police forces and fire services in the north-east; they are not from the Borders or from Dumfries and Galloway.

We should also bear in mind the fact that 20 Lord Mackie of Benshie would have a lot more trouble getting into a pub than 50 Members for Kilmarnock and Loudoun —on grounds of physical presence alone.

I agree with the point that the hon. Member for Cunninghame, North made about pubs with several doors and several bars. I shall not go into the rugby stories that I could tell about the length of rugby bars and so on. But with the best will in the world, how is a publican to check all his bars and doors while doing his best to sell drams and pints behind the counter?

In practical terms, the new clause would be impossible to implement, and we should think twice about proceeding with it, given that there seems to be so little evidence in its favour. Those of us with practical experience of the crowding that is alleged to cause offence would disagree with the argument that my hon. Friend the Minister is advancing.

We should bear in mind the fact that the common ridings take place in each town only once a year. However, we should also consider the many occasions when football and rugby crowds gather after matches. Those people certainly cause overcrowding, but only for a relatively short period. Why should they not do that? Why can we not get together in a huddle and have a drink if we want? There is no reason why we should be prevented from doing that.

The world may be a great nanny society in which people are not allowed to do anything; sooner or later we will not even be able to eat or drink. It would be very disappointing if the Government, who encourage freedom of choice, were to prevent me from going to the pub of my choice after a good rugby international at Murrayfield, particularly when we have all been so good at the match and have had nothing to drink. It seems very hard for the Government to stop us having anything to drink when we leave the game simply because there are too many people in a pub.

It is beyond one's comprehension to imagine the hard-pressed police behaving like Securicor and, as the hon. Member for Cunninghame, North (Mr. Wilson) said, checking people into the pub and then out again and even counting two if they are on a stretcher. The burden that we would be placing on the police force at a time when the police are particularly hard pressed is unimaginable.

We need more practical evidence from those involved in these affairs before we grant such tough powers to the licensing boards to allow them to tell a publican that he cannot have 100 people in his pub on a Saturday night or 50 people in at any one time while the police, the publican and his staff must also somehow ensure that the law is enforced. There may be good intentions behind the new clause, but it would be bad legislation.

Mr. Menzies Campbell: I should begin by declaring an interest. If new clause 13 is accepted, it may do much to create work for lawyers and especially work for those who, like me, from time to time practice in licensing law.

Although the Minister referred to my next point in his speech, and the issue is not reflected in the Bill, it is objectionable that a discretion is to be conferred on licensing boards without any sign of the factors upon which that discretion is to be exercised. The Minister referred to public safety. However, there is nothing in the new clause about public safety, convenience, comfort, nuisance, undue disturbance or anything else which features elsewhere in licensing legislation. It is unreasonable to confer on licensing boards a discretion as unfettered as this.

A license holder's only remedy to the provision would be to invoke the appeal provisions in clause 39, which provide a fairly restricted basis on which an appeal may be taken. If a board imposes a series of arbitrary limits on the number of people who may be admitted to a licensed premises within its jurisdiction, virtually all such impositions will go to appeal. Apart from creating work for lawyers, the Minister will ensure that the work of the sheriff court in Scotland is severely prejudiced and curtailed.

One should confer no discretion on an administrative body unless it is essential that that discretion is required in the public interest and no other way of preserving that public interest can be found. In the hands of responsible licensing boards that would create no difficulties, but from time to time, boards act irresponsibly or unreasonably. They are sometimes motivated by considerations other than the merits of the application before them. The Minister should not confer yet another discretion on licensing boards willy-nilly.

One of the important changes to the law effected by the Licensing (Scotland) Act 1976, with which the hon. Member for Falkirk, East (Mr. Ewing) had so much to do, took away the unfettered discretion from licensing boards. At that time, Parliament thought it necessary that a new system of licensing should be created in which there was less discretion and in which decisions were more easily understood and more amenable to analysis and explanation. I believe that that was the correct way to proceed and I believe that the new clause contradicts that.

So far, the evidence in support of the new clause is pretty thin. I respect the views of Lord Tordoff and Lord Mackie of Benshie, because they are as entitled to their views as anyone else. However, their views are worth no more than mine or the views of the hon. Member for Falkirk, East, the hon. Member for Dumfries (Sir H. Monro) or anyone else with any experience of public houses in Scotland—and I include the Minister in that. No doubt, when he should have been reading the newspapers and discovering what was happening in the General Medical Council, he was in public houses around the country considering whether this proposal was necessary to preserve the peace and quiet of the people of Scotland.

The new clause is not necessary, it is ineptly framed, and it confers a discretion which is not needed and which may be abused. Those seem compelling reasons why we should not accept it.

8.15 pm

Mr. Allan Stewart: As the debate progresses, I hope that my hon. Friend the Minister is becoming increasingly convinced that the sensible course of action is to enhance his reputation for independence of mind and withdraw the new clause.

The House is in great difficulty when the Minister's justification for the new clause is that the subject was raised in another place in the context of a problem arising from the Border common ridings. The House has heard that my hon. Friend the Member for Dumfries (Sir H. Monro), who knows about the Border common ridings, is wholly opposed to this new clause.

If the justification for the new clause arises from problems at the Border common ridings, it is surprising that my hon. Friend the Minister calls in evidence representations from Grampian police and Central police. We can be reasonably assured that they do not have a particular expertise in what happens at the Border common ridings.

My hon. Friend the Minister also said that he did not expect there to be many restrictions on numbers in practice, although I may have got him wrong. If he does not expect there to be many restrictions in practice, why has he tabled the new clause? I do not want to labour the point about the Standing Committee. My hon. Friend the Minister has done his best with this Bill and has faced severe difficulties not of his making. However, if the issue was raised in another place and if an assurance was given that the Government would consider this provision, why was it not introduced in Standing Committee? That is where the provision should have been considered in detail. When hon. Members on both sides of the House do not want to stay up late, the House is placed in great difficulty if new provisions are brought forward on Report which are completely unrelated to the discussions that took place in Committee.

I do not want to detain the House, but I want to repeat a point which has been underlined by hon. Members on both sides of the House. The people in the licensing trade to whom I have spoken believe that the new clause is unnecessary and, for reasons given by hon. Members tonight, that it is impractical and unenforceable. The House should not pass such legislation. I hope that my hon. Friend the Minister will recognise that and that he will greatly enhance his already high reputation by withdrawing the new clause at the end of this debate.

Mr. Harry Ewing: I am beginning to be seriously worried about the Minister. The new clause reads like something that was said to him as a joke in a pub but which he has taken seriously and translated into the proposed legislation. As the Minister listens to the debate,

[Mr. Harry Ewing]

surely he will come to the conclusion that he should withdraw the proposal. The legislation is founded on a number of points that the Minister put to us.

Lord Mackie of Benshie and I are very good friends. I have shared a drink with the noble Lord on many occasions. All I can say is that if there is a pub in the Borders in which Lord Mackie could not get a drink, it must be some pub. I have been in his company often in much bigger crowds than we get in pubs in the Borders and I have never noticed Lord Mackie having any difficulty in getting himself a drink, or in getting me one for that matter. I place no great emphasis on the fact that Lord Mackie had difficulty in getting a drink in a pub somewhere in the Borders.

The Minister told us that his hon. Friend the then Minister of State in another place was anxious to deal with the problem of overcrowding. I am the first to concede —this is the one concession that I shall make to the Minister—that the then Minister of State, Lord Sanderson, certainly knows a thing or two about overcrowding. Since he became chairman of the Tory party, he has fairly cleaned out the office in Chester street. If there was any overcrowding there, the noble Lord cleared it out.

The Minister told us that he has had two letters, one from the chief constable of Grampian and another from the chief constable of Central.

Sir Nicholas Fairbairn: It's the same fella.

Mr. Harry Ewing: I agree with the hon. and learned Gentleman. I have a feeling that it is the same fella. The present chief constable of Grampian took up his post on 1 September—*[Interruption.]* He was previously the chief constable of Central. I want to see those letters because I honestly believe that it was the same chief constable who wrote both letters.

Hon. Members are ridiculing the new clause because it deserves to be ridiculed. It is simply not capable of implementation. If there is one thing that we should not do when legislating, it is to introduce provisions that are incapable of implementation. All that we are doing is badly affecting the people in respect of whom the legislation would be applied—that is, the licensing board, licensees and, as the hon. Member for Dumfries (Sir H. Monro) said, the police force. They simply could not enforce it.

I have been watching the civil servants' Box. I have great affection for the people who occupy the Box. My right hon. and hon. Friends on the Opposition Front Bench will be working with them in a year's time, so I keep in with them. This afternoon the personnel in the Box changed at regular intervals depending on which part of the Bill and which clause we were debating. That is similar to what happens in a pub. A man goes into the pub, has a drink and comes out. Is the Minister trying to tell the House that we shall have someone standing at the door, saying, "There can be 150 in there. There are 149, so whoever is at the top of the queue can go in"? That is absolute madness.

Licensed clubs operate on a different basis. The licensing board is certainly responsible for granting a licence to a licensed club, but the licensed club is under an obligation to submit a list of members on a three-yearly basis before the licensing board will grant a new licence to a licensed club.

Mr. Dennis Canavan (Falkirk, West): To the sheriff.

Mr. Ewing: I am grateful to my hon. Friend the Member for Falkirk, West (Mr. Canavan).

Before it will grant a new licence, the licensing board sees the official list of members. What will the licensing board do if the club has a membership of 800 people—every member is entitled to get into the club as that is part of the conditions of membership—but the capacity of the premises is only 300? Will the licensing board refuse a licence because the club has been successful in attracting 800 members but has accommodation for only 300? All those points serve to make the clause look more and more ridiculous. The Minister should say, "I have seen the light. I will withdraw the new clause because I know that it is not practicable."

Sir Nicholas Fairbairn: It is offensive that such a new clause should be introduced when it was not considered in Committee. That is the first of my propositions. Lest the Minister think that I shall be too serious, I shall give him one promise. I shall give him a way out, but I shall come to that at the end of my speech.

I am glad to say that the hon. and learned Member for Fife, North-East (Mr. Campbell) denied Christ Benshie before the fire, and Lord whoever-he-was whom I had never heard of who has never been in Scotland.

I wish to say various things partly in replication of what other hon. Members have said. As my hon. Friend the Member for Dumfries (Sir H. Monro) said, it is idiotic to base the number allowed in a public house on the number of those who use it annually or occasionally. As the hon. and learned Member for Fife, North-East said, it is manifestly unfair to reverse the intention of the 1976 Act to take arbitrary powers from the licensing authority. It has every form of absurdity. I shall point to the practicalities to demonstrate the absurdity.

The licensing authority—I am arguing for the moment without giving away my secret exit for the Minister—may say, "You may allow only 200 people in." I have in mind that bar at the end of Rose street, where people went on their way to Murrayfield, with that nasty woman, Ma Scott. The licensing authority may say, "You may allow only 200 people in Ma Scott's bar." After being at Murrayfield, 90 per cent. of the people who drink at Ma Scott's bar stand on the pavement outside anyway. Are they part of the people who are supposedly in the bar?

Along comes diligent Police Constable Brian Wilson, accompanied by Sergeant Harry Ewing. He goes into the public bar and, as everyone sways around saying, "Wasn't that a great game?", he says, "Stand still everybody, I am going to count you." Unfortunately, the pub is already so full that they cannot get around to count them. Eventually they manage to push their way through to the loo entrance at the back in the far corner to make sure that there is nobody in there to be included in the numbers. They manage to count 200 people in the pub.

One person then says, "I am actually a bartender," "Sorry, we will start again. You go outside. I am just counting the drinkers." He counts all the drinkers—199. He knocks at the locked door of the loo, and there are two people in it—a pair of gays who were not there to have a

drink—and he says to Ma Scott, "You have committed a criminal offence; I have counted these people and there are 201 in here. Did you realise that?"

Can anyone imagine a greater absurdity? Meanwhile, in addition to those to whom I have alluded, there are people waiting outside the pub, like people waiting outside a loo, saying, "Come on, hurry up—I'm desperate." It is fatuous. I have never heard such junk. I have never heard any junk like that being thrown at us at this stage in a debate.

8.30 pm

The hon. and learned Member for Fife, North-East (Mr. Campbell) pointed out the important criterion of public safety and the role of fire officers. Mr. Oliver, formerly chief constable of Central Scotland and now the chief constable of Grampian, has written two letters about these serious matters, but when was a chap last burned in a pub? When was a chap last suffocated or asphyxiated in a pub? When was a chap last trampled to death in a pub? I suppose that in the history of Glasgow pubs the answer would be that if the punter realised that the fellow who runs the "Ship Bank Vaults" had one extra fellow in there, he might just stab him to death and say, "You're dead, I've saved you from being prosecuted, mister."

I should like to give the Minister a way out now. When granting a licence, a licensing board may attach a condition to that licence limiting the number of persons to be admitted to the premises in respect of which the licence is granted. As all hon. Members know, the ultimate lie that a Minister can tell, which is fed to him from the civil servants' Box to get him out of a difficulty, is "Unfortunately, the drafting is defective." The great secret is that nothing here says "at any one time". So the licensing board, when granting a licence, can say, "Until you lose your licence, you are only allowed to admit 100 people into your pub."

If it wants to be really sadistic, a licensing board could say, "Yes, Mr. Grant, we are granting you your licence and we are very impressed with the money that you have spent to comply with the safety regulations and the fact that you have lavatories for the disabled, the incurable and the blind, and facilities for dogs and cats, but we will only ever allow you to have one person on those premises. Do you still want your licence, Mr. Grant?" It has nothing to do with overcrowding. The provisions state simply that the number of people who will ever be allowed on the premises is limited. The drafting is therefore defective. If that is not a lifeboat into which a Minister can be pushed by those in the Box, there is no other known craft that can save him. There we have it.

The other thing that I find particularly infuriating is that, essentially, it is an English argument to say that someone is not allowed to enter a pub if a policeman, a fire officer or even a chief constable wearing two different chief constable's hats takes the view that he thinks that you might not enjoy the experience. I do not particularly mind that. I go into pubs—some of which are empty, some of which are full—and I can tell the House that before I have had my first drink, I would have a hell of a job counting the people up to see whether there are more people than there are supposed to be.

This is nonsense. If the Minister does not withdraw the new clause, he will be a laughing stock. If he does not withdraw this piece of mad Lewis Carroll fantasy, it will be passed into the laws of Scotland by the English majority in this House who have not heard one word of the argument. Furthermore, it will be passed by people who have probably never been in an English pub or any other pub. The day I receive a letter from a constituent stating, "Do you realise, Sir Nicholas, that I had to wait for half an hour for a drink in an overcrowded pub after Celtic beat Rangers?", I shall be very surprised, and the day I find a Scotsman who thinks that there is a danger of his being crushed on the way to get a drink, I shall be even more surprised. Let us throw this new clause in the swill bin where it belongs.

Mrs. Margaret Ewing (Moray): Before the Minister accepts the lifeline that has been thrown to him by his hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn)—at least, I hope he will do so—I must express my own anger that the new clause has been tabled at this stage. We spent many hours in Committee discussing all aspects of the Bill, but only now, at this very late stage, has this particularly ludicrous new clause been tabled.

The practicalities of trying to implement the provisions have been highlighted by many hon. Members. It almost seems as though we are considering an employment opportunity scheme whereby we could have flying squads of counting agents dashing around the villages and small towns of Scotland when they have their gala days or common ridings.

I should like to pick up a point made by the hon. Member for Cunninghame, North (Mr. Wilson) and to talk about the importance of the big days for small communities when their pubs are extremely busy and perhaps overcrowded. I remind the Minister that in many small communities in areas such as the one that I represent, the big days or big weeks around an agricultural show are vital in sustaining the economies of those communities.

If the Minister visits Keith in Banffshire on the two days of the Keith show, he will find not only that the show ground is extremely busy, but that the pubs, the tourist shops, the restaurants, the fish and chip shops and the grocer are all busy because people from all around are buying from other businesses in the town. That is vital to those communities. The same would be true if the Minister were to visit Dallas, Garmouth, Kingston or Spey.

If the Minister were to visit any of those small communities on their gala day, he would see that that is when the tourists are there and that that is when the pubs and many other small businesses are busy and taking the money that will help to sustain them during the many other weeks when nobody else will be there apart from members of the local community.

Such businesses deserve our support. If the Minister brings in such a ludicrous new clause, which would detract from many of the fetes and gala days, he will be doing a great disservice to the rural communities of Scotland.

Lord James Douglas-Hamilton: This has been an interesting and colourful debate. I advise my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) that the drafting is based closely on the previous Civic Government (Scotland) Act 1982 which my hon. Friend the Member for Eastwood (Mr. Stewart) piloted on to the statute book and on which my hon. and learned Friend himself may have advised on the drafting when he was Solicitor-General for Scotland. [HON. MEMBERS: "Oh!"] However——

Sir Nicholas Fairbairn: If my hon. Friend the Minister can find any contribution from me to suggest that the number of people in a pub, myself included, should be controlled by a licensing authority, will he please direct me to the relevant part of the Civic Government (Scotland) Act?

Lord James Douglas-Hamilton: I am certainly not going that far, but I can reassure my hon. and learned Friend that new clause 13 does not apply to registered clubs, which in any case receive their certificate of registration from the sheriff, not the licensing board. It is also clear that boards are not administrative bodies but consist of the democratically elected representatives of local people, and they are the appropriate bodies to decide when the proposed condition should be applied.

Mr. Harry Ewing: The Minister is wrong. The certificate of registration is given by the sheriff, but the liquor licence is given by the licensing board. The sheriff does not grant liquor licences; the licensing board grants the club's licence.

Lord James Douglas-Hamilton: The information that I received states that the provision will not apply to registered clubs, but I shall certainly check the point made by the hon. Gentleman. He is correct to say that certificates of registration are granted by the sheriff, not the licensing board. The licensee has a right of appeal under section 39 of the Licensing (Scotland) Act 1976. Section 39(4) provides that the sheriff may uphold the matter on appeal if he considers that the board has exercised its discretion in an unreasonable manner.

The background to the new clause involved representations from the police and the Grampian fire brigade. I have checked, and the letters that I received are not confidential, so I shall make arrangements to have them placed in the Library. I stress that it was not the same chief constable who wrote on both ocasions, but different ones. [HON. MEMBERS: "Name them."] I am happy to name them. One was from the chief superintendent of central Scotland police and the other from Chief Constable Lynn of Grampian police.

The most significant letter comes from Grampian fire brigade's fire master. I shall not mention the particular club about which he is concerned and about which he made many points in his letter. He expressed concern about the numbers attending discos. He stated:

"The club . . . could not point out a means of escape in case of fire and when this means of escape was identified and followed, it was found to be obstructed."

Mr. Menzies Campbell: The Minister is reading from a letter that refers to clubs. I understand that the proposal before the House applies not to clubs, but only to licensed premises. Clubs are registered under a separate part of the licensing legislation.

Lord James Douglas-Hamilton: Yes, but the principal point made in the letter relates to discos—I shall certainly place the letter in the Library. The principal point he makes is:

"this situation is causing great concern to the Fire Authority and clearly some action must be taken immediately."

I must make it absolutely clear that the new clause is a permissive provision; it is obviously not mandatory.

Mr. Dewar: The Minister is concerned about fires, but my impression is that the premises that he says are not covered by the clause—clubs and so on—are those most likely to have fire disasters. I concede that that is anecdotal evidence, but all my memories of newspaper articles suggest that. I take the point made by the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) that it is not pubs that go up in a blaze but the very premises that the Minister says are being excluded from the provision. Surely there are other ways, through fire regulations, of covering the fire danger.

In his support, the Minister has advanced two policemen and one fire master. How widespread has his consultation been? What about Strathclyde and the licensing boards? I should have thought that it was the views of the board members who are to have the power wished upon them that should be of importance. I suspect that for most people interested in the matter, the new clause comes as an equally puzzling surprise as it does to hon. Members.

Lord James Douglas-Hamilton: I shall go back a stage to the point about clubs. The discos to which I referred are not registered clubs, although they call themselves that —they are licensed premises, so the provision would apply to them.

That issue was raised at an earlier stage of the Bill, we promised to consider it and we received the further representations that I mentioned.

The new clause deliberately refrains from specifying circumstances in which a condition might be imposed, because we believe that it is right and proper that the licensing board should exercise its discretion against the background of its local knowledge in determining where the condition is appropriate. Any unreasonable exercise of that discretion is challengeable by means of the provisions enabling the applicant to appeal to the sheriff. Similarly, on the question of how the licence holder should ensure that the numbers in his premises are limited in accordance with the condition, we would expect licensing boards to take account of representations that applicants may wish to make during the hearing.

The 1976 Act already contains provisions imposing duties on licence holders in relation to the good order of their premises. Section 76 makes it an offence to sell alcohol to people who are drunk. The responsible licence holder can reasonably be expected to ensure also that his premises are not overcrowded where there is potential for that problem to occur.

It has been suggested elsewhere that that would require electronic counting equipment. The advocation of the condition in particular cases would be a matter for the licensing board. It is important to bear in mind that, should proceedings be taken against the licence holder for breach of the condition, the police and the licensing board would no doubt have regard to the seriousness of the breach and the risk to public safety that had occurred or was likely to occur.

The new clause is intended to reduce significantly the risk to public safety from overcrowding of licensed premises. It is framed in general terms to give licensing boards maximum flexibility in determining when and how its use would be appropriate, taking account of the concerns that the applicants may have.

8.45 pm

Sir Hector Monro: Surely my hon. Friend is not going to leave the matter like that. He has not explained how the condition will be breached. Hon. Members on both sides have shown the impossibility of controlling the number of people in a pub on a busy night, surely, as the new clause has received universal opposition, he will think again.

Lord James Douglas-Hamilton: Let me make it plain that, when somebody applies for a licence—for example, for a wedding party—and intends to invite a large number of people, through the by-laws a restriction may be placed on the numbers involved.

Mr. Wilson: I seriously begin to wonder whether the Minster has a clue what he is putting through. If we were talking about a specific licence for a specific function, it would be different. It is clear from the new clause that the figure would apply 365 days of the year to the premises and take no account of specific circumstances. The Minister must not put through this ridiculous piece of legislation on the basis of a personal misunderstanding of what it is about.

Lord James Douglas-Hamilton: The consideration that weighs most heavily with me is that of safety, which has emanated from the Grampian police and fire master. I have concluded my remarks.

Mr. Wilson *rose*——

Mr. Deputy Speaker: Is the Minister giving way?

Lord James Douglas-Hamilton: No.

Mr. Deputy Speaker: If the hon. Member for Cunninghame, North (Mr. Wilson) has already spoken, he needs the leave of the House to speak again.

Mr. Wilson: With the leave of the House, I shall briefly seek to sum up. To put it at its mildest, the balance of the argument has been against the Minister. The points that have been raised from both sides of the House remain conspicuously unanswered. If we were arguing the merits of the case tonight, we should have to cancel the Division because the No Lobby would be overcrowded. I hope that hon. Members from outwith Scotland who have been listening to the debate will at least pass on to their colleagues outside that every Scottish Member who has spoken, including every Conservative Member, apart from the Minister, has not only opposed the provision but ridiculed and roasted it, for excellent reasons. If people troop in to vote the measure through, they bear the responsibility for it.

Sir Nicholas Fairbairn: The Minister has said that his prime consideration is public safety. He is also in charge of the Scottish Development Department—it is under his authority. It might say that it was not going to put in a pedestrian crossing in a certain place because only 22 people had been knocked down so far, so it did not qualify. How many people have ever been crushed or burned in pubs in Scotland? The answer is none, so why are we passing legislation to protect people from something that has never happened?

Mr. Wilson: The hon. and learned Gentleman is absolutely right. Another aspect that the Minister has not mentioned is that other crowds will be created by this. They might not be inside the pub but they will be outside, so instead of being happy customers they will be extremely dissatisfied people, perhaps outside in bad weather, and they will see no rational reason why they are not allowed inside the pub.

The Minister has also not mentioned that we are creating a new criminal offence. It will not result only in a black mark at the next licensing board; the person who administers the pub and allows in a number above the quota will be guilty of a criminal offence. That is outrageous.

Mr. Menzies Campbell: Is the hon. Gentleman aware that certain licensing boards regard behaviour outside the licensed premises as capable of being relied upon to establish that the premises are not being properly managed? If an artificial limit on the permissible numbers inside is created, and as a result people congregate outside, when reliance may be placed on their conduct as a reason for removing the licence, the consequence of such a proposal may be that innocent people will suffer the loss of their licence, not simply a breach of condition.

Mr. Wilson: That is another excellent point. If we were playing games, I could go around the Chamber and hon. Members could adduce additional arguments against the proposal. If the measure had been discussed in Committee, it could have been better examined. We are getting no answers and we expect none, but very serious points have been raised.

Sir Nicholas Fairbairn: There is a perfectly good solution: if anyone in the pub is sober enough to count up to the limit, all he will do is buy pints and pass them out to those standing outside—not a very good idea.

Mr. Wilson: The hon. and learned Gentleman confirms my point. Football or rugby crowds have never been examined in this context. Does anyone seriously think that in these circumstances——

Lord James Douglas-Hamilton: I have given further consideration to the matter and, given what has been said, I think that there is a case for consulting more widely than merely with Grampian police. That means that we shall not be able to deal with the matter conclusively in this Bill, but I shall withdraw the new clause and we will consult more widely——

Mr. Dennis Canavan (Falkirk, West): Hear, hear.

Lord James Douglas-Hamilton: The hon. Gentleman had better wait until he gets back to his constituency, where he will find that the police take a view different from him.

Mr. Canavan: They usually do.

Lord James Douglas-Hamilton: Indeed. My hon. Friends have validly stated that there should be wider consultation, so the matter cannot be dealt with in the context of this Bill.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 14

WHOLESALE SELLING OF ALCOHOLIC LIQUOR

'.—(1) After section 90 of the principal Act there shall be inserted the following section—

"*Wholesale selling of alcoholic liquor.*

90A.—(1) A wholesaler or his employee or agent who barters, sells, or exposes or offers for sale alcoholic liquor shall be guilty of an offence unless—

(a) he does so from premises which are used exclusively for wholesale trading (whether solely of alcoholic liquor or not); or

(b) he does so from licensed premises, a licensed canteen or a registered club during the hours in respect of which it is lawful to sell alcohol by retail from or in these premises, that canteen or that club.

(2) A wholesaler or his employee or agent who sells alcoholic liquor to a person under 18 shall be guilty of an offence.

(3) A wholesaler or his employee or agent who causes or permits a person under 18 to sell alcoholic liquor without that sale having been specifically approved by a person of or over 18 shall be guilty of an offence.

"Section 90A(1)	Dealing wholesale other than from permitted premises	Yes	— level 5 on the standard scale
Section 90A(2)	Wholesaler selling liquor to person under 18	Yes	— level 3 on the standard scale
Section 90A(3)	Wholesaler permitting person under 18 to sell alcohol without approval	Yes	— level 1 on the standard scale".

(4) Section 67 of this Act (penalties for offences) shall apply in respect of offences under this section as if references in that section to a licence-holder were references to a wholesaler.

(5) Section 71 of this Act (defence of due diligence) shall apply to any person charged with an offence under this section as if the reference in that section to a licence-holder were a reference to a wholesaler.

(6) In this section,

"licence-holder" includes the holder of a licence under Part III of this Act; and

"wholesale" and "wholesaler", insofar as they relate to the sale of alcoholic liquor, have the meaning given in section 4(1) of the Alcoholic Liquor Duties Act 1979 in relation to dealing in alcoholic liquor.".

(2) In Schedule 5 to that Act, after the entry relating to section 90(c) there shall be inserted—

—[*Lord James Douglas-Hamilton.*]

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

The new clause seeks to remedy an anomaly that has arisen in the control of the wholesale of alcohol. The Finance Act 1981 removed the excise licence requirements for wholesalers of alcohol and repealed the provisions contained in section 94 of the Licensing (Scotland) Act 1976 with the effect that wholesalers of alcohol are no longer subject to any controls. Thus, anyone can call himself a wholesaler and sell alcohol in quantity without requiring a licence. The licensed trade, licensing profits and the police have expressed concern about the present position.

We have consulted wholesale and retail interests, the Law Society and the Convention of Scottish Local Authorities on the possibility of introducing appropriate controls, including restrictions on the sale of alcohol to and by persons under 18. All those who responded agreed that there should be controls over wholesale of alcoholic liquor.

We have, however, no wish to impose unnecessary restraints on the great majority of entirely respectable wholesale operations, but we recognise that the present statutory provision leaves it open to people to deal in wholesale of alcohol from unsuitable premises, such as garages, or to existing licencees to circumvent the restrictions of their licences – for example, by trading in wholesale quantities on Sundays. In Committee there was unanimous opposition to our proposal that off-licences be permitted to open on Sundays, and we therefore consider it right that we should close the loophole which permits wholesale on Sunday under existing statute.

The new clause creates an offence for a wholesaler, his employee or agent to barter, sell, expose or offer for sale alcoholic liquor unless he does so from premises exclusively used for wholesale trading or from licensed premises, a licensed canteen or a registered club during the hours when it is lawful to sell alcohol by retail in these premises, that canteen or club.

The new clause makes provision in subsections (2) and (3) for it to be an offence for a wholesaler, his employee or agent to sell alcohol to anyone under 18, or to permit the sale of alcohol by anyone under 18 without the sale being specifically approved by someone over 18. Subsection (4) applies the penalty provisions in section 67 of the 1976 Act, which apply to a licence holder, to a wholesaler, and subsection (5) applies to a wholesaler the defence of due diligence provisions in section 71 which applies to a licence holder. Subsection (6) defines the terms "licence holder", "wholesale" and "wholesaler" which appear in the new clause. Sub-paragraph (2) inserts into schedule 5 of the 1976 Act, which lists the penalties for offences against the provisions of the 1976 Act, the new penalties contained in subsections (1), (2) and (3) of the new clause.

Mr. Wilson: This is an astute and well drafted clause, as one would expect of the Minister, and we wholly support it.

Mr. Allan Stewart: I warmly congratulate the Minister. An important loophole has been closed. There was a real problem of abuse, and I hope that the House will agree to the new clause.

Mr. McAllion: As the Minister said, the new clause makes it an offence to sell alcohol to people under 18 in certain designated places. It also makes it an offence for someone under 18 to sell alcohol in such places, but it does not make it an offence for such a person to consume alcohol in these places.

As the Minister knows, Dundee district council has instigated a campaign against under-age drinking and has pioneered new byelaws under which it prohibits the consumption of alcohol in designated public places. The council is campaigning for the Government to legislate to make it an offence for under 18-year-olds to consume alcohol in public places. Will the Government listen sympathetically to the council's request and look for the earliest possible opportunity to introduce such legislation?

Mr. Harry Ewing: I thank the Minister for his sensible decision to withdraw new clause 13. New clause 14 makes

much more sense, closing, as it does, the Sunday loophole to which the hon. Member for Eastwood (Mr. Stewart) referred.

The measure relates primarily to cash-and-carry establishments between Monday and Saturday. I reiterate what I said in Committee about the wholesale selling of alcohol and the retail selling of alcohol by or to persons under 18 years of age. We shall solve the problem only when we introduce provisions that make it compulsory for supermarkets and cash-and-carries to sell alcohol separately from all other goods. People purchasing alcohol should be served separately: the people on the check-outs are far too busy to see whether the person passing through the check-out is over or under 18. I would not blame them if an offence were committed, because they are under tremendous pressure. We should do the same with alcohol as we do with tobacco. One cannot select one's own tobacco; one must be served with cigarettes and tobacco in a supermarket or wholesale outlet. We should deal with the under-18 problem more firmly.

9 pm

Lord James Douglas-Hamilton: There are three trial schemes for experimental byelaws operating in Scotland now. In the light of the success or failure of the schemes, which will be reviewed in due course, we shall consider taking the matter further.

I give way to the hon. Member for Monklands, West (Mr. Clarke), as I know that he is interested in this matter.

Mr. Tom Clarke (Monklands, West): I hope that the Minister will agree that I have not taken up too much of his, the Committee's or the House's time during consideration of the Bill. The Minister was kind enough to give me an interview when I was making representations on behalf of Monklands and Strathkelvin district councils, both of which were interested in the scheme and would have liked to have been the subject of the experiment.

The Minister has said that, in the three districts where the experiment is taking place, developments are being monitored. He presumably hopes that he will soon be able to make a decision on its success or otherwise. How soon can we look forward to that? Even at this stage, is he in a position to say whether the exercise has been productive or otherwise?

Lord James Douglas-Hamilton: It will be a few months before I am in a position to say that. However, I shall look into the matter and write to the hon. Gentleman, because I know that he is very interested. The nearest of the schemes is in Motherwell, which is not far from his own constituency.

Question put and agreed to.

Clause read a Second time and added to the Bill.

Clause 41

PERMITTED HOURS

Lord James Douglas-Hamilton: I beg to move amendment No. 19, in page 47, leave out lines 32 to 36.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 20.

Lord James Douglas-Hamilton: After a lengthy debate, the Committee agreed the amendment in the name of my hon. Friend the Member for Eastwood (Mr. Stewart)—who is here tonight—to remove section 64(4) from the Licensing (Scotland) Act 1976, with the intention of enabling licensing boards to grant occasional or regular extensions of the permitted hours of public houses on Sundays, which now run from 12.30 pm to 2.30 pm and from 6.30 pm to 11 pm. At the conclusion of the debate, I explained that the effect of the amendment would be to enable licensing boards to grant extensions of the permitted hours of public houses on Sundays for the periods before 12.30 pm and after 11 pm. I also suggested that a clarifying amendment would be needed on Report.

Both in the substantive debate and as a result of the changes following my statement, a range of views were expressed about the intentions of the Committee. Several hon. Members referred to the need to put public houses and hotels on the same basis; others argued that public houses should not be open before 12.30 pm. In summing up, the hon. Member for Glasgow, Garscadden (Mr. Dewar) said that he was under the impression that the amendment not only dealt with the afternoon break, but provided also for later opening at the discretion of the licensing board.

Amendment No. 19 deletes from clause 41 the references to extensions from Saturday night to Sunday morning. This provision is now inserted in amendment No. 20, which introduces into clause 42 an amended section 64(4) to empower licensing boards to grant occasional or regular extensions of permitted hours on Sundays in respect of public houses only to premises to which section 59 of the 1976 Act applies—restaurants in public houses—or after 2.30 pm. That will enable boards to grant late-night as well as afternoon extensions on a Sunday, if they consider it appropriate.

In considering applications, the licensing board will be required to refuse an application if the grant would cause undue disturbance or public nuisance in the locality. This is on all fours with the test for Sunday opening within the permitted hours, which is specified in clause 42(4).

Mr. Wilson: I fully support the amendment: it gets the balance right—a balance that the Committee wanted. On the one hand, there is a general tightening up on the granting of late licences, while the Sunday anomaly has been removed. On the other hand, every member of the Committee—indeed, I think, most hon. Members—would support the view that there should not be Sunday-morning opening. If that were accepted, the balance would tilt too far in the other direction. The Minister has the balance about right.

I should like to place on record the representations that I received at a meeting on Friday with representatives of the Scottish area of the National Association of Licensed House Managers. They are opposed to Sunday opening for the understandable reason that that is the only time at which some of them can be with their families. I respect that consideration. I voted for longer Sunday opening and I shall not renege on that now. The licensed trade will have to address the matter. One cannot deal with the problem faced by that small group of people by a general denial of what is perceived as an extension of other people's freedom of choice. Plainly, that is a problem for that group of people, and I hope that the licensed trade will look at ways of avoiding the need for such managers to be as constantly on the premises as they seem to be at present.

The managers also said that nobody should be under any illusion about the fact that the consumer pays for the

[Mr. Wilson]

extension of opening hours. As they have said, the extension of opening times throughout the 1980s has been accompanied by an increase in the price of drink that is higher than the increase in the retail prices index. They maintain that that is significantly related to the extension of opening hours. The consumer should be aware of that.

As I have said, I think that the Minister has struck the right balance. The boards have a special responsibility to ensure that risks of disturbance and intrusion upon other people's rights are taken into account, especially in relation to late opening on Sundays. The boards will have to exercise that power with care. I support the amendment and welcome what the Minister has brought back from the Committee.

Mr. Allan Stewart: I thank my hon. Friend the Minister for his consideration of this matter following the debate and vote in Committee on my amendment. I did not intend, and I do not think that any Member of the Committee intended, that the debate would result in opening on a Sunday morning. The Minister has struck the right balance, and I hope that the House will support the amendments.

Mr. Harry Ewing: For the benefit of those outside who will read the report of our proceedings, I should like to place on record my understanding of the position on Sunday. I hope that the Minister will confirm or correct my interpretation. It is that the licence holder has to make an application to the licensing board to open between 2.30 and 6 pm on a Sunday and that the board has a discretion about whether to grant that application. For an extension after 11 pm, the licence holder would make an application against the background of the changes to the principal Act, which rightly introduces restrictions on extended hours after 11 pm. I hope that the Minister will confirm that there will not be automatic opening between 2.30 and 6 pm but that the licence holder has to apply to the licensing board, which will have the power to grant or refuse the application.

Lord James Douglas-Hamilton: I confirm what the hon. Gentleman says, but the time is not 6 pm—it is 6.30 pm.

Amendment agreed to.

Clause 42

SUNDAY OPENING OF LICENSED PREMISES

Mr. Menzies Campbell: I beg to move amendment No. 92, in page 48, line 29 after '(a)', insert

'in subsection (1) after the words "applicant or" in line 7, the words "or any partner or director thereof or any person having a substantial interest therein,"

(ab).'.

Mr. Speaker: With this it will be convenient to consider amendment No. 93, in page 48, line 41 at end insert:—

'(4A) In section 31 of the principal Act, (suspension of licence on receipt of complaint), in subsection (2)(a) after "licensed holder" insert the words "or any director or partner thereof or employee or agent with the responsibility for the day to day running of the premises, or any person having a substantial interest therein, or any person on whose behalf or for whose benefit the premises are managed".'.

Mr. Campbell: I shall begin by again declaring an interest. I have already declared a professional interest in that from time to time I have practised before the licensing board and from time to time I am consulted by those with an interest in licensing matters. It is appropriate to make that declaration of interest because the issue about which I shall speak is one upon which I have been professionally consulted by Dundee district licensing board. However, it is a matter of general application because circumstances have been presented to the Kirkcaldy board and, more recently, before the Renfrew district licensing board. That shows that the issue to which the amendments are directed has application throughout Scotland.

The issue arises out of the grounds upon which an application may be refused or a licence suspended. Section 17(1) of the Licensing (Scotland) Act 1976 sets out fair grounds upon which a licence may be refused. The first of those is that

"the applicant . . . is not a fit and proper person to be the holder of a licence".

Some controversy has arisen about whether, in the case of a limited company that applies for a licence, the licensing board is entitled to look behind the legal personality of the limited company and at the character of its directors, to determine whether they are fit and proper persons to be the holders of a licence. It is argued by some that, because of the way in which the legislation is framed, the board would be entitled to look at the character of the company and at the character of the manager of the premises, but not at the character of the directors of the company. That has caused some concern in a number of instances.

It follows from that that, if an application is made under section 17(1) of the principal Act for the suspension of a licence, one of the grounds of which provides that the licence holder is no longer a fit and proper person to be the holder of a licence, if the licence holder is a limited company it is not possible to look at the character of the directors of that company.

The practical consequence of that is that, although a limited company that applies for a licence and obtains it may have a board of directors comprised of men of total probity and acceptability, the shares of that company might be transferred and the directors of the company changed. It may be that the new directors of the company would not, under any circumstances, be the sort of individuals to whom a licensing board would have been disposed to grant a licence. In some cases, that is perceived by licensing boards to be a considerable restriction on their quite legitimate and, in my view, perfectly proper power to restrict the issue of licences to persons—I use the word in its broad sense—who are fit and proper people to receive such a licence.

The most recent case, which the Minister may already have to hand, involves Renfrew district licensing board. It was reported in the 1990 Scottish civil law reports on page 436. I shall read from the rubric of that decision. Sheriff Stoddart of Paisley held that

"the board had misinterpreted ss. 17(1)*(a)* and 17(3) and were not entitled to look at the characters of any persons other than the company itself and its proposed manager."

That means that it was and would be quite improper for a board to look at the character of the directors of the company that had applied for a licence.

There is some controversy about whether that is the correct view, but it is a recorded case in which a sheriff took that view. Consequently, in the minds of a number of

licensing boards in Scotland there is a doubt about the precise nature of their powers. The purpose of the amendment and of the related amendment No. 93 is to seek to remove that doubt. The words that we seek to insert at the appropriate place are:

"any partner or director thereof or any person having a substantial interest therein".

The phrase, "any partner thereof" relates to the fact that in Scotland a partnership may have a legal personality separate from its partners. That is why it is necessary to make a reference to "any partner". I explained earlier the reason for the words "or director thereof", and the words

"or any person having a substantial interest therein"

will deal with the circumstances in which the majority shareholding may be in the hands of an individual who would not otherwise be regarded as a fit and proper holder of a licence.

9.15 pm

Amendment No. 93 relates to the circumstances in which, under section 31, an attempt may be made to suspend a licence. At present, the only ground given is that the holder is no longer thought to be a fit and proper person. Amendment No. 93 would insert the words

"or any director or partner thereof or employee or agent with the responsibility for the day to day running of the premises".

That harks back to section 11. It refers also to

"any person having a substantial interest therein, or any person on whose behalf or for whose benefit the premises are managed."

That refers to the terms of section 17(1)(a).

I hope that the Minister will feel well disposed towards the amendments, which are meant to reflect substantial judicial uncertainty as to precisely what interpretation section 17(1)(a) will bear and to assist licensing boards, which are worried that a corporate veil may be available to individuals who might otherwise not be considered proper persons to hold licences. By creating a £100 off-the-shelf company having two £1 shares, and by using a person of good character to serve as an employee or agent, people who under no circumstances would be admitted to the onerous responsibilities of holding a licence would be able to subvert the considerable concern that chief constables, licensing boards and members of the public may feel at the fitness of certain individuals to have the responsibility for the sale of exciseable liquor.

Mr. Ernie Ross (Dundee, West): Concern is felt among members of licensing committees when they suspect that, as the hon. and learned Gentleman suggests, an individual has created a company and is hiding behind another person with the clear intention of circumventing the licensing authority's original decision to refuse a licence because of that individual's character.

Mr. Campbell: The hon. Gentleman makes the point most succinctly.

The amendments are an attempt to prevent people who would otherwise not be entitled to a licence from obtaining and enjoying the benefits of one by the device of creating a company and employing a person of good character as their manager or employee. Given the sophisticated licensing system that we now have north of the border, such a deception should not be possible. I hope that the Minister is sympathetic to the principle, even if he is not in agreement with the wording of the two amendments.

Mr. McAllion: I add my words of support to those of the hon. and learned Member for Fife, North-East (Mr. Campbell), because there is growing concern in Dundee that an unwelcome situation could rapidly develop. If the sheriff court appeal decision is upheld—I understand that it has gone to the Court of Session—the licensing board might have to accept that it is not in a position reasonably to refuse licences to individuals who are not fit and proper persons.

In a recent case in Dundee, the applicant for a licence had a record of theft and drug abuse, but the licence was refused more because it related to premises which had been used for the sale of pornographic material. It was refused, but if those people had set up a shell company and hidden behind it and the people who managed it on their behalf, if the sheriff court decision had been upheld, the licensing board believed that it would have had no alternative but to grant a licence to the shell company, thereby allowing people to gain control of a licence who are not the kind of people who could be considered as fit and proper to hold it.

It is not merely the licensing board which is concerned. The local authority and the police are also worried about this development. As they pointed out, it is the wording of the 1976 Act which is wrong. It is too loose and is open to interpretation. That loophole has to be closed by the Minister. I hope that he will listen carefully to the amendment and will accept it.

Lord James Douglas-Hamilton: We have heard an interesting legal argument. The amendments would considerably widen the fit and proper person criterion in section 17 of the 1976 Act to enable the refusal of a licence and, in section 31, the suspension of a licence.

I understand that the interpretation of the "fit and proper person" criterion, where the applicant or licence holder is a corporation or company, has been raised in particular cases. The hon. and learned Member for Fife, North-East has mentioned one case which bears out what I believe to be the position. The issue has been whether criminal records of directors and companies are relevant to consideration of the criterion.

The view has been taken that the fact that one partner or director was not a fit and proper person did not necessarily mean that the partnership was not fit and proper to hold the licence, especially if another person was responsible for the day-to-day running of the premises. Also, it has been maintained that a number of factors may be relevant to the consideration of a company's application, such as whether the company has any criminal convictions, whether there is a history of any difficulties with other licensed or unlicensed premises owned or managed by the company, and whether it obeys the law on the health and safety of its employees. In the Government's view, that interpretation and the existing statutory provisions are appropriate and adequate and there is no justification for widening the criteria in the way that the amendments propose.

The licensing board should be concerned with the operation of the licensed premises, rather than with past actions or reputations of persons with an interest in the company which owns the premises. If, through the subsequent actions of directors or partners, the company acquires convictions or a poor reputation for licensing, those should be relevant considerations in relation to the exercise of powers under sections 17 or 31.

Mr. Menzies Campbell: I may not have made myself clear. If a certain individual with criminal convictions applies for a licence, the chief constable may object to the application on the ground that he is not a fit and proper person. If the same person buys a company for £100 off the shelf, with two £1 shares, and obtains a reputable person to manage the premises on a day-to-day basis, making himself a director, through the device of the corporate veil he is able to obtain a licence that no licensing board would have given to him. In the face of that, how can the Minister say that the Government are satisfied with the legislation?

I do not know whether the Minister has had the opportunity to read Sheriff Stoddart's judgment. He said that the board

"were not entitled to look at the characters of any persons other than the company itself and its proposed manager".

I know that there is some controversy, but that is the view of one sheriff. In that sheriffdom, Renfrew district licensing board will be bound by that view.

Is the Minister seriously telling the House that it is right for someone who, by reason of their character, would not be entitled to obtain a licence none the less to be able to create a company for £100 and use that mechanism to obtain a licence? Surely that cannot be the Government's view. If it is, public opinion will be surprised.

Lord James Douglas-Hamilton: The hon. and learned Member has put his point of view. The relevant considerations are any difficulties that a company might have had with other licensed or unlicensed premises that it owned or managed.

The criterion used by the hon. and learned Gentleman to amend the sections in the way proposed would widen the criterion beyond what was originally intended, and beyond what we consider to be appropriate or necessary. I hope that the hon. and learned Gentleman will not press his amendment.

Mr. Ernie Ross: I think that we shall be pressing the amendment to a Division. The Minister did not listen to what was said by the hon. and learned Member for Fife, North-East (Mr. Campbell). We do not want such a company to have a licence in the first place. The Minister suggests that an individual who is unable to get a licence under the normal licensing procedure should be allowed to form a company and that we should then wait and see whether that company turns out to be a good company. We do not want either that person or his company to have a licence. In a number of instances, however, that has happened. The Minister misses the point completely.

Lord James Douglas-Hamilton: I see the point clearly. If a company is run by several people, the fact that one person may not be a fit and proper person does not necessarily mean that the company is not a fit and proper body to have the licence.

Mr. Dewar: I have listened with interest to the point made by the hon. and learned Member for Fife, North-East (Mr. Campbell). He made a reasonable and persuasive case. It does not seem to be in the public interest that people who, because of their past record and character, would be laughed out of the licensing court should be able to buy a £100 company which they wholly control, since they own the entire equity, hire a manager of apparent respectability and happily thereafter enjoy the fruits of holding that licence.

I suppose that it is possible to argue that, while the manager is in place, everything may be reasonably well run because of his integrity, but that is a matter for argument. One can envisage the pressures that might develop which would make the position less satisfactory. Apart from that speculative point, it is clear that the beneficial owner of the company would pocket the profits. I do not believe that that was ever intended. Certainly we should not wish to defend that position.

I hope that the Minister will not take it amiss when I say that he is being a little obtuse in misunderstanding a simple point and the thrust of the hon. and learned Gentleman's arguments. I ask him to address the question in its simplest form. Let us assume that two partners who have been in trouble with the licensing courts over the years, who have a bad record and who are unlikely to be regarded by the police as suitable for holding a licence, buy an off-the-shelf company, provide themselves with that fig leaf and the additional cover of a manager of no known bad form and then sit back and enjoy the fruits of holding their licence. Can that be satisfactory? Is it defensible? Yet that is happening. There are precedents for the fears that have been expressed. The Minister ought to think again.

Mr. Ernie Ross: It is not just that. We have discovered that such companies own more than one public house by means of this procedure. That is even worse. People who are not fit and proper persons to hold one licence now hold a number off licences by means of the shady deal of creating companies.

Mr. Dewar: My hon. Friend reinforces the point. I hope that I have made it clear that we sympathise with the thrust off the amendment. We hope that the Minister will be able to adopt a more flexible view than that which he has adopted in the past few minutes.

Lord James Douglas-Hamilton: The amendments might deal with the problem, but they are widely drawn. For example, they require the board to consider what constitutes a substantial interest. At this stage, we cannot agree to amendments which raise important and difficult legal issues of that nature.

Mr. Menzies Campbell: I do not know whether I was wrong to detect a sudden burst of reasonableness in what the Minister has just said. Is he saying that he is willing, having heard what has been said fairly vociferously on the Opposition side of the House, to take the matter away and consider it? He should remember that the Bill must be considered by another place. If he is not saying that—he shakes his head to show that he is not—I shall feel compelled to press the amendment to a vote.

I give the Minister one last chance. It will look pretty peculiar to the public of Scotland if the Minister is not willing to take the opportunity to prevent the abuse that the hon. Members for Dundee, East (Mr. McAllion) and for Dundee, West (Mr. Ross) have outlined in such stark and eloquent terms.

9.30 pm

It cannot be sensible to allow people who as individuals would not be allowed the responsibility of running licensed premises to create, through the corporate veil, a wholly dud mechanism to deceive the licensing board, for that is effectively what it is. The deception may be understood by the licensing board, but deception it undoubtedly is. It drives a horse and cart through the efforts of licensing

boards to control the fitness, propriety and character of those who make applications before them. I urge the Minister, who has shown a willingness to respond to the force of argument, to give one last consideration to the point, because I assure him that if he does not give the sympathetic consideration for which we are arguing, public opinion in Scotland, and perhaps opinion on licensing boards, will find it difficult to understand his position.

Question put, That the amendment be made:—

The House divided: Ayes 102, Noes 154.

Division No. 318] **[9.30 pm**

AYES

Abbott, Ms Diane
Ashdown, Rt Hon Paddy
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Dewar, Donald
Dixon, Don
Dobson, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fyfe, Maria
Galbraith, Sam
George, Bruce
Godman, Dr Norman A.
Harman, Ms Harriet
Haynes, Frank
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Leadbitter, Ted
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Madden, Max
Mahon, Mrs Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Murphy, Paul
Nellist, Dave
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Rogers, Allan
Ross, Ernie *(Dundee W)*
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Ray Michie and
Mr. Malcolm Bruce.

NOES

Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Evennett, David
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lightbown, David
Lord, Michael
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Sir David
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Paice, James
Patnick, Irvine
Pawsey, James
Porter, David *(Waveney)*
Price, Sir David
Renton, Rt Hon Tim
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Shaw, David *(Dover)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Watts, John
Wheeler, Sir John
Widdecombe, Ann
Wilkinson, John
Winterton, Nicholas
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tom Sackville, and
Mr. Timothy Wood.

Question accordingly negatived.

Amendment made: No. 20, in page 48, leave out line 50 and insert—

'(7) In section 64 (extensions to permitted hours), for subsection (4) there shall be substituted the following subsections—

"(4) A licensing board shall not grant an application from the holder of a public house licence for an occasional or regular extension of permitted hours on Sundays except—

(a) as respects premises to which section 59 of this Act applies and for the purposes of that section; and

(b) in the case of other premises, as respects any period or periods after half-past two in the afternoon,

and the board shall refuse to grant such an application if it finds that the extension of permitted hours would cause undue disturbance or public nuisance in the locality.

(4A) Nothing in subsection (4) above shall prevent the granting of an application for an occasional or regular extension of permitted hours on a Saturday for a period which continues into Sunday morning.".'.—*[Lord James Douglas-Hamilton.]*

New Clause 20

SUPERVISED ATTENDANCE ORDERS AS ALTERNATIVES TO IMPRISONMENT ON FINE DEFAULT

'.—(1) A court may make a supervised attendance order in the circumstances specified in subsection (3) below.

(2) A supervised attendance order is an order made by a court with the consent of an offender requiring him—

(a) to attend a place of supervision for such time, being 10, 20, 30, 40, 50 or 60 hours, as is specified in the order; and

(b) during that time, to carry out such instructions as may be given to him by the supervising officer.

(3) The circumstances are where—

(a) the offender is of or over 16 years of age; and

(b) having been convicted of an offence, he has had imposed on him a fine which (or any part or instalment of which) he has failed to pay and either of the following sub-paragraphs applies—

(i) the court, prior to the commencement of this section, has imposed on him a period of imprisonment under paragraph (a) of subsection (1) of section 407 of the Criminal Procedure (Scotland) Act 1975 (power of court, when imposing a fine, to impose also imprisonment on default) but he has not served any of that period of imprisonment;

(ii) the court, but for this section, would also have imposed on him a period of imprisonment under that paragraph or paragraph (b) of that subsection (power of court to impose imprisonment when a person fails to pay a fine or any part or instalment thereof); and

(c) the court considers a supervised attendance order more appropriate than the serving of or, as the case may be, imposition of such a period of imprisonment.

(4) Where, in respect of an offender, a court makes a supervised attendance order in circumstances where sub-paragraph (i) of paragraph (b) of subsection (3) above applies, the making of that order shall have the effect of discharging the sentence of imprisonment imposed on the offender.

(5) Schedule (*Supervised attendance orders: further provisions*) to this Act has effect for the purpose of making further and qualifying provision as to supervised attendance orders.

(6) In this section—

"local authority" means a regional or islands council;

"place of supervision" means such place as may be determined for the purposes of a supervised attendance order by the supervising officer; and

"supervising officer", in relation to a supervised attendance order, means a person appointed or assigned under Schedule (*Supervised attendance orders: further provisions*) to this Act by the local authority whose area includes the locality in which the offender resides or will be residing when the order comes into force.'.—*[Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, it will be convenient to take Government amendments Nos. 95, 94 and 96.

Lord James Douglas-Hamilton: The need for the new clause and the amendments arises as a consequence of clause 51(3), which restricts the use of community service orders to cases in which the court would otherwise have imposed a custodial sentence. Although cheaper than imprisonment, community service is still a relatively scarce resource and, if it is to make a real impact on the numbers sent to prison, it needs to be targeted effectively on more serious offenders. Research has shown that, in many cases, community service has been used in place of other non-custodial disposals in circumstances where imprisonment would have been unlikely.

Dr. Godman: What consultations have taken place with social work departments about the implementation of the proposal? Presumably social workers will play a key role. Do they need further training, or does the Minister believe that they are now entirely competent to perform the task that they will be called upon to perform?

9.45 pm

Lord James Douglas-Hamilton: Consultation took place in April and there was strong support for the proposal. About 10,000 people go to prison for fine default and it was felt not only that it would be better if they paid, but that it would be better if those who could not pay had a supervised attendance order of this type.

One likely result of the restriction of the use of community service is an increase in the number of offenders who receive fines and hence in the number of fine defaulters. At present, imprisonment is the only penalty available to the courts for fine default. As I said, some 10,000 people are imprisoned every year in Scotland for that reason. If we are trying to encourage the use of non-custodial penalties, such as community service for offences serious enough to justify imprisonment, it would be inconsistent to countenance an increase in the numbers going to prison for fine default when the original offence did not merit custody.

We believe that the solution is to offer the courts a limited alternative to prison for use in fine default cases. We have called this a supervised attendance order, which would be used only for fine default and would be the only penalty other than imprisonment available to the courts in default cases.

The supervised attandance order is intended to punish by imposing a fine on the offenders' free time and by the imposition of regular discipline through punctual attandance and satisfactory behaviour with a sanction throughout of return to court and, ultimately, the possibility of imprisonment for non-compliance.

The new order has several features in common with community service orders and the schedule follows closely the procedures laid down in the Community Service by Offenders (Scotland) Act 1978, but there are important distinctions. Supervised attandance orders will be of short duration. They will last for between 10 and 60 hours rising in discrete units of 10 hours while community service orders have a minimum of 40 hours and a maximum of 240.

Offenders on community service perform unpaid work of benefit to the community often organised on an individual placement basis. The intention is that offenders on supervised attendance orders will be placed on group activity that can be provided at low cost. As well as unpaid work, sessions will be devoted to tackling anti-social behaviour such as alcohol misuse and to drug education and responsibilities to society.

It is intended to introduce supervised attandance orders on an incremental basis commencing with sheriff courts and subsequently to extend their availability to the stipendiary magistrates court and the district courts. We propose that the orders be supervised and managed by local authority social work departments in accordance with agreed national standards and that local authorities should be reimbursed in full for the agreed costs of provision. I can tell the hon. Member for Greenock and Port Glasgow (Dr. Godman) that I have every confidence in social workers and that this is something that they will welcome and be able to implement with great efficiency and effectiveness.

Dr. Godman: Like the Minister, I have every confidence in social workers, although he might suggest that I have to say that, given that I am married to one. In each and every case, will the supervising officer mentioned in new clause 20(2)(b) be a fully qualified social worker?

Lord James Douglas-Hamilton: I shall answer that when I reply to the debate. It is better that the hon. Gentleman should have a correct answer in a few minutes than that I should give an answer off the top of my head.

Dr. Godman: This is an important question.

Lord James Douglas-Hamilton: Of course it is. I believe that in most cases it would be a social worker, but I want to confirm whether that will be so in all cases.

Mr. Ernie Ross: The Minister said that the cost of activities carried out under the supervised orders would be wholly reimbursed to the local authority. Will it get the money beforehand or will it have to claim it afterwards?

Lord James Douglas-Hamilton: I shall check that, but I imagine that the authority will get the full funding beforehand. I shall let the hon. Gentleman know the answer.

In line with our present initiative in respect of other services such as probation, parole and social inquiry reports, we propose to form a consultative group, including representation from local authorities, the judicial and other relevant interests, to draw up guidelines to supervised attendance orders and to discuss the administrative and financial aspects involved. I should expect the point that the hon. Member for Dundee, West (Mr. Ross) mentioned to be looked at specifically by the group drawing up the guidelines.

Mr. Ian McCartney (Makerfield): As an English Member, I am interested in the point that the Minister is making, in the sense that what happens in Scotland usually eventually finds its way to England. I do not think that the Minister adequately answered the point that was raised by my hon. Friend the Member for Dundee, West (Mr. Ross). Does the measure, for example, meet the needs of retraining or additional employment? A social work department in Scotland may require to employ one or two additional social workers to deal specifically with referrals under the system and, because of that, it will have revenue consequences for the employment or retraining of staff specifically to deal with the issues raised in the new clause. Will there be new resources to deal with that?

Lord James Douglas-Hamilton: The hon. Gentleman is quite right to raise that specific point. That precise issue will be looked at by the consultative group that is discussing the financial aspects involved. It also bears on the question that I was asked by the hon. Member for Greenock and Port Glasgow, about whether the supervising officer would always be a social worker. The answer is, not necessarily. Community service supervision is provided by non-qualified staff under the general management and control of social workers.

During the passage of the Bill in another place, various amendments were tabled which were intended to simplify and standardise the level of proof in respect of breaches of probation and community service orders. At that time the Lord Advocate advised that he was in sympathy with the intention of the amendments and that the Government would consider bringing forward an amendment that would meet their objectives at a later stage. Our proposals for supervised attendance orders in corporate such intentions by specifying that the evidence of one witness shall be sufficient to prove failure to comply with an order. The proposed amendment to schedule 7 achieves the same effect in relation to the Community Service by Offenders (Scotland) Act 1978.

The hon. Member for Dundee, West asked whether 100 per cent. funding would be made before or after expenditure was incurred. I am informed that an allocation will be made in advance, based on the projected number of orders, and then adjusted in the light of outturn numbers. The answer is exactly what the hon. Gentleman would wish.

I commend the amendments to the House as a practical and humane alternative to the present provisions for dealing with fine default. I believe that they will be widely welcomed in Scotland.

Mr. Dewar: This is an important debate which I fear, if no other arrangements for our business can be made, will take a considerable period. Therefore, I hope that the House will bear with me if I set out some of the considerations fairly fully. I am sure that arrangements could be made for a more sensible disposal of the business, but I am awaiting news about that.

Of course I appreciate the intentions behind the new clause as the Minister has explained them, but I am still a little surprised that we are facing the new clause. I discovered the proposals because I happened to be listening to early morning radio last Saturday when the ever efficient British Broadcasting Corporation's Scottish arm—I do not mention any particular individual—happened to comment upon the matter. That comment also included the suggestion that it was all part of the implementation of the thoroughly unpleasant speech made by the right hon. and learned Member for Ribble Valley (Mr. Waddington) at the Conservative party conference——

Dame Elaine Kellett-Bowman (Lancaster): It was a splendid speech.

Mr. Dewar: The hon. Lady may well think that it was a splendid speech, but she will not be surprised to know

[Mr. Dewar]

that that confirms all my prejudices. It is a happy state of affairs when we reinforce each other's prejudices so completely and with such enthusiasm.

I have read the speech that the Home Secretary made at the Conservative party conference. It does not seem to throw much light on this new clause. I therefore exonerate him from that charge.

In passing, however, I must add that the matter of the prison population which is, of course, connected with this new clause, is also bound up with the changes in parole that we shall presumably face as a result of the Kincraig report. When the Minister replies to the debate, I very much hope that he can say something about that. I further hope that we shall not see any legislation in the spirit of the Home Secretary's speech, and that the Kincraig report recommendations will not be a Scottish insert in the penny dreadful which is what I expect next Session's criminal justice Bill for England to be if the right hon. and learned Member for Ribble Valley has his way. If there is to be a major piece of legislation on parole, with all the ramifications for the courts and the prison system, I shall expect it to be taken as a Scottish measure in a Scottish setting. I hope that the Minister can reassure me on that point.

Having made those preliminary points, I now turn to the new clause in some detail. I was interested in what the Minister said. The notes that he was good enough to circulate to me two or three days ago referred to the research suggesting that community service orders, which are analogous to the supervised attendance orders that we are discussing, were often imposed where a fine would be the appropriate alternative. The point was made—and was reinforced in statutory form in this Bill—that the Government intend that community service orders should be imposed only where the alternative would be imprisonment. I do not for a moment dissent from the general value of that and believe that it is sensible that the community service orders should be used for the purpose for which they were designed.

The Minister's theory, as I understand it—I hope that I am not misrepresenting him—is that, because a number of community service orders were used where the proper alternative would have been a heavy fine and as, in future, that heavy fine will be imposed rather than a community service order, we shall have more heavy fines and more non-payments as a result of clause 51(3). As I understand it, that is the mainstream of the Minister's argument to justify the new clause.

Dr. Godman: I am concerned about something that the Minister said earlier—that those supervising such offenders when carrying out attendance duties may not be social workers. Given my hon. Friend's wide experience, where does he think that such supervisors will be found? Paragraph 3 of the Minister's explanatory memorandum states that such attendance would cover constructive use being made of time and activities, alcohol and drug education, employment seeking and application, and responsibility to society. Who on earth will supervise someone in those circumstances other than the social worker who has had some training and experience in probation work. I say that because it is important, and I am sure that my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) has not overlooked it.

Mr. Dewar: I am grateful to my hon. Friend. I have not overlooked the matter, and shall come to it later in my speech. I may say in passing that I have a voyeur's experience of social work. *[Interruption.]* It may be that, as someone who is married to one, my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) has had a voyeur's experience of social work as well.

Dr. Godman: My experience is legitimate.

Mr. Dewar: I will not go into that, but I was a professional observer——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That the debate be resumed tomorrow.

Health Authorities (Membership)

10 pm

Mr. Robin Cook (Livingston): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Family Health Services Authorities (Membership and Procedure) Regulations 1990 (S.I., 1990, No. 1330) dated 2nd July 1990, a copy of which was laid before this House on 5th July, be annulled.

I understand that it will be convenient to discuss also the second motion,

That an humble Address be presented to Her Majesty, praying that the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 (S.I., 1990, No. 1331), dated 2nd July 1990, a copy of which was laid before this House on 5th July, be annulled.

To save time, I propose to confine my remarks to the regulations relating to regional and district health authorities. For the convenience of the House, I state that we intend to divide the House on those regulations at the end of the debate.

The debate's shortness is not a measure of its importance. The regulations provide for the creation of health authorities across England and Wales and give those countries health authorities explicitly modelled on the board of directors. Each health authority is to have five executive directors and five non-executive directors. There is no room within that small scope for representatives of the local authorities. At the very time when every progressive writer on health policy is urging us to break down the barriers between the health service and the social services, the Government have chosen to break the link between social service authorities and health authorities.

There is no prospect of community care ever succeeding if the local authorities which provide the community services are kept outside the doors while the health authorities decide which patients to put into the communities. In addition, no room has been found within those health authorities for the representatives of the people who work for them.

For the first time, so far as I am aware, the regulations write into law the offensive principle that, if one is a paid employee of a trade union, one will be debarred from that civic office. The full flavour of the regulations is contained in regulation 13, on which it is worth dwelling. Regulation 13(a) provides that one is disqualified for appointment if one has within the preceding five years been convicted; sub-paragraph (b) provides that a person is disqualified if he or she has been bankrupt; sub-paragraph (c) provides that someone is disqualified if he or she has been dismissed; and sub-paragraph (h) provides that someone is disqualified if he or she holds any paid appointment or office with a trade union. Convicts, bankrupts and trade unionists are clearly an unsavoury bunch.

Such institutionalised discrimination is thoroughly repugnant. People who work for trade unions are entitled to the same chance as anyone else of serving their communities on their local health authority. They should not be penalised because they work for an organisation of which the Government disapprove. Even more worrying is the fact that there is precious little room on the health authorities for the representatives of the people who use the hospitals.

This debate is not a theoretical one about how the regulations might work in the abstract. Characteristically, the Government did not wait until after the debate before going ahead with the appointments. They have already appointed people to almost every place on both regional and district health authorities. If the prayers are carried this evening, the Parliamentary Under-Secretary of State will tomorrow be in the embarrassing position of signing a thousand letters to appointees explaining what has happened.

I have the evidence of the people whom the Government want to run the authorities and I should like to share some of that evidence with the House. The most remarkable feature of those who have been appointed to the new health authorities is that they come from a dramatically narrow occupational base. I have completed a survey of 700 new members of these health authorities. There are exceptions to the rule. There are occasional areas in which it would appear that progressive chairs of district health authorities have succeeded in retaining a balance on health authorities, but the overwhelming majority of health authorities look more like local chambers of commerce than a public service.

The single largest professional group among non-executive members are company directors. Of the 700 whom we have surveyed, no fewer than 400 have a commercial background as industrialists, business men, accountants and lawyers.

Mr. David Ashby (Leicestershire, North-West): Not enough.

Mr. Cook: In fairness to the Secretary of State, I must defend him against that claim by saying that, after a decade of decline in Britain's manufacturing base, he is to be congratulated on finding so many industrialists with whom to stuff the health authorities. I thank the right hon. and learned Gentleman for his honesty. He has given a clear signal to the House and to the nation that he intends the NHS to be run as just another commercial business. The notion that he frequently puts about—that the health authorities will be the voice of the consumer—is singularly droll, given the evidence of the people who have been appointed to the health authorities.

This clutch of businessmen have spent their entire working lives on the opposite side of the fence from the consumers. It is not even obvious that they are consumers of the very health services that they are now appointed to run. There are some interesting conflicts of interest which would have bothered a previous Government, whether Labour or Conservative. East Hertfordshire health authority now contains a marketing manager of Glaxo, a retired manager of International Computers Limited and a director of Blue Arrow. All three of those companies are major contractors to the NHS. Why is it all wrong that paid employees of staff unions should be on the health authorities, because there would be a conflict of interest, but all right for paid employees of suppliers to the NHS to serve on the same boards?

I concede that there may be a case for having a representative of the local business community on the local health authority——

The Secretary of State for Health (Mr. Kenneth Clarke): Very good.

Mr. Cook: I would not go so far as to suggest that they should command a clear majority of places, but I would concede a case for having a representative of the local business community.

[Mr. Cook]

A remarkable feature of the appointments is that many of them are not even local business men. In Hull, none of the non-executive members lives in Hull. In Leicester, none of the non-executive members lives in the city of Leicester. In Lancaster, four out of the five non-executive members do not live in Lancashire. In Greenwich, the local authority representatives have been replaced by a double glazing executive from Bromley and a computer executive from Chislehurst—*[Interruption.]* If the Secretary of State is interested in speaking in the debate, I am sure that he will succeed in catching the Chair's eye at the appropriate time. He seems to have overlooked the fact that it is not customary in this House to make one's speech while another hon. Member is on his feet.

This House insists—Conservative Members have themselves insisted in recent legislation—that all members of local authorities must live in the area covered by those local authorities. Why should it be so different for the health authorities that the Government appoint?

There are of course a few stragglers surviving from the local councils, not because they are dominated by those councils but because they have been picked by the Secretary of State—or, if he wishes to be pedantic, picked by those whom he has picked on the regional health authorities. I hope that Conservative Members will forgive me for reminding them that, despite the wonderful illusions of presentation, Conservative councillors are currently a minority on local authorities throughout Britain. However, one would not know that from the councillors selected for appointment to the health authorities, which contain a healthy majority of Conservatives. Indeed, three fifths of all councillors appointed to the health authorities are Conservatives. In addition to those councillors, we have counted five chairs of Conservative constituency associations and one vice-chair of the Bow group.

At the very time when eastern Europe is booting out the party nomenclatura, the Secretary of State is busy filling health authorities with new Conservative nomenclatura. In some cases, the appointments are almost designed to promote conflict with the local authority. In Shropshire, the Conservatives are in opposition, and the chair of the social services authority is Labour. Of the five non-executive members appointed to the Shropshire health authority, three are councillors and all three are Conservative. Such appointments are an abuse of patronage—an abuse all the more serious because the posts are no longer filled out of a sense of duty: they are now paid posts, with part-time salaries of £5,000 for 20 days' work. Ministers cannot treat that patronage as a private pork barrel for friends of the Conservative party.

I wish to make it clear that the next Labour Government will not regard itself as bound by those appointments. *[Interruption.]* If the Secretary of State cares to listen, rather than lecture as I know is his preference in all circumstances, he may hear what the Labour party's position is. In the short term, we will replace many of the appointments with people who represent the local community, live in the local community and use the national health service.

In the longer term, we will scrap those health authorities, restore the representatives of local authorities and rebuild the partnership between the health authorities and the social services authorities. We will drop the ban on people who work for those who work for the health authorities. We will create health authorities that will be there to serve the local communities, not to serve a Secretary of State in Whitehall, and who are therefore accountable to their local communities and not to a Secretary of State.

The Labour party would bury the regulations with the short shrift that befits such an abuse of central power.

10.12 pm

Mr. Michael Morris (Northampton, South): I want to contrast the two statutory instruments.

I do not share the concern of the hon. Member for Livingston (Mr. Cook) about the employment of business people and business techniques in the running of the health service; for a long time some of those disciplines should have been there and used, and the employment of some of those people is therefore entirely appropriate. However, I do share his feeling that there should not be appointees —especially on the district health authorities or the family health services authorities—who are not local. It seems entirely wrong for us to appoint such people to those authorities, although I do not share his view in relation to a regional health authority. I reserve judgment on the operations of the regional health authorities: I want to see how they settle down, and whether they perform better than their predecessors.

I welcome the changes that have been made to the district health authorities, which are generally welcomed in my constituency by those who take an interest in the health service—apart from those who lost their seats. I shall contrast that with what is happening in the family health service authorities in my constituency and in the other area that I know well, which is where I live in Bedfordshire. Things are not going well on the ground in either of those areas. It appears that the chairmen do not know their areas very well. Why have I still not been briefed about the identity of "Mr. Mustard" in the family health services authority in my county? I wrote asking about that three weeks ago and it seems strange that I have not yet been told. Perhaps no one in Northampton has heard of him, but I am sure that he is an accomplished gentleman in the field of business. We wish him well in his assignment.

The original briefing on family health services authorities stated:

> "The previous statutory framework for sub-committees within which FPCs worked has been largely removed."

That may be so, but the family health services authorities are now appointing hosts of associate members. What on earth is the difference between sub-committees, which on the whole were reasonably effective, certainly in my constituency, and this host of associate members? The matter seems to be getting out of hand and I hope that my right hon. and learned Friend the Secretary of State will take to task any family health services authority that appoints many associate members.

I hope that the war between the Department of Health and the medical profession is over. Our health service cannot be run without the good will of the medical profession, especially at family health service level. One of the problems is representation on the FHSAs. We must listen to medical professionals who are prepared to give time and energy and who know their areas exceedingly well. They are not listened to at the moment but I hope that in future they will be.

10.16 pm

Mr. David Hinchliffe (Wakefield): First, I should like to raise a couple of technical points. The National Association for Mental Health, MIND, is concerned about the implications of recent changes. It has made it clear to me that it is worried about the accountability of the new-style DHA members and the decisions taken about detained patients under the Mental Health Act 1984. I should like the Minister to comment on that. MIND says that the new regulations will remove the link that health authority members must have with the Mental Health Act Commission. MIND sees that as a retrograde step because it reduces the accountability which is healthy in relation to psychiatric patients who may be compulsorily detained by regulation.

MIND says tha the new regulations meean that the new-style health authorities and hospital trusts are not required to have health authority or trust members represented on the committee that decides on issues about detained patients. I am sure that the Minister is aware of the seriousness of that, especially for patients who have had their liberty removed by the exercise of the legal provisions of the Mental Health Act. MIND says that there is no doubt accountability by the Mental Health Act Commission to the DHA or the trust. Even at this late stage, I hope that the Government will consider that technical point.

I should like to restate the concern expressed in Committee by Opposition Members about the way in which the regulations will completely remove the formal links between local authorities and district health authorities on the issue of joint planning for community care. That is strange at a time when we see good examples in many parts of the country of local authorities and health authorities working together on community care. We are trying to refoirm community care and many Opposition Members support some aspects of the legislation on community care. However, the arrangements now before the House will destroy the formal liaison that exists.

I shall now refer to democracy in the national health service. I am proud to have spent all my life in a society that has enjoyed the tremendous achievement of the Labour Government of the 1940s. The NHS is supported by the vast majority of the electorate. From the word go, however, one of the major failures of the NHS has been the lack of any real democratic accountability to the patients, its users. Under this and previous Conservative Governments, there have been moves away from the limited accountability that existed in the organisation prior to 1974. The reorganisation in 1974 moved accountability further away from the patients; the 1983 changes added to that problem, and the 1990 changes remove any element of local accountability in the NHS.

I am a supporter of community health councils: indeed, I am a former vice-chairman. However, if they posed any challenge or threat to Government policies and were a bulwark of defence of the NHS, I am sure that the Government would have abolished them in recent legislation. I shall continue to support CHCs, but their powers were emasculated some considerable time ago.

I want to be parochial and deal with the problems of Wakefield and question the sort of people who have been appointed to the new health authority. I speak as someone who served on a health authority for a number of years and, as I said, on a community health council. I take a close interest in health issues in my constituency. It has always struck me as strange that since the Wakefield district health authority came into existence, it has never appointed a chairperson who has lived within the area. Is there a problem with Wakefield? Are our people unsuitable to be chairpersons of health authorities? Why cannot someone who lives in the area be appointed? The chair of a health authority is an important job. What is so wrong with my constituents that they are not suitable for and do not have the ability to hold the chair of the local health authority?

It is interesting that, including the chair, one third of the non-executive members live outside the area served by the health authority. That is not an academic point; it is important. If someone is in the position to make important decisions about the treatment of patients in the NHS, occasionally it might be useful for that person to be a patient and to sample the facilities available. I recently attended a clinic with a member of my family and I was appalled to see the number of people crammed into it. Large numbers of elderly people were standing because no chairs were available.

I am not attacking the consultants or the nursing staff, who do their level best to ease the problems, but there is something radically wrong with a management that fails to provide chairs for people in their 70s, 80s and 90s while they are waiting for treatment. Sometimes they have to wait two or three hours before receiving basic treatment. I should like those who are making the decisions to sample the facilities, because they would then realise what people have to tolerate. I suspect that a number of those who serve on the health authority in Wakefield would never go anywhere near the NHS.

Another issue, which was a problem with the previous structure of health authorities and will be an even bigger problem now, is when such very busy people, with all their commercial and business interests, will find the opportunity to visit hospital wards and clinics, as they should, to see what is happening at the grassroots level. I do not suggest, nor do I need to suggest, any political bias in the appointments in Wakefield, but half the non-executive members who live in the area live in one electoral ward. I am sure that it is a coincidence, but it is the only ward in the entire Wakefield district to elect Conservative councillors. People who know the area will appreciate that Sandal is not representative of the Wakefield district, but it is very well represented on the new health authority.

One third of the people of Wakefield live on council estates. Would it be unreasonable to expect at least one member of the health authority to live on a council estate and therefore have some insight into the problems of the working class?

We should have health authorities that are composed entirely of people who live in the areas that they serve and who actually use health service facilities that are, or are not, available, as the case may be. The membership of the authorities should genuinely reflect the aspirations, needs and views of the local community. Why should not they include a few working-class mums who have experience of sitting in a clinic for two or three hours, waiting for treatment? Such people would properly be able to express the views and real concerns of the service users.

Why should there not also be direct democratic accountability? Why shy away from health authority elections? I would go further even than my own party and

[Mr. David Hinchliffe]

suggest that we should go from door to door, telling people that they should vote for a particular health authority candidate. We would also be able to learn what the public want, in the way that we do when canvassing in local or general elections.

My plea, more to the next Labour Government and to my right hon. and hon. Friends on the Front Bench than to the present Tory Government, is that we should move towards direct elections, for I am sure that they would be welcomed by the vast majority of our constituents.

10.25 pm

Dame Elaine Kellett-Bowman (Lancaster): In Lancaster we are lucky in the calibre of our district health authority, whose members include people of wide experience who know the area well. They are led by our exceedingly able existing district chairman, who has piloted huge improvements and innovations so that our local health service is at or near the top of any list of criteria or league table that one cares to use.

I am a great believer in encouraging the state of marriage, and I feel sure that the Government share my views. I am therefore puzzled by the regulations, because, while the Government have removed the advantage of unmarried couples living together in respect of mortgages, and the advantage of unmarried couples living together for social security purposes, they have reinstated in the regulations the disadvantage for a married couple living together in respect of the declaration of interest.

I refer to regulation 13(6) of SI 1330, and to the words "the interest of one of a married couple living together" and to regulation 20(5) in SI 1331, which refers to the situation "in the case of married persons living together." Why should they be at a disadvantage? I should like an answer.

10.27 pm

Mrs. Alice Mahon (Halifax): In Committee stage on the National Health Service and Community Care Bill, my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) referred to the new district health authorities as a system of management that Queen Victoria would have recognised when she surveyed the crowned heads of Europe, and he was absolutely right. Everything leads back to the Secretary of State, and my hon. Friend the Member for Livingston (Mr. Cook) was also correct when he said that the new set-up is centralisation in an extreme form.

In the case of Calderdale district health authority, off go the two council representatives, who happen to be elected Labour councillors, and the trade union representative, and on come the business men, with only one exception. We have the same chair as before in Alan Templeton, an ex-director of the Halifax Insurance Company. During his chairmanship, he has presided over every cut that the Government have proposed, even using his casting vote to get rid of the NHS's own laundry service, a decision which was followed by a few disastrous years.

The newly appointed vice-chair, Barry George, was vice-chair of the previous district health authority. From the positions that he takes, he is obviously a Thatcherite. Until recently, he was employed as an architect. A new member of the authority, Clifford Fee, is a long-time Tory party member. He is a former chair of Halifax Conservative Association and recently retired from the family business. His new post should pay about £250 per meeting, which is a nice little earner for a recently retired business man. We have Dr. Hughes, who was previously a board member and is a fairly reactionary, right-wing medic. When I was a member of the district health authority, he only came alive when there were cuts to be made. He always voted for them.

Another new member of the board is a solicitor, and not someone whom I have heard had any interest in or knowledge of the national health service until his recent election to the board, which has already met and voted through a round of cuts which will lead to the loss of 99 beds. I imagine that the solicitor is a Government supporter because he voted for the cuts without any previous experience, as far as anyone can tell, of the national health service.

The one saving grace is that a woman, Jackie Stark, has been elected to the board. She was the only person to vote against the cuts, and she has spent most of her life working for the voluntary sector. Apart from that one exception, we have middle-aged men with business backgrounds who will slavishly follow any cuts that the Secretary of State suggests.

Today I learned that the latest infant mortality rates in Calderdale were shocking. In Calderdale the rate is 12·6 per cent., in Yorkshire and Humberside it is 9·1 per cent., and in the rest of England and Wales it is 8·4 per cent. The perinatal statistics—deaths in first week or stillbirths—were 12·9 per cent. in Calderdale, 8·5 per cent. in Yorkshire and 8·3 per cent. for England and Wales as a whole. Given those statistics, I must ask myself what on earth this Tory-appointed group of people were doing voting for cuts in beds and cuts in maternity services.

I know that the Secretary of State and his Ministers have received representations from a group of people in Calderdale about planning permission for a 40-bed private home for people with learning difficulties. I mentioned the issue when I was on the Committee on the National Health Service and Community Care Bill. That plan is totally at odds with the district health authority's philosophy of care for such people. The group making representations came out of hospital recently and are speaking up on behalf of their friends in Stansfield View, who are totally opposed to the home.

I think that there is a hidden agenda and that Stansfield View will be emptied while 40 people with learning and physical difficulties are still waiting to come out. If planning permission is given—it seems that it will be—they will end up in a totally unsuitable home, situated between a canal and a river, on a rat-infested industrial site. The business men appointed by the Secretary of State will happily go ahead with that, but it bodes ill for the people of Calderdale.

I am disgusted at the deliberate way in which the Government have put their friends into lucrative part-time jobs. I hope that the rest of the country and the people of Calderdale realise that those whom the Secretary of State has placed on the board will earn about £250 an hour and they will make all the wrong decisions.

10.33 pm

Mr. David Evennett (Erith and Crayford): I support the regulations, and do not share the concerns that have been expressed by Opposition Members this evening.

Change for change's sake is never a good idea, but change to improve the system should be supported. Following the hon. Member for Halifax (Mrs. Mahon) is always an experience, but her view of democracy in the health service is totally wrong. Democratic control over the NHS is represented by Parliament and by the Secretary of State. That has always been the case and it always will be. We are the guardians of the national health service.

The Opposition spokesman, the hon. Member for Livingston (Mr. Cook), is living in the past. He and the hon. Member for Halifax seem to want to see their old friends, the Labour councillors and the trade union members, restored to the health authority—people who were not elected but nominated on a political basis. By means of the regulations, the Government intend to introduce better management and more management experience into the national health service.

Mrs. Mahon: Will the hon. Gentleman give way?

Mr. Evennett: No. The hon. Lady has had her opportunity to speak. It is high time that she listened to some common sense.

If the management of the national health service is to be improved, new people with management and business skills must be persuaded to offer their services. The NHS is a much valued and much loved national institution. However, we hear much criticism of the NHS in our constituency surgeries. The criticism that is most generally voiced, in both general and specific terms, relates to the local management of the NHS.

Unfortunately, there have been many examples of poor management. Although more money has been poured into the NHS, so that more patients can be treated, the criticism that is expressed—it is a valid criticism in certain areas—is that there has not been more effective and efficient utilisation of resources in the interests of patients. We need good management at all levels in the NHS to ensure that patient services are, and continue to be, first class.

How can good management be achieved? Local councillors were not elected to the district health authorities; they were appointed. Why should local authorities appoint health authority representatives? Of course there must be liaison between local authority social services and the NHS, but we need better management. Therefore, if we can appoint people who are better qualified to serve NHS management at local level, we should do so.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): Will the hon. Gentleman give way?

Mr. Evennett: Yes, I shall give way to the hon. Gentleman.

Mr. Lofthouse: If we accept that better management is required and that better management should be provided by people with experience of management in manufacturing industry, why is it necessary to go miles away from local health authority areas to pick such people? Does it mean that no suitable people can be found in the area?

Mr. Evennett: The point is that we want the best people, wherever they may come from, so that they can provide expertise for the management of the NHS.

In conclusion——

Mr. Bob Cryer (Bradford, South): Will the hon. Gentleman give way?

Mr. Evennett: No, I shall not give way. The hon. Gentleman never listens. If he did so, he might learn something. We have had too many sedentary interventions from him over many years.

We want to improve the NHS. We have put more money into it, and more patients have been treated. What we need now is a better management structure in the interests of patients.

10.37 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): I echo the concern expressed during the passage of the Bill, both on the Floor of the House and in Committee, and also tonight about regulations of this nature that are the consequence of the Bill having been passed.

The hon. Member for Livingston (Mr. Cook) referred to the number of business men who have been appointed. We should not be surprised about that. The thrust of the reforms is to put the NHS on a more business-cum-private footing. From the Government's point of view, therefore, it is entirely consistent that business men should be put in charge of the NHS. As has been acknowledged, however, certainly on this side of the House and to a certain extent by Conservative Members, the sad thing is that all too often the business men and others who have been appointed have no direct local contacts. That is inappropriate when we are talking about the management of the NHS.

Why is it, one wonders, that people have so often been moved in from other parts of the country to serve on district health authorities? I suspect that the reason is partly that, in some parts of the country, the political complexion is such that it may not be as easy as the Secretary of State would wish to find people of both his and his Government's cast of mind to serve on the authorities. Therefore, people have to be shipped in from elsewhere.

There is a more practical reason. If someone lives in a local community and is facing pressures and having to take difficult decisions—if he is the subject of letters in local newspapers, of people phoning him at home and of people making their concerns known to him when he is shopping —that is something of a strain. It is much easier to take cold-blooded decisions resulting in cuts, closures and a diminution of the health service when someone does not have to face the people whom his decisions will adversely affect. That is one of the reasons why the thinking of the Secretary of State in making these appointments is so clear.

Mr. Cryer: Is there a possible third reason—that if, as is unlikely, the Tories are re-elected, they have in place, free from any local accountability, a remote character ready to take the next step of privatising the national health service?

Mr. Kennedy: I would be straying a bit wide of the regulations if I answered that, but given the motives and the means that this legislation have given rise to, one

[Mr. Kennedy]

cannot, being as generous as possible to the Government, dismiss the possibility of such a change following under a future Tory Administration. That should be said loud and clear; I welcome the hon. Gentleman's intervention.

It is regrettable that, in addition to the other examples that have been given of the trade unions and local authorities, the Government resisted an amendment moved in Committee—their track record on these appointments confirms how useful that amendment would have been—to improve the comparatively meagre number of nurses who have been appointed. At the time of the original Griffiths management report and the recommendations that flowed from it, the Government were reluctant to concede a central role in the management of the health service to the nursing profession. They conceded it in due course, which was welcome.

Further down the line of management, that absence of guaranteed or direct nursing input has been replicated in the appointments that have been made. The Secretary of State was given lists of nominees by the regions from which to choose non-executive members. Nurses appeared on those lists, and some of the executive members are nurses, but the regions of Wessex, Yorkshire, South West Thames and North West Thames have no nursing representatives on the new bodies.

That is not good for the health service, especially when the thrust is towards a business or management-orientated health service to deal with such items as throughput, which, as any nurse could advise those bodies, is not a mark of success. If people are discharged from the hospital sector into the community before they have recovered, their chances of recovery may be damaged and another statistic may be added to the admissions column a few weeks later. Throughput is not a categoric or sufficiently illuminating indication of success in the health service. Nobody would be better advised to tell a health authority that than a nurse, but all too often nurses have not been appointed.

The classic example of a lack of local knowledge occurred recently. We all know the very tragic circumstances that gave rise to the by-election campaign in Eastbourne. The Conservative candidate is known to us as the former Member for Glanford and Scunthorpe. He was recently adopted, and at this stage his knowledge of Eastbourne is not full and detailed. That was borne out by his statement during the campaign pointing to the success of one of the local hospitals. A photograph of that hospital was subsequently produced which showed it to be a pile of rubble.

That highlights the dangers of having people who do not have sufficient local knowledge expounding the virtues of the health service in a given locality. It was a classic example which considerably embarrassed the local campaign and, I suspect, the Conservative party nationally.

Mr. Rhodri Morgan (Cardiff, West): It was a successful demolition.

Mr. Kennedy: As the hon. Gentleman says, it was a successful demolition. It remains to be seen whether a phoenix will rise from the ashes. One lives in some doubt about that.

The new system is unrepresentative and undemocratic. It will put more and more power in the hands of central Government at the expense of local communities. For that reason, we shall be joining the Labour party in opposing the regulations.

10.45 pm

Sir Michael McNair-Wilson (Newbury): I welcome the revision of the membership of the regional and district health authorities, and of the family health services, as much as anything because the previous membership of those bodies, even if drawn from a wider catchment, were remarkably out of touch with the areas and the populations that they claimed to represent. How rarely do I remember any of those authorities holding a public meeting in my constituency to explain the problems they were up against. The whole question of public accountability by those bodies has not left much of a mark on me.

One of the weaknesses of these authorities always seemed to lie in the fact that, apart from the officers, most of the members were not sure what job they were meant to perform or whom they represented. In those terms, to have a more businesslike approach or, as my right hon. and learned Friend the Secretary of State said, to make a more effective decision-making team seems to make good sense and to be wholly welcome.

However, business efficiency and effective decision-making, although important—no one would dispute that every health authority requires that expertise—may be too narrow an approach. Nobody disputes the need for the NHS to be able to draw on business acumen and, as the internal market develops, that ability will become ever more important. However, what requirement is there for the new, non-executive officers to be NHS patients? That question has already been asked by the Opposition.

I believe that the members should be not only directors but consumers of the authorities if they are to have a valuable input into the discussions of those authorities. The regulations seem to have the single drawback that they lay too little stress on the voice of the consumer or on how the new bodies are to be accountable to the communities they serve. They are appointed for four years, but not by local people. Is their sole remit business efficiency? If so, what proposals are there for giving the voice of the patient some way of being heard?

Community health councils have also been mentioned. I suggest that, up to a certain point, they can fulfil the job of being the consumer's voice. However, if we want them to succeed as the consumer's voice in the newly shaped national health service, surely one of the non-executive members should be the chairman of the local CHC or there should be room for co-opted members on the new bodies. After all, if we are concerned with business acumen, and with restructuring and reshaping the national health service to give it a more businesslike approach to its massive task and to the huge funds it handles, we should follow big business down the road of having either a customer relations director or a customer relations manager among those who are non-executive, co-opted members.

In welcoming the changes, I believe that there is still a gap in what has been proposed. We should give the patient's voice rather more time to be heard than seems to be possible with these proposals.

Mr. Ian McCartney (Makerfield): I promise you, Mr. Deputy Speaker, that I shall take only a couple of minutes. I saw you raise your eyebrows when I rose, and I know that a number of hon. Members wish to participate. I am glad that you can take a joke.

I am probably one of the few hon. Members who knows the wrath of the Secretary of State. In his earlier office of Minister for Health, he sacked me from my local family practitioner committee. Conservative Members will probably say, "That is the only good decision that he has made at the Department of Health." I was sacked purely and simply because I had been put on the committee by the local authority and was asking pertinent but awkward questions about the administration of the committee. The right hon. and learned Gentleman could not find a local authority member with whom to replace me because there were no elected Conservative representatives in our area at the time. He left the position vacant rather than making a fresh appointment from among the local authorities.

The Secretary of State has a long history of attempting to remove from authorities people with political views that he does not like, including some of the most efficient and hard-working people in the national health service, who have been withdrawn from service over the years.

The present regulations represent the final nail in the coffin of public accountability and public and local representation in the national health service. My authority, which looks after 340,000 people, has the following criteria: one must not live or work in Wigan, and if one is a member of the local authority or a community group that has comments to pass about the running of the health authority one will be excluded. Amazingly, when the present chairman of the health authority was appointed he said that he knew nothing about the running of the authority but that he was a quick learner.

Since then, Mr. Hague has, indeed, learnt quickly. He has learnt about hospital closures because he is constantly closing hospitals. He has learnt about privatisation through his wholesale closure of hospitals and as he has privatised care for the elderly and the mentally ill. He knows something about contracts. At almost every health authority meeting, when the first item on the agenda is reached, the "public interest" is invoked, a resolution is passed and the public are thrown out. The authority then proceeds to talk about contracts for companies such as Takare. In privacy, the authority may change the whole system of contracts so that Takare is the only company that can apply for and obtain contracts. In private, the authority consistently acts against the public interest.

A Mr. Robertson, the retired chief executive of Robertson's jam, is to be appointed to the family health services authority. At least the health service in Wigan can look forward to jam tomorrow. Mr. Robertson is somewhat coy when it comes to whether he lives in the borough. The press statement sent to local Members of Parliament says that he lives somewhere in Cheshire. The members of the health service authority representing the professions also live anywhere but Wigan—in Cheshire, in Lancashire, in Bolton and in other parts of Greater Manchester but not in the local community.

I should have no personal objection to the Conservatives even controlling the health services authority if they lived in the borough and if they used, and were accountable for, its services. But that is plainly not the case. The Government are a centralising Government who are taking for themselves complete political control of the health service by means of appointees who do not live in or care for the local community and who do not care for the national health service. Many of those appointed have been appointed for one reason—their sole objective during their two or four-year term is to privatise as much of the health service as they can, preferably before the next general election. That is why I welcome the statement by my hon. Friend the Member for Livingston (Mr. Cook), that at the earliest possible opportunity Messrs. Robertson and Hague et al will be sacked and replaced by people who live and work in the community and who have a commitment to the national health service.

10.54 pm

Mr. Frank Haynes (Ashfield): I am a bit surprised that the Secretary of State for Health has left the Chamber. He should be ashamed of himself. He should be here listening to what we are saying because the Opposition totally disagree with his proposals. Indeed, one or two observations have also been made by Conservative Members—*[Interruption.]* Ah, the Secretary of State must have heard me because he has just returned to the Chamber.

We know what is going on. We know what the Secretary of State is doing. He frittered around with transport before he came to social services and I remember well what happened. The Secretary of State has made a mess since he took over his flaming job. He is now moving towards more closures for the national health.

The Secretary of State need not frown because I shall put him in the picture. He is coming to my constituency on Saturday for "Europe Week" and he will stand on a platform with the Conservative candidate for the next general election. *[Interruption.]* That is not a big joke. It is a serious matter. I warn the Secretary of State that he is going to get an earbashing on Saturday.

The Secretary of State obviously has some influence on cuts and the way in which a local health authority should spend its money. The Secretary of State knows where the King's Mill hospital is because he lives just down the road in Rushcliffe. I do not know what his constituents think about him there, nor do I know what people think of him in the city of Nottingham after what the Secretary of State has done there.

The Secretary of State must be aware of the finances that have been made available for Central Nottinghamshire district health authority. He has appointed people to carry out his dirty work. That is what it is all about. There will be no come-back. They sit around the table and tell the manager what she has to do—and the manager is a lady in Central Nottinghamshire. That wonderful lady has done a first-class job since she was appointed, but she will not be able to do the job that she should be doing because the Secretary of State has appointed all those bosses from all over the damn place and has sacked the real link with the community.

The Secretary of State talks about community care and he gets the Prime Minister to say the same things. They say that they care about the facilities that are provided in the community. At the Victoria hospital in Mansfield there are a number of bungalows provided for the mentally handicapped. They were built so that the parents of mentally handicapped children could have some respite. The children could move into the bungalows to allow the parents some freedom, a change and a rest. Two of those

[Mr. Frank Haynes]

bungalows are to be closed, yet the Government talk about caring for the community. They could not care less. One of my colleagues made a good point earlier: every step that the Secretary of State has taken with regard to the NHS has been a step towards privatisation.

Mr. Kenneth Clarke: I am sure that the hon. Member for Ashfield (Mr. Haynes) will agree that I cannot leave it to my hon. Friend the Under-Secretary of State for Health to answer all that.

I am glad that I shall be meeting the hon. Gentleman in the Asda carpark at Sutton in Ashfield on Saturday. The hon. Gentleman's predecessor used to campaign with me for Europe and I hope that the hon. Gentleman will join me on Saturday. I hope that he has heard that the Labour party has undergone a conversion and the party's policy is now also in favour of "Europe Week". I look forward to visiting King's Mill again. I know it extremely well.

Mr. Haynes: On a point of order, Mr. Deputy Speaker.

Mr. Clarke: No, after the hon. Gentleman has heard me out on King's Mill.

Mr. Haynes: On a point of order, Mr. Deputy Speaker. In my contribution I have not mentioned Europe—*[Interruption.]* Wait a minute—except for "Europe Week." That is all. That is what the Secretary of State is coming to. That is all I have said about Europe.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I very much——

Mr. Clarke: The last time I visited King's Mill hospital was to open a major extension that the Government had financed. I look forward to the expansion of services in Central Nottinghamshire health authority. To which of the new appointments to Central Nottinghamshire health authority does the hon. Gentleman really object? He is a fair man. He is not as partisan as he likes to make out on the Floor of the House. He knows perfectly well that we have appointed people who are interested in a better health service in central Ashfield. Would he please not lark about trying to claim that he seriously objects—*[Interruption.]* The hon. Member for Livingston (Mr. Cook) has to go in for jobbery because he needs votes to be elected to the national executive. The hon. Member for Ashfield (Mr. Haynes)—I nearly said my hon. Friend the Member for Ashfield—knows perfectly well that he does not really object to any of the people whom I have appointed to Central Nottinghamshire district health authority.

Mr. Haynes: He has got a bloody neck. He really has got a neck to make a comment of that sort.

Mr. Deputy Speaker: Order. That sort of coarse language is uncharacteristic of the hon. Gentleman.

Mr. Haynes: I withdraw it, but I still mean it. I have not been laughing. The Secretary of State is still laughing—he has been laughing throughout the debate. He thinks that this a damn joke. This is a serious matter. We are all complaining about the rundown of the national health service in our own areas, and now the Secretary of State has appointed bosses who jump to attention when he says so. He is pouring money into their pockets. No doubt they will get an increase pretty soon—*[Interruption.]* A part-time job with a damn good salary to go along with it, but to do his dirty work.

The reason why ward closures are taking place is that people are frightened of overspending by the end of the financial year. The reason why people are overspending is that this Secretary of State has cut services in the Central Nottinghamshire district. That is having a serious effect on the Ashfield constituency. I wanted to get up and say it, and I have said it.

11.2 pm

Ms. Joan Walley (Stoke-on-Trent, North): I shall be very brief, as time is passing by all too quickly in this important debate. My points are about North Staffordshire district health authority. We do not want business men who have no knowledge of the local area or of local services wheeled in to deal with the management of the national health service. My hon. Friends have made it quite clear that there is a hidden agenda—that the changes are taking us one step nearer to the privatisation of the national health service.

Nurses who have been recruited in north Staffordshire and nurses on Project 2000 ask me whether I realise that they are afraid that there will be no jobs by the time they finish their training. What do business men know about decisions that are made behind the scenes by the Government? It is absolutely impossible to train the number of nurses who are needed.

A further point to which I object very strongly is that, having reduced the numbers on the district health authority, we now have to wheel in ex-members of the district health authority to deal with nurse regradings. They are paid in the region of £40 a day. Why cannot some concern be introduced? Why could we not have had people who are prepared to do that work, have knowledge, put in the time and visit all the different facilities in the area?

The community health council in north Staffordshire has made it clear that it thinks that it is totally out of order that it can no longer as of right sit on the district health authority. That is entirely wrong. We have heard so much about the interests of consumers, or patients, but there are moves afoot for the health authority to meet behind closed doors and for business men to run the NHS.

In north Staffordshire, a health profile report has been commissioned by the Stoke-on-Trent city council. It has identified huge amounts of ill health within Stoke-on-Trent. How can key decisions on health be made if there is no link between those who have been democratically elected? How are we to deal with the great problems posed by ill health under such undemocratic arrangements? I do not want the NHS to be run on entirely commercial lines.

11.5 pm

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): Although no one would realise it after listening to the contributions of Opposition Members, the regulations are designed to demonstrate the Government's commitment to improving the delivery of the national health service and to ensure that the health care that the British people enjoy from the NHS will continue to improve. The regulations are part of the programme which gives effect to the Government's commitment to more effective management within the NHS. That is understood by my hon. Friends the

Members for Erith and Crayford (Mr. Evennett) and for Newbury (Sir M. McNair-Wilson), and I thank them for their support.

The NHS is a vast organisation—it is the largest employer in Europe. It is not a business, and we do not pretend that it is. It is, however, a huge organisation, and it can and should benefit from more business-like management, more effective management and by securing the best use of the resources that are devoted to it by the taxpayer on behalf of the patient. That is the purpose to which the motions are directed.

Mr. Lofthouse: If that expertise is required, why is it that a member of the Pontefract health authority is the managing director of the Rockware glass group—his factory is on the border of my constituency and an adjoining one and he lives in Rotherham—and another is a doctor's wife who lives in Wetherby, which is 20 miles away? I do not have the full list of the members at my disposal. Is there not a doctor's wife or a business man within the Pontefract health authority who has the expertise to do the job?

Mr. Dorrell: The hon. Gentleman is advancing an argument which was introduced on several occasions by one or two of his hon. Friends. If the purpose of the health authority is to secure the good management of health resources within its area, why does he consider it vital that every member of it should have what he deems to be the right postcode? That would not seem to be the critical factor when someone is nominated to serve on the health authority.

I must tell Opposition Members who feel so strongly about postcodes that their view is not shared by the majority of those who are involved daily with the management of the NHS. I have heard less adverse comment about the commitment to a more effective, slimmer and more efficient health service than about all the other principles that come within the NHS reforms. It is hardly a secret that the reforms have generated a degree of interest and controversy. Even the hon. Member for Livingston (Mr. Cook) could not make a leak out of that.

Within the national health service, this set of proposals is almost entirely uncontroversial. It is only Opposition Members, who are so consumed by the conviction that every decision in the NHS management should be regarded as political, who see this as a controversial initiative.

The hon. Member for Livingston has not answered in his mind the fundamental question—what a health authority is there for: is it a political forum or a management organisation? Is it there to hold an interesting debate about the quality of health care and the ideas of its members about health care in a particular area, or is it an organisation charged with the effective use of health service resources in a particular locality to produce the best health care it can for the patients who live there? I have no doubt what the answer is, but the hon. Gentleman does not seem to have sorted it out in his mind.

Let us consider the charges that he levied against the regulations this evening. He said that there was no representation as of right on the health authorities for the local authority of the district. That is correct, but there is no representation on the health authorities for anyone else either. They are not there as representational organisations—that is not their function, but the function of the community health council within the context of the health service.

When we are asked to whom the health service is accountable, the answer, as my hon. Friend the Member for Erith and Crayford correctly said, is that, since the day of its inception, the health service has been accountable to Health Ministers, not local bureaucracies, in whatever form they have existed during the history of the service.

Mr. Morgan: That is splitting hairs.

Mr. Dorrell: To talk of parliamentary accountability is not splitting hairs; it is an important matter.

Mr. Morgan: When the Minister describes the health authorities as management organisations, he surely forgets that health authority members also acted as lay representatives when anybody was appointed to a senior position in a hospital. They were also asked to take particular care of one hospital and acted as lay representatives on grading appeals for nurses. Surely, if they are management organisations, numbers on them are suddenly reduced from 20 plus to five and the position is not thought through, we are then confronted with the problem of what to do with functions other than those of the business whizz kid management organisations, that the previous health authority members carried out.

Was there ever better evidence of a Government proposal that had not been thought through than this evidence that they are going back to the ex-members of health authorities that they have just sacked and asking them to do for money what they previously did for nothing when sitting on grading appeals for nurses?

Mr. Dorrell: Never have I heard better evidence of the tail wagging the dog. Are the authorities there in order to provide a quarry for people to perform those important, valuable functions, or are they there as a group of people whose job it is to manage the health service within a locality? I have already made clear my answer to that question.

Mr. Cook: I shall carry the Under-Secretary back to the comment that he made a moment ago—that it is not his intention that the health authorities should be representative. I would certainly agree that the Government have achieved that objective through the appointments. But he made the case that the job of representation is a task for the community health councils. If he is to rely on them to inject a note of representation into decision making in the health service, will he now issue an instruction to all those health authorities which, since August, have withdrawn observer status from the community health council at their meetings and simultaneously refused to send members of the new authorities along to community health council meetings?

Mr. Dorrell: Certainly not because the purpose of representational organisations such as CHCs is to have sufficient roots in the community to be aware at all times of the community's needs and represent those to the health authority. Through the local Member of Parliament or whatever organisations they wish to approach, they should ensure that their views about the health authority's policies are known and understood. That is the legitimate function

[Mr. Dorrell]

of the CHC. It is not part of its function to second-guess and become involved in the management process. The two functions are separate and should be seen as such.

The second point made by the hon. Member for Livingston was not dissimilar from the one that he made in his intervention a moment ago. He took us to task for debarring from membership of health authorities paid officials of unions whose members are employees of the health authority in question. The straightforward reason for that is that it clarifies whose task is that of representation—whether it be CHCs representing patients, or paid union officials representing employees—and whose that of management. The two tasks are separate and can be better discharged if they are understood by all parties to be separate.

Thirdly, the hon. Gentleman said that members of the health authorities were overwhelmingly business men. His mathematics was interesting. He quoted the percentage of business men as 52, a figure that included laywers. As a lapsed business man, I am bound to say that I do not regard lawyers as business men.

We make no apology for having sought to introduce to the structure of the health authorities people with experience of managing large organisations. We believe that that will provide more efficient management of our public health service.

Once the hon. Gentleman had got those three weak arguments off his chest, he degenerated into wild accusations about political bias. That was when he showed himself in his true colours. He left behind the measured tones of his initial arguments and began accusing us of all sorts of political malpractice—including the introduction to this country of the principles of nomenclatura. He showed that he understood those principles so well that he intends to apply them in reverse in the unlikely event of a Labour Government being elected.

My hon. Friend the Member for Northampton, South (Mr. Morris) asked why the associate membership—in the context of FHSAs—should continue to contribute to the work of the authority in addition to the slimmed down authority itself. I believe that that is a more efficient way to proceed than past methods. The narrow, smaller group will have the responsibility for evolving the policy of the authority in the area, but that does not stop its members calling on the wider group of associate members to discharge some of the less central functions of the authority.

That has always been explicit in the model that we have advanced for health authorities' discharge of their functions. To some extent, it also answers the point made earlier by the hon. Member for Cardiff, West (Mr. Morgan)——

Mr. Michael Morris: If the associate members are to discharge such a valuable function, am I to understand that they are not to be paid? Are they supposed to do the work on a voluntary basis?

Mr. Dorrell: They will continue to do the work on the same basis as before. The smaller group will be paid for the additional responsibilities of full membership of an authority.

The hon. Member for Wakefield (Mr. Hinchliffe) said that he was proud of the NHS, and had always regarded himself as a lifelong supporter of its principles and the way in which it had been introduced; he then said that he felt that our proposals represented inadequate democratic accountability in the running of the service. He has not reconciled himself to the fact that those two statements are fundamentally contradictory.

The NHS that was introduced in 1947 was a national service, accountable to Parliament, whose democratic accountability was—through Ministers—to the House of Commons. It is not, and never has been, a system of different local health services accountable to a local elected body. If the hon. Gentleman can persuade his hon. Friends that that is what Labour policy should be, I shall watch with interest—and I shall be very pleased to argue against it, because I do not believe that it represents either an efficient way in which to use resources or a just way in which to provide health care. But the hon. Gentleman cannot claim to be a supporter of a national health service and then, in his next breath, argue for the disintegration of the NHS into a series of locally democratically accountable health services.

Mr. Hinchliffe: Will the Minister give way?

Mr. Dorrell: I will give way once more, but I cannot engage in a debate on every point.

Mr. Hinchliffe: Throughout its history, the NHS has involved local people—either councillors or members of hospital management committees—who live among people who use the service, and who use it themselves. My objection to the structure set up by the Government is that there is no accountability to local people; the Government's model involves people who do not live in the area concerned, and who have nothing to do with activities such as visiting hospitals and clinics and seeing the problems that face the NHS daily—nothing to do with participation. The Minister has not responded to that point.

Mr. Dorrell: Several Opposition Members have convinced themselves that the health authorities are being staffed with people who—almost to a man—have no connection with the area in which they work. That is a travesty of the truth. Certainly we have not insisted on what I call the postcode test; but the vast majority live either in or very close to the health authority districts in which they will serve, and all will quickly develop a deeper knowledge of the authorities in their areas than any previous generation of health authority members.

My hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) raised an interesting point about whether we were discriminating against married couples. If we had listed every conceivable relationship that could lead to a conflict of interests which should properly be declared, these measures would be enormously lengthy. There is a specific requirement for the interest of the spouse of a health authority member to be regarded in the same way as the interest of the member himself, or herself. Beyond that, however, it depends on the understanding, or desire to act properly, of each member of the health authority, whom we expect to declare any commercial activity that might give him or her an interest. The provision to which my hon. Friend referred is not intended to give carte blanche to anyone whose relationship falls outside that test not to consider whether he has an interest that he should declare.

The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) asked whether nurses should be represented on health authorities. He should remember that, under the reforms to be introduced in April, health authorities will be the bodies purchasing health care on behalf of a resident population. The Government continue to think it important that there should be a medical input into the management of units within the NHS: that is, that the management of hospitals—whether they are trusts or directly managed units—should involve such input. It is not obvious to me, however, that it is essential to have a "nurse input" into what is basically a contracting organisation.

My hon. Friend the Member for Newbury asked whether there should be a stronger voice for the patient in the form of a customer relations director. My hon. Friend does not seem to place as much emphasis as I do on the fact that the health authority itself is customer/patient-centred. After April, the whole purpose of a health authority will be to look at the health needs of everyone in a defined geographical area and to devote all its efforts to trying to secure the best possible health care for the resident population for which it is responsible. The idea of a customer relations director in an organisation that is totally directed to that purpose is somewhat otiose.

Sir Michael McNair-Wilson: Many organisations that do nothing but serve the customer for commercial purposes think that it is best to have a customer relations manager. Why should the health authorities be different? If they did not have to take it upon themselves to assume that they know what the customer wants and that they are always right, they would listen to what the customer says.

Mr. Dorrell: The difference lies in the phrase "for commercial purposes". A commercial organisation serves the customer, but also has to serve shareholders. That is not the case with a health authority, whose sole task is to use public money to secure the best quality health care for its resident population.

The House heard an interesting discussion between the hon. Member for Makerfield (Mr. McCartney), the hon. Member for Ashfield (Mr. Haynes) and the absent hon. Member for Bradford, South (Mr. Cryer). They convinced themselves that the Government had embarked upon a programme of privatisation of the national health service. None of the hon. Gentlemen explained why, if that was the case, we did not take the opportunity in our White Paper on the future of the NHS to explain such a policy and the reasons for it.

Mr. McCartney: Will the Minister give way?

Mr. Dorrell: I have given way a great deal.

Mr. McCartney: On a point of order, Mr. Deputy Speaker. Surely the Minister should not be allowed to attack hon. Members and then to refuse to allow interventions. Let us have a free debate.

Mr. Deputy Speaker: Order. Mr. Dorrell.

Mr. Dorrell: Those three hon. Members satisfied themselves, although I think no other hon. Member, that there was a paper tiger lurking in the bushes—the privatisation of the NHS. They then had a heroic battle in which no doubt they convinced themselves that they were the victors. It was not instructive for any of us.

The regulations represent a major improvement in the way in which the health service is run and everyone who works in the service knows that. The argument about the future of the service is not just about the level of spending. It is also about how best we can provide for the efficient management of the NHS in order to ensure that that money buys the best possible health care for the patient. The Opposition have not taken a single step into that part of the argument. We have heard no proposals from them about how they would ensure maximum improvement and efficiency in the service. The Government proposals will improve efficiency, and I commend them to the House.

Mr. Robin Cook: I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Motion made, and Question put,

That an humble Address be presented to Her Majesty, praying that the Regional and District Health Authorities (Membership and Procedure) Regulations 1990 (S.I., 1990, No. 1331), dated 2nd July 1990, a copy of which was laid before this House on 5th July, be annulled.—*[Mr. Robin Cook.]*

The House divided: Ayes 94, Noes 158.

Division No. 319] **[11.29 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Boateng, Paul
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clarke, Tom *(Monklands W)*
Clay, Bob
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Dewar, Donald
Dixon, Don
Dunnachie, Jimmy
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Flynn, Paul
Foster, Derek
Fyfe, Maria
George, Bruce
Griffiths, Win *(Bridgend)*
Harman, Ms Harriet
Heal, Mrs Sylvia
Hinchliffe, David
Home Robertson, John
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kennedy, Charles
Leadbitter, Ted
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
Mahon, Mrs Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Murphy, Paul
Nellist, Dave
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Robertson, George
Ross, Ernie *(Dundee W)*
Salmond, Alex
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Steinberg, Gerry
Strang, Gavin
Thomas, Dr Dafydd Elis
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. Frank Haynes.

NOES

Adley, Robert
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Brazier, Julian
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Evennett, David
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayward, Robert
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Lightbown, David
Lord, Michael
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Martin, David *(Portsmouth S)*
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Sir David
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Neale, Gerrard
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Pawsey, James
Porter, David *(Waveney)*
Price, Sir David
Renton, Rt Hon Tim
Ridsdale, Sir Julian
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Ward, John
Watts, John
Wheeler, Sir John
Widdecombe, Ann
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Tom Sackville.

Question accordingly negatived.

PROCEDURE

Motion made,

That this House agrees with the recommendations contained in the First Report of the Select Committee on Procedure of this Session (House of Commons Paper No. 379).—*[Mr. Wood.]*

Hon. Members: Object.

QUESTIONS TO MEMBERS, ETC.

Motion made,

That with effect from the beginning of the next Session of Parliament Standing Order No. 17 (Questions to Members) and Standing Order No. 18 (Notices of motions, amendments and questions) be repealed and the following Standing Orders be made—

Time for taking questions

(1)—Questions shall be taken on Monday, Tuesday, Wednesday and Thursday, after private business has been disposed of.

(2) No question shall be taken after half-past three o'clock, except questions which have not appeared on the paper but which are in Mr. Speaker's opinion of an urgent character and relate either to matters of public importance or to the arrangement of business.

(3) Any questions tabled for written answer on a day on which the House does not sit by reason of the continuance of a previous sitting shall be deemed to be questions for written answer on the next sitting day and shall appear on the Order Paper for that day.

Notices of questions, motions and amendments

(1)—Notices of questions shall be given by Members in writing to the Table Office.

(2) A notice of a question, or of an amendment to a motion standing on the Order Paper for which no day has been fixed or of the addition of a name in support of such a motion or amendment, which is given after half-past ten o'clock in the evening shall be treated for all purposes as if it were a notice handed in after the rising of the House.

(3) A Member shall indicate on the notice of any question whether it is for oral, written or priority written answer.

(4) Where a Member has indicated that a question is for priority written answer the Minister shall cause an answer to be given to the Member on the date for which notice has been given, provided that the requirement of notice shall be the same for such questions as that prescribed in this order for questions for oral answer.

(5) Notice of a question for oral answer may not be given on a day earlier than ten sitting days before the day for answer, provided that, where that earliest day would otherwise fall on a Friday, the earliest day on which such notice may be given will instead be the previous sitting day.

(6) Notice of any question for oral answer must appear at latest on the notice paper circulated two days (excluding Saturday and Sunday) before that on which an answer is desired.

(7) When it is proposed that the House shall adjourn for a period of less than four days, any day during that period (other than a Saturday or Sunday) shall be counted as a sitting day for the purpose of calculating the period in paragraph (5) of this order.

(8) When notice shall have been given of a Motion for the adjournment of the House for more than three days Mr. Speaker may cause to have printed and circulated with the Vote a memorandum superseding the provisions of paragraphs (5) and (6) of this order and instead setting out the earliest day on which notice of questions for oral answer may be given for each of the first ten sitting days after that adjournment, provided that each such day shall as far as practicable fall on the same day of the week as that on which the question is to be answered and shall not be fewer than fourteen days before the day for answer; and also setting out the latest day for notice of questions for oral answer on each of the first two sitting days following that adjournment

provided that each such day shall not be fewer than two days (excluding Saturday and Sunday) before the day for answer.—*[Mr. Wood.]*

Hon. Members: Object.

Disabled Children (Mobility Allowance)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

11.40 pm

Mr. Terry Patchett (Barnsley, East): I am most grateful for the opportunity of raising this issue on the Floor of the House as there has been burning contention in my constituency and nationwide about the great injustice whereby sufferers under the age of five are denied mobility allowance.

A lot of money has dribbled through the Government's fingers, and many rich people have got richer. The Government had the money and, with a little effort, could have provided for the sad cases in which young couples have disabled children under the age of five but are denied benefit.

In July I asked the Secretary of State if he would bring forward proposals to amend the Social Security Act 1990 to grant disabled under-fives the right to mobility allowance. As expected, the Government announced that they had no plans to do so. I am bitter about that. When reading the document, "The Way Ahead", I noticed that once again those children are denied that benefit.

While I appreciate that this is a national issue, a case in my constituency highlights the seriousness of the problem. Mr. and Mrs. Jow in Bolton on Dearne were blessed with triplets, but unfortunately two of them suffer from cerebral palsy, which denies Mrs. Jow the chance to go out to earn a living to supplement her husband's income as she is a full-time carer for the children. As they suffer from different degrees of the problem, the two children go to separate schools, which creates a transport problem and extra expense. Five or six times each month, they have to go to hospital, and—believe it or not—while there is a guideline of five years of age for benefits, it costs just as much to run a car for a three-year-old as it does for a five-year-old.

I am pleased that in recent months the Government have set a precedent in relation to attendance allowance and have wiped out the age limit there. I am therefore hopeful that the Minister will think carefully about this matter when she responds to my comments.

I do not intend to go on at length as I am sure that all hon. Members present, including the Minister, are aware of the problem. It is a crying shame that so many rich people have benefited while other people suffer this terrible financial burden and the country cannot help them out. It is a disgrace that the Government will allow them to live in such hardship when a few pounds could help them out and make a great deal of difference to the quality of their lives.

I have explained the case of the triplets, two of whom are disabled. Mr. and Mrs. Jow have another child—four children in all—and the two invalids should be receiving mobility allowance. They are not the only case in my constituency. I know of at least a dozen similar cases.

I cannot understand the hard and fast stance that the Government have taken on this matter, given that they relented and recognised the problem for attendance allowance. I see no difference with mobility allowance. Nor can I see any difference in the price of petrol to run a three, four or five-year-old kiddie to hospital.

I hope that we can convince the Government that they ought to recognise that this is a problem. To solve it would

[Mr. Terry Patchett]

not break the bank. It would help many young couples who suffer this heavy financial burden. It is the Government's duty to assist those people.

11.44 pm

The Parliamentary Under-Secretary of State for Social Security (Mrs. Gillian Shephard): I congratulate the hon. Member for Barnsley, East (Mr. Patchett) on raising this subject so soon after our return from the summer recess and for the responsible way in which he has put the case. I know that he tried to raise the subject during the debate on the Consolidated Fund Bill before the summer recess but was unsuccessful because his name was too far down the list. However, both of us were briefed on that occasion, too.

The hon. Gentleman generously referred to the fact that the Government have made changes in the arrangements for disabled children and for disabled people in general. The Government are very much aware of the difficulties faced by disabled people and by the people who look after them. I am particularly conscious of the problems faced by the parents of severely disabled young children.

I was interested to hear which case the hon. Gentleman would raise to highlight his concern. The problem has concerned him for some time as he has tabled a number of parliamentary questions about it. The case that he raised relates to triplets, two of whom are disabled. The hon. Gentleman raised specifically the question of entitlement to mobility allowance, but he also referred to other areas of disability provision. Therefore, I should like to place mobility allowance in the wider context of the total social security provision that is made for disabled people and their carers.

In the past few months there has been an increase in the amount of help provided for families with disabled children. The social security system offers a network of provision for families with disabled children, in addition to mobility allowance. Extra help is available in the premiums which are paid with the income-related benefits —income support, housing benefit and community charge benefit. Help for carers is given through the invalid care allowance. The main benefit for disabled children, however, is attendance allowance, which provides £37·55 per week for people—children as well as adults—who need attention or supervision both during the day and at night, and £25·05 per week for those with lesser attendance needs.

When attendance allowance was introduced in 1971 the lower age limit was set at the age of two. The Government have been aware of the case that has been made on behalf of families with disabled children—that many handicapped children have additional attendance needs.

Mr. Dave Nellist (Coventry, South-East): The Minister may remember that my hon. Friend the Member for Preston (Mrs. Wise) and I pressed her colleague, the Minister of State, to review the decision that children under the age of two were not, until recently, entitled to attendance allowance. When the Government decided to conduct a review and then to give about 3,000 families entitlement to the £37 attendance allowance for children under the age of two, why did they not also take the opportunity to consider what my hon. Friend the Member for Barnsley, East (Mr. Patchett) has advocated—a review of the age limit which bars those same familes from entitlement to mobility allowance for young children? That is the nub of this Adjournment debate.

Mrs. Shephard: I shall deal later with the distinction between the criteria used for attendance allowance and for mobility allowance. With the hon. Member for Coventry, South-East (Mr. Nellist), I was a member of the Committee which considered these matters in great detail. I am sure that he is as glad as I am that the Government were able to make the change in the attendance allowance. I shall deal later with what the Government believe is the essential difference between the criteria for the two allowances. The hon. Gentleman is right to say that some 3,000 families have gained from the change.

Invalid care allowance may also be payable where a person has given up work to look after a child who is receiving attendance allowance. A family with a very severely disabled baby can qualify for as much as £65 a week extra. If there are two severely disabled babies, they qualify for £65 a week extra and £37·55 for the other baby. At a time when there are many pressing demands on the social security budget, the House will agree that that represents a significant improvement for families with disabled babies.

When my right hon. Friend the Secretary of State announced the abolition of the lower age limit for attendance allowance on 25 October last year, he also announced some other changes to the benefit system to help families with disabled children. First, the child's disability premium, which is paid with income support for families with a disabled child, was aligned with the adult rate. That meant an increase from £6·50 to £15·40 a week. It took effect in April and it is estimated that it will help 20,000 families.

A further change that will help families with disabled children came into effect at the beginning of this month. From October, we have introduced a carer's premium of £10 a week into income support for those receiving invalid care allowance. We hope that that will help 30,000 carers. The premiums in income support carry through into the calculations for housing benefit, giving help with rent, and community charge benefit.

• I should like to draw the House's attention to the surveys undertaken by the Office of Population Censuses and Surveys into disability and its effects on expenditure for families with disabled children. Its findings showed that the extra expenditure as a result of disability was obviously affected by the severity and type of disability, but the relationship was less clear for children than for adults. Children require a certain amount of care and attention, and the amounts of extra expenditure varied little in the lower categories—about £4·55, rising to a peak of an average of £12·53 a week in the highest severity category. The higher rate of attendance allowance is £37·55 a week and the lower rate is £25·05 a week. There is a considerable gap between those figures.

The abolition of the lower age limit for attendance allowance showed that the Government were concerned about the needs of families with young handicapped children. What I wish to say about mobility allowance must be considered in the light of the full range of social security provisions and the improvements that we have made rather than in isolation.

To explain that, it would be helpful to remind the House of the background to mobility allowance, which

was introduced in 1976 as a cash benefit to help severely disabled people with the extra costs that they incur in getting out and about. The Government of the day decided that, in the light of the resources available, the main medical eligibility criteria for the allowance should be inability or virtual inability to walk due to physical disablement. That means, in practical terms, that entitlement to the allowance is based on an assessment of walking ability.

Since mobility allowance was introduced, the lower age limit has remained at the age of five. The choice of the lower age limit is a matter of judgment, in which two important factors must be borne in mind. The first is the walking ability of young children and the second is the deployment of finite resources. All of us are born unable to walk and all healthy children require supervision and guidance for a few years to make use of their walking ability. There is a case, therefore, to place a lower age limit on mobility allowance.

The assessment of walking ability involves difficult judgments. Children acquire walking ability from 10 months upwards, but it may be difficult to pinpoint an age below five at which one could make a simple and dispassionate judgment about walking ability. I quote the words of the right hon. Member for Manchester, Wythenshawe (Mr. Morris) when he was introducing the allowance in a debate in 1975. He said:

"very young children are given mobility help whether able-bodied or disabled."

The choice of age five represents the judgment of successive Governments on where it is reasonable to draw the line. To reduce the lower age limit—or to abolish it—would cost several million pounds. All decisions to spend money are a matter of competing priorities—more money here means less money to spend elsewhere. The cost of reducing or abolishing the lower age limit for mobility allowance might well be a lower priority for social security spending than some of the other measures that have already been introduced by the Government specifically to help families with young, disabled children.

Mr. Nellist: I am grateful for a second opportunity to intervene. Does not the Minister have a sense of déjà vu? She reminded the House that she served on the same Committee as I was on. We got the same arguments about the attendance allowance and the need to wait until two years before one could assess whether a disabled baby would need the additional help of the attendance allowance. My hon. Friend the Member for Barnsley, East (Mr. Patchett) has given a family case in his constituency. We are talking about people about whom doctors say that, from an early age, their parents will have many problems in trying to cope. If the children were put into the care of local authorities, or of a hospital, we should be talking not about £30, £50 or £60 a week, but about £150, £200 or £250 a week of the nation's resources to look after them. Cannot the Minister see that this is the same argument as we got on the attendance allowance?

Mrs. Shephard: I certainly have a sense of déjà vu. To quote again from the right hon. Member for Wythenshawe, he said:

"we are trying to spread the finite resources as equally and as well as we can.—[*Official Report*, 11 June 1975; Vol. 893, c. 503.]

I could not put it better than the hon. Member for Coventry, South-East when he says that there is a sense of déjà vu.

Mr. Patchett: On assessment, I recognise the Minister's argument to a certain extent. However, surely we are speaking about cases that are confirmed and that require hospital treatment. That means that transport is needed. I thought that the intention of the mobility allowance was to assist couples with the problem of transport. The issue of assessment does not come into it when it can be confirmed, by doctors and from medical evidence, that the cases require hospital treatment and, therefore, transport, which the children would get if they were five years of age. As I said earlier, I do not follow the logic of saying that the cost of petrol for the journey to the hospital is negligible when, if the children were five years of age they would have some assistance. I am arguing about confirmed cases.

Mrs. Shephard: I understand that the hon. Gentleman feels strongly about these particular cases, as everybody would. However, I have tried to demonstrate that that particular family and others in a similar position are given extra resources to meet the extra needs of those children when they are very young through the attendance allowance and through other help such as income support and invalid care allowance, which I have already outlined. That is the way in which the extra needs are provided for financially through the social security system.

We have, of course, extended the upper age limit for the payment of mobility allowance from 75 to 80—because the oldest recipients were due to reach the original upper limit. The extension was an interim measure introduced while we were considering the findings of the OPCS surveys of disabled people. I do not want to belittle the concern for the family that the hon. Member for Barnsley, East feels, but I must remind him of my earlier quotation from the OPCS survey about the level of extra expenditure for disabled children. I have tried to illustrate the fact that the expenditure that the survey found necessary is far exceeded by what is given through attendance allowance and through the other allowances available through income support.

Let me say something about the other responses to the OPCS surveys and about "The Way Ahead", the basis for the Government's new structure for benefits for disabled people. Mobility and attendance allowance are to be subsumed by the new disability allowance. I believe that I am right in saying that the hon. Member for Barnsley, East has a copy of "The Way Ahead". He will therefore have seen that, while we intend to remove altogether the upper limit of 80 for the payment of mobility allowance when that allowance is incorporated in the disability allowance, we do not have any plans to extend the age limit downwards.

In the past 10 years, we have spent a great deal on developments for disabled people. The proposals that we outlined in "The Way Ahead", along with the changes that we announced last October, will add about £300 million to our expenditure on benefits for the long-term sick and disabled by 1993. We estimate that about 850,000 people will receive extra help.

In addition to the extension of the upper age limit for the mobility allowance from 75 to 80, we further extended the allowance in the changes that we announced last October. We introduced special arrangements from last

[Mrs. Shephard]

April to help deaf-blind people who need to be accompanied when they are out of doors because of their dual handicaps. We have estimated that that change will help about 3,000 people, including quite a large number of children.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): I greatly appreciate the benefits that are already available to such unfortunate families. But surely the main reason for the debate is this. The two children to whom my hon. Friend the Member for Barnsley, East (Mr. Patchett) referred are aged four. What is the difference between taking two children aged four to hospital and taking two children aged five to hospital? There is none, and some families might find it extremely difficult to purchase a motor vehicle to transport their children without the mobility allowance. If we accept that the mobility allowance is necessary, should not we reduce the lower age limit? I realise that there are financial constraints, but I should have thought that only a small amount would be required to reduce the age from five to two.

Mrs. Shephard: I appreciate the concern of the hon. Member for Pontefract and Castleford (Mr. Lofthouse) who often takes part in debates on disability and who speaks with much knowledge of families with such difficulties.

I had hoped that I had made the position clear. We are faced with a combination of the difficulty of assessing young children for mobility allowance, given that they would anyway need some help in being mobile and the lack of resources. That was stated clearly by the right hon. Member for Wythenshawe when mobility allowance was introduced. I cannot put it better than the right hon. Gentleman, who said that there were two constraints—the difficulty of assessing young children and the question of finite resources.

All the hon. Members who have spoken have given a sympathetic account of their concern for young children with disabilities. I hope that I have tried to express the Government's concern and the ways in which we have tried to help families with disabled children with the undoubted extra expenses that they incur as a result of having disabled children.

Mr. Allen McKay (Barnsley, West and Penistone): Will the hon. Gentleman give way?

Mrs Shephard: I think that I am an hon. Lady, but I shall certainly give way.

Mr. McKay: I am sorry. It must be my bifocals.

Surely the Minister's argument about why the age limit cannot be reduced from five falls when we consider that the allowances given to children at the age of three are also given to children aged four, five and six. At five an additional allowance, the mobility allowance, is available. Is the Minister trying to tell us that the assessment arrangements and the ability of people to assess have not changed since 1974?

Mrs. Shephard: No, of course I am not saying that. I am saying that perhaps children have not particularly changed since 1974. I refer the hon. Gentleman to the debate that took place at that time and the right hon. Member for Wythenshawe stated then that he thought that school age was about the right age at which to set the mobility allowance.

However, all Opposition Members tonight, including those wearing bifocals, which is obviously a particular handicap in recognising Members on the other side of the House, have demonstrated their sympathy for disabled children. I have tried to explain the network of provision that we are trying to extend through social security to families with a disabled child.

I have explained how the allowances have been brought in, slightly changed and increased. It might be worth while stating that over the past 10 years expenditure on the long-term sick and disabled has risen by £4 billion in real terms. There has been an increase of 98 per cent. in those receiving invalidity benefit; an increase of 77 per cent. in those receiving non-contributory disability benefits; a 200 per cent. increase in those receiving attendance allowance; and a 547 per cent. increase in those receiving mobility allowance.

I recognise that the line that I am taking is a disappointment to the hon. Member for Barnsley, East because I know that he feels strongly about this particular case. I just want to remind him of the improvements that we have been able to make and I thank him again for making such a serious and responsible presentation of his case to the House.

Question put and agreed to.

Adjourned accordingly at seven minutes past Twelve o'clock.

House of Commons

Wednesday 17 October 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

NEW WRITS

For the county constituency of Bootle, in the room Mike Carr, Esq., deceased.

For the county constituency of Bradford, North, in the room of Charles Patrick Wall, Esq., deceased.—*[Mr. Foster.]*

PRIVATE BUSINESS

CITY OF DUNDEE DISTRICT COUNCIL ORDER CONFIRMATION BILL

Mr. Secretary Rifkind presented a Bill to confirm a Provisional Order under section 7 of the Private Legislation Procedure (Scotland) Act 1936, relating to the City of Dundee District Council; and the same was read the First time; and ordered to be considered on Tuesday 23 October and to be printed. [Bill 199.]

ZETLAND MASONIC SICK AND WIDOWS AND ORPHANS FUND ORDER CONFIRMATION BILL

Mr. Secretary Rifkind presented a Bill to confirm a Provisional Order under section 7 of the Private Legislation Procedure (Scotland) Act 1936, relating to the Zetland Masonic Sick and Widows and Orphans Fund; and the same was read the First time; and ordered to be considered on Tuesday 23 October and to be printed. [Bill 200.]

Oral Answers to Questions

SCOTLAND

Steel Industry

1. **Mr. Robertson:** To ask the Secretary of State for Scotland when he next expects to meet representatives of trade unions in the Scottish steel industry to discuss the future of steel in Scotland.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): I met representatives of the Ravenscraig trade unions on 11 October. My hon. Friend the Minister for industry and local government met representatives of the Dalzell trade unions on 15 October. I am prepared to meet them again as occasion demands.

Mr. Robertson: The Secretary of State will be aware of the deep and passionate concern in Lanarkshire not only among the trade unions but throughout the community about the future of Ravenscraig and Dalzell. We want to know whether, at yesterday's meeting with the chairman of British Steel plc, he received answers to the questions put by the shop stewards at Ravenscraig, which he undertook to put at any meeting that he had with Sir Robert. Did he receive any answers to those questions? Did he receive any assurances from British Steel about co-operation with the Scottish Development Agency inquiry into the Scottish steel industry? What confidence can the people of Scotland have in any assurances given by British Steel, given its past record and the contemptuous way in which it has treated the Secretary of State for Scotland?

Mr. Rifkind: With regard to the representations of the trade unions, I did as I undertook when I met Mr. Brennan and gave Sir Robert the detailed questions to which he and his colleagues wished answers. I put to Sir Robert the utility of trying to respond to those questions as much as he felt able to do. With regard to British Steel's attitude to the SDA study, in response to my representations Sir Robert Scholey said that British Steel would co-operate with the Scottish Development Agency study on the prospects for the steel industry in Scotland. He further said that he intended to have a meeting with Sir David Nickson, chairman of the Scottish Development Agency, to discuss that matter. Sir Robert gave me a full assurance that British Steel would not dismantle or remove any plant from the hot strip mill in advance of its proposed closure next April.

Dr. Bray: Will the Secretary of State invite British Steel to join the Government, perhaps other steel companies and the European Commission in a study of the treatment of Ravenscraig as a development plant for the introduction of the next generation of new technology, which is more efficient and produces higher quality steel, including thin-slab casting? Is he aware that that is within the policies of the steel strategy of the European Community, his research and development strategy, his energy policies and his environmental strategy and that it would qualify for state aid under the European Community state aids regime?

Mr. Rifkind: I am aware of the hon. Gentleman's interest in this suggestion, because he has raised it in the

past. I hope that British Steel will fully consider any proposals, including that mentioned by the hon. Gentleman, to find out whether this is a potential project which should attract investment by British Steel and get support from a wider circle.

Mr. Devlin: Will my right hon. and learned Friend tell the trade unions that the long-term viability of the steel industry can be guaranteed only if decisions on future investment are made for valid commercial reasons and not for political reasons? Will he tell the trade unions that the most commercially competitive and productive plant in this country is at Teesside and that it would be a tragedy to dismantle it because of the political machinations of the Labour party in Scotland?

Mr. Rifkind: I cannot comment on the details involving the Teesside plant, to which my hon. Friend understandably referred, given his constituency interest. I think that there is now agreement on both sides of the House that the steel industry's future must be decided on commercial grounds. When I met the trade unions, they emphasised their view that commercial considerations should apply. Of course, there must be a debate on what the commercial conclusions should lead to and on whether one should argue in favour of Ravenscraig or against it. Naturally, we in the Scottish Office hope that British Steel will fully take account of the commercial case for investment not simply at Ravenscraig but at Dalzell.

Mr. Malcolm Bruce: Will the Secretary of State acknowledge that, in effect, the meeting yesterday between himself and the chairman of British Steel was a meeting between two private citizens, because the right hon. and learned Gentleman has effectively given up his ability to influence British Steel's decisions in spite of Ravenscraig's commercial viability? Can he tell the House when the SDA's study on the future of the steel industry in Scotland is likely to be available and whether it is likely to be available in sufficient time to contribute to reversing this disastrous decision?

Mr. Rifkind: If the hon. Gentleman, on behalf of the Liberal party, is calling for the renationalisation of the steel industry—[HON. MEMBERS: "No."] Well, unless that is what he is doing, he exposes the bankruptcy and double standards of his earlier question. We expect the preliminary conclusions of the SDA's study to be available by Christmas and final conclusions early in the new year. On that basis, I am particularly pleased that British Steel is to co-operate with the study. Obviously, there will be limits with regard to commercially confidential information. It is important to note that British Steel will co-operate with the study, that Sir Robert will discuss the study with Sir David Nickson and that no irreversible action will be taken on the plant until the study's conclusions are known and can be taken into account.

Steel Industry

2. **Dr. Reid:** To ask the Secretary of State for Scotland if he has any plans to meet the chairman of British Steel to discuss the Scottish steel industry; and if he will make a statement.

Mr. Rifkind: I met the chairman of British Steel yesterday when we discussed matters relevant to the steel industry in Scotland.

Dr. Reid: British Steel's commitment to co-operate with the SDA's study and the guarantee that the hot strip mill will not be dismantled, destroyed, cannibalised or removed before the study's completion are two steps forward, and it would be churlish of me to say otherwise.

However, can the right hon. and learned Gentleman give an assurance that British Steel will be more co-operative with the SDA in supplying information on Ravenscraig than it has been up to now with him? Given the rumours that now constantly sweep the Scottish steel industry, can the right hon. and learned Gentleman confirm that the works that were not mentioned—the Clydesdale tubes plant at Bellshill, were on the agenda for discussion yesterday? Can he give me a categorical assurance that he was given no information by the chairman of British Steel that would indicate an imminent or serious threat to the Clydesdale tubes works?

Mr. Rifkind: I asked Sir Robert about the Clydesdale works and he was not able to give me any decisions or conclusions reached by British Steel. He emphasised the difficult position faced by the seamless tubes sector and indicated, as has been said publicly in the past, that British Steel was looking for ways of identifying a possible future for at least part of that project. I do not conceal from the hon. Gentleman my concern about that plant's future, for reasons with which the House is familiar.

Like the hon. Gentleman, I welcome the willingness to co-operate with the SDA's study and particularly the agreement not to dismantle any part of the plant in advance of the study's conclusions. Clearly, part of the purpose of the SDA study is to seek to identify commercial opportunities for the steel industry in Scotland. It ought to be relevant for British Steel to wish to co-operate with that effort and with the report's conclusions if such opportunities are identified.

Sir Hector Monro: Does my right hon. and learned Friend agree that it is inexplicable that such a highly profitable company should refuse to give a coherent reason for the closure of the hot strip mill? How can we possibly test the commercial judgment of British Steel if we cannot have the facts on which it has based its decision?

Mr. Rifkind: My hon. Friend is correct, and it is for precisely that reason that I and others have said that we cannot say whether the conclusion reached by British Steel is or is not justified. Clearly, one would have to have access to the information before one could be expected to agree or comment in any detail on the commercial judgment of British Steel.

Mr. McAvoy: In supporting all that my hon. Friends have said about the Scottish steel industry, may I ask the Secretary of State whether he is aware of the contribution made to that industry by the highly skilled work force at Clydebridge and Cambuslang in my constituency? Will the Secretary of State undertake to ensure that Clydebridge is also high on the agenda for his discussions with the British Steel chairman?

Mr. Rifkind: Yes. I can confirm that we are equally concerned with all employees and all aspects of the steel industry in Scotland. The SDA study does not concern itself with only one plant; its authors have deliberately and expressly been asked to consider the prospects for the steel industry in Scotland as a whole and that includes the plant to which the hon. Gentleman referred.

Mr. Holt: May I advise my right hon. and learned Friend that, since his meeting yesterday with the chairman of British Steel, the board of British Steel has met? I have been in contact with the company, which has assured me that its expansion plans and other works on Teesside will go ahead, that it is not being influenced by the Scottish lobby on this matter and that the expansion of jobs in my constituency—which no Labour Member in the north-east of England has tried to defend—will go ahead.

Mr. Rifkind: Clearly, those are matters for British Steel. I do not believe that it is helpful for any part of the United Kingdom to seek to achieve benefits at the expense of any other. We are all seeking to achieve a healthy steel industry in the United Kingdom as a whole, and I believe that all my hon. Friends will share that view.

Mr. Tom Clarke: Has the Secretary of State had the misfortune to read the ill-informed, sloppy and uninviting academic report that describes Coatbridge as one of the worst towns in the whole of Britain? Does the right hon. and learned Gentleman accept that this once-proud iron burgh is still suffering from the fact that the iron and steel masters, having made their money, have pulled out? Will he ensure that other towns do not have the same experience, especially at a time when steel is as competitive as it is today?

Mr. Rifkind: Many towns—it is perhaps true of every town in the United Kingdom—have had, at some time in their history, to adapt to new industrial requirements and the changing patterns of industry. I have no doubt that the genius and ability of the people of Coatbridge will enable them to cope with the effects of any difficulties that they have experienced in recent years and to attract new industry, employment and prosperity for those who have the good fortune to live in the town.

Mr. Sillars: Is the Secretary of State aware that the hon. Member for Langbaurgh (Mr. Holt) has managed to give us much more information about British Steel's investment than the right hon. and learned Gentleman has? Is he aware of his responsibilities to the Scottish people? Is he further aware that one cannot talk about the future of the Scottish steel industry without reference to what is happening on Teesside? Did he ask the chairman of British Steel about the foundation already laid for the pipe mill at Hartlepool, and is he aware of the link, through the pipe mill, to a single plate mill strategy? Is he aware that if that goes to Lackenby, it will be at the expense of Dalzell? Did he ask those questions? What was the response?

Mr. Rifkind: I have two things to say in response to the hon. Gentleman. First, the bulk of our discussions was about the prospects for the steel plants in Scotland. I raised with Sir Robert the claim that I believe was made by the hon. Gentleman at the end of last week that he was privy to information that the decision on the Dalzell plate mill would be delayed for two years. I regret to say that I was informed that the hon. Gentleman's allegation was, as usual, complete nonsense.

Sir Nicholas Fairbairn: Having heard that Coatbridge is allegedly the worst place in which to live, is my right hon. and learned Friend aware that Perth and Kinross has been adjudged the place with the highest quality of life and the best place to live in Scotland—no doubt because of its representation?

Mr. Rifkind: My hon. and learned Friend's most excellent representation of that worthy borough and county at least in part explains his reputation with the nation as a whole.

Mr. Dewar: Does the Secretary of State agree that it is little consolation for the stewards at Ravenscraig to be told that the right hon. and learned Gentleman has urged upon Sir Robert the utility of responding as far as he is able to do to their questions? Is not it time that the Secretary of State delivered his promises, got to the facts and forced British Steel to come clean about the reasons behind the decision to close the strip mill?

However, may I welcome what the right hon. and learned Gentleman has said about British Steel not dismantling or removing any plant from the strip mill in advance of the report commissioned by the Scottish Development Agency? Will the right hon. and learned Gentleman make it clear that there will be no removal of any plant before the publication of the report and before a proper assessment of its findings? I ask him to clarify that, because his earlier answer stated that there would be no removal in advance of the proposed closure, which is a very different circumstance. We want a guarantee that there will be no removal until the report is available and has been assessed. Will the right hon. and learned Gentleman guarantee that, when the report is available, he will be prepared to meet Sir Robert Scholey and to go to battle on behalf of the Scottish steel industry if the report reaches positive conclusions about its future which, I am sure, is what all hon. Members hope?

Finally, does the right hon. and learned Gentleman remember that on 16 May when he first dealt in the House with the proposed closure of the strip mill, he deplored the decision and its implications for the work force and pledged:

"we shall seek to persuade British Steel to reconsider its proposal".—[*Official Report*, 16 May 1990; Vol. 172, c. 887.]

Is the right hon. and learned Gentleman still trying to do that?

Mr. Rifkind: Yes, I certainly am. On the hon. Gentleman's earlier point, I have no doubt that it will be desirable for me to see Sir Robert again in the next few weeks or months, depending on how matters develop.

I have two points in response to the hon. Gentleman's other questions. First, the categorical assurance that Sir Robert gave me was that there would be no dismantling of the plant or of any part of it before the proposed closure in April next year. Secondly, however, Sir Robert also stated his intention to co-operate with the SDA study. I would find it inconceivable—[HON. MEMBERS: "Ah!"] I am answering the hon. Member for Glasgow, Garscadden (Mr. Dewar). I would find it inconceivable that British Steel would wish to take any action that would be inconsistent with the proper consideration of the conclusions that that study might reach. We expect the study to come to its preliminary conclusions by December of this year and that will give an early opportunity at least to consider the general conclusions, proposals or ideas. There will be further opportunities early next year. That

matter will need to be dealt with in the spirit as well as the letter of the assurance that was received from Sir Robert Scholey.

Mr. Speaker: I allowed a long run on that important matter, but we must now move on more rapidly.

Council Houses

3. **Mr. Knox:** To ask the Secretary of State for Scotland how many council houses have been sold to sitting tenants in Scotland since May 1979.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): Since April 1979 more than 210,000 public sector houses in Scotland have been sold to sitting tenants. Included in this figure are more than 147,000 sales by local authorities. Owner-occupation now amounts to 50 per cent. of the total number of houses in Scotland.

Mr. Knox: Does my hon. Friend expect that the extension of the rents-into-mortgages scheme to local authority tenants, which was announced last week, will result in a significant increase in home ownership in Scotland?

Lord James Douglas-Hamilton: Yes, I certainly do. In the course of time eligibility will be open to 320,000 local authority tenants—*[Interruption.]* The hon. Member for Edinburgh, South (Mr. Griffiths) is putting up five fingers. I must point out that ten times as many as that will have bought their homes under the trial scheme by the end of the month and that there will be 200 by the end of March. In the first year of the right to buy only 10 Scottish special housing association tenants bought; it takes time for the process to gather momentum.

The average weekly payment under the rents into mortgages scheme will be about £18 and the average weekly council rent is £20·89, so this is a very good opportunity for those in a position to afford it.

Mr. McAllion: Has the Minister read the copy of the Dundee house conditions survey that was recently given him? Did he fully comprehend the awful state of housing that it describes? Eighteen thousand council houses are riddled with damp and condensation; 15,000 require urgent repairs; 4,000 require whole window replacement. Will he get it into his skull and into the skulls of all his fellow Ministers that rents into mortgages do nothing to alleviate these Dickensian housing conditions? Will he therefore undertake to send a loud and clear message to the Treasury that what is required is massive new investment in the housing stock across Scotland? If Ministers are not prepared to fight Scotland's corner they must move aside for those of us in the Opposition who are.

Lord James Douglas-Hamilton: In the past Dundee district council was taking more than a year to process council house sales. If it had processed them more quickly it would have received considerably more funds for its public sector stock. I am also advised that this year we increased net public expenditure for housing by about £40 million as compared with last year as a result of the drop in right-to-buy receipts. We shall consider the representations made to us by the hon. Members for Dundee, East (Mr. McAllion) and for Dundee, West (Mr. Ross) in the final allocations that will be made later this year.

Mr. John Marshall: Does my hon. Friend agree that the failure of Dundee council to run its housing stock is an argument for encouraging more owner-occupation and a smaller public sector, not a larger one? Would he like to suggest that Dundee corporation sorts out its problems instead of running an independent foreign policy, linked as it is with Nablus on the west bank of Israel?

Lord James Douglas-Hamilton: I strongly agree that home ownership is an aspiration of a large number of Scots who do not have the opportunities now, and I believe that they will have them in future. I also suggest that authorities such as Dundee, which I shall visit again shortly with the hon. Member for Dundee, East (Mr. McAllion), would be well advised to do what they are doing—to work closely with housing associations, and to explore all the possibilities, including the possibility of using its land bank—this applies to authorities that have land banks—[HON. MEMBERS: "They are doing it."] I am glad to hear that.

Constitutional Status

4. **Mr. Wallace:** To ask the Secretary of State for Scotland what representations he has had in the current year regarding the constitutional status of Scotland within the United Kingdom.

Mr. Rifkind: Nineteen letters regarding the constitutional status of Scotland have been received during the current year.

Mr. Wallace: Will the Secretary of State also tell us when he expects to receive the report commissioned by leading Conservative business men in Scotland on the future government of Scotland? In the meantime will he take some time to look at the experience of West Germany where, over many years, decentralised powers and administration have gone hand in hand with business and economic success?

Mr. Rifkind: The first part of the hon. Gentleman's question appears to refer to a newspaper report in *The Scotsman*, which referred to certain business men, who were not named, who had asked an academic, who was not referred to, to produce a report that no one had requested. It is an interesting bit of newspaper speculation, which, as far as I am aware, has no foundation in truth.

The hon. Gentleman will know that the West German experience bears no relation to the proposals put forward either by the Labour party or by the so-called constitutional convention, which wants to create unilateral devolution with an assembly in Scotland but no significant or fundamental change in the rest of the United Kingdom. That would create the dangers and the additional level of taxation that would be so damaging to Scottish prosperity.

Mr. Allan Stewart: Does my right hon. and learned Friend agree that the people of Scotland are right to regard the conclusions of the so-called self-appointed constitutional convention with complete boredom and indifference? Would not it be better to pay full heed to the opinions of leading business men such as Mr. Ewan Marwick of the Association of Scottish Chambers of Commerce who has consistently opposed devolution in the light of his outstanding personal knowledge of business and industry in the west of Scotland, including Paisley?

Mr. Rifkind: I certainly agree with my hon. Friend about the important contribution to the debate made by Mr. Marwick and his colleagues. My hon. Friend asked about the constitutional convention. I hope that in one respect people in Scotland will not treat the views and recommendations of the so-called convention with boredom or indifference. It is important for the public to be aware that that convention and the Labour party are proposing that the people of Scotland, under such an assembly, should be subject to an additional level of income tax which would not be paid in any other part of the United Kingdom. The damage to Scottish jobs and prosperity which would result from that would be devastating for the future of Scotland.

Mrs. Margaret Ewing: If the Secretary of State is so concerned about the people of Scotland, why is he so rigid in his opposition to the idea that people should have the right democratically to express through a referendum their views on Scotland's constitutional future? Given that his party has one stance, that the constitutional convention is bringing forward a devolution package and that my party supports the idea of independence in Europe, does he not think that there should be an opportunity for the Scots to have a choice on these matters? Is it the case that, like the Prime Minister who is afraid to debate constitutional matters in relation to Europe, the right hon. and learned Gentleman is just a big fearty on Scottish constitutional matters?

Mr. Rifkind: The hon. Lady is unwise to draw such a conclusion, because she will be aware that her party and mine declined to take part in the so-called convention precisely because we believe that talking shops of that kind are unlikely to be of any practical benefit to people. She will also be aware that the nationalist proposal for a referendum has had very little support from other political parties or from other expressions of opinion with interests in constitutional matters. It has been seen as a slogan by her party with little else to commend it.

Mr. Bill Walker: Does my right hon. and learned Friend agree that if Scotland wishes to remain part of the United Kingdom, and all the indications are that it does, any change in its unique constitutional position would have to be agreed and accepted by this House and by the other place before such change could be implemented? Any attempt to persuade the people of Scotland about measures that would never get through the House must be either flawed or fraudulent or both.

Mr. Rifkind: What my hon. Friend says was the experience of the last Labour Government. It is right that all the citizens of the United Kingdom should take an interest in these matters. Apart from anything else, there are several hundred thousand if not millions of Scots living in England. Under the SNP proposals they would become foreigners in the country in which they are presently our fellow citizens. The people of Scotland are well aware that the United Kingdom as a nation has existed for almost 300 years and that the proposals of those who seek fundamental constitutional change would cause serious damage.

Mr. Dewar: Is not it a mark of the Government's desperation that when they look for an independent authority to quote on this issue they come up with an inexperienced parliamentary candidate, Mr. Marwick? If the concept of what the Secretary of State is pleased to call unilateral devolution is so objectionable in principle, why did the right hon. and learned Gentleman resign Front Bench office in the Conservative party over its failure to support what was a unilateral scheme? Does he agree that it is silly to spread daft scare stories about well-thought-out constitutional convention schemes which would give a greater say to Scots over Scottish affairs within the framework of the United Kingdom and which command widespread public support? Does he not realise that in so doing he sounds every day a little more like the hon. Member for Stirling (Mr. Forsyth), and that that is doing his reputation no good at all? The Secretary of State managed to make the report in *The Scotsman* sound like an everyday chapter from life in Chester street at Scottish Conservative party headquarters. Does he not recognise that a growing concern is clearly surfacing about the totally negative attitude of the Conservative party to the government of Scotland? The Conservatives really must make some bid in this field if they are to retain any credibility at all.

Mr. Rifkind: The hon. Gentleman is in danger of trivialising a serious issue by the nature of his question. The House will have noted with some interest that the one remark to which he did not respond was the clear and unmistakable proposition from his party that Scotland will be saddled with an additional level of income tax as a result of the proposals for a Scottish assembly. The failure of the so-called convention to address itself to the serious implications for the Scottish economy and Scottish jobs requires us to treat its conclusions with contempt and indifference.

Health Boards

5. **Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland if he will increase the funding of health boards in Scotland.

The Minister of State, Scottish Office (Mr. Michael Forsyth): Yes, additional allocations will be made to health boards to take account of the changes in the VAT rules affecting construction. I am sure that the hon. Gentleman will be delighted to welcome today's announcement of £150,000 towards establishing cochlear ear implant operations and surgery within Lothian district.

Mr. Griffiths: I welcome that drop in the ocean. Will the Minister acknowledge what everyone else in Scotland and in Lothian knows—that when it comes to choosing between creating patient choice or cutting patient services, the Government will cut services every time? When 14,000 patients at the Longmore hospital exercised their choice by expressing their wish that that world-famous hospital be kept open, the Secretary of State backed its disgraceful closure. In view of the incompetent handling of that issue by Lothian health board, will the Minister and the Secretary of State intervene and save Longmore?

Mr. Forsyth: Only the hon. Gentleman could complain about cuts in services in response to an announcement of a new service being established in Lothian. To describe as a drop in the ocean a service which will enable deaf people to hear is symptomatic of the hon. Gentleman's approach to the health service.

The hon. Gentleman said that Longmore is to be closed, but he knows that the service that it provides in terms of breast cancer treatment will continue at the Western general hospital at a unit in which £2 million is to be invested by the health board. That will bring the facility into a hospital where there is an oncology department, with the result that the service to patients will be improved.

It is unworthy of the hon. Gentleman to misrepresent the splendid efforts of Lothian health board to improve services for his constituents throughout its area. The hon. Gentleman delivered a letter about Longmore hospital to my right hon. and learned Friend the Secretary of State, under the gaze of the cameras, but we did not receive the letter until two days later because he left the Department and posted it. Therefore, he may be unaware of the background, but he should pay tribute to the efforts that Lothian health board has made in respect of Longmore.

Mr. Strang: Does the Minister appreciate that an important element of the chronic underfunding of the health service in Lothian is the inadequate money allocated to it to tackle our AIDS problem? Is he aware that around one twelfth of the people identified as HIV positive in the United Kingdom are in Lothian but that the district receives less than 1 per cent. of the total budget for the United Kingdom, that the short-stay drug crisis centre has been postponed because of lack of money, that there is no long-term residential resettlement centre and that the cost of dealing with people with AIDS and those who are HIV positive will double every year from now on? When will the Government give us the money that we need?

Mr. Forsyth: I know that the hon. Gentleman follows these matters carefully, so he will know that the sum provided for AIDS care in Scotland is £15 million. I believe, from memory, that the share that Lothian receives is £5 million, the bulk of it going to the new unit to provide care for AIDS patients. He needs to distinguish between HIV-positive cases and cases of AIDS. He will be aware that the planning which has gone on in Glasgow, Dundee and Lothian towards provision for AIDS patients has taken account of projected numbers, and we have committed ourselves to providing the necessary resources.

Mr. Ian Bruce: What is the comparison between the funding of Scottish health boards and of English and Welsh health boards? Has my hon. Friend's Department any information about the efficiency with which that money is being used in terms of how it is translated into patient care?

Mr. Forsyth: It is well known that the Scottish health service is better funded than the health service south of the border—for example, by about one third in its hospital services. One of the interesting points about the proposal by the hon. Member for Glasgow, Garscadden (Mr. Dewar) for the funding of a Scottish assembly is his argument for the principle of equalisation. The health service in Scotland spends twice as much as the health service south of the border on care for the elderly. In the south, that burden lies with local government—yet local government in Scotland still spends more than local government in the south. My hon. Friend was right to draw attention to the considerable investment in the health service in Scotland.

Housing Survey

Mr. Norman Hogg: To ask the Secretary of State for Scotland when he expects to publish the report of the Scottish housing conditions survey; and if he will make a statement.

Lord James Douglas-Hamilton: The results of the national house condition survey will be published in the summer of 1993.

Mr. Hogg: Is not it true that the report is not being published because it would harm the Government's prospects in the general election, because the Minister is ashamed of what it will reveal about disrepair and dampness in Scottish housing, leading to a crisis of homelessness, and because he will not make available the necessary funds properly to house the people of Scotland?

Lord James Douglas-Hamilton: The physical survey of the sample dwellings will take place before the social survey of occupants. The two sets of data necessarily need to be compiled before the statistical analysis is conducted. It is not possible to publish the physical survey results in advance of the social survey, and all the results need to be considered as a whole. Unfortunately, an earlier publishing date is not feasible. The reporting timetable is customary for surveys of such complexity. The national house condition survey is not a substitute for local surveys, which I strongly urge all local authorities to carry out.

Mrs. Fyfe: Does the Minister recall that Glasgow district council carried out a local survey several years ago, but the Government have taken no action on it? Although Glasgow has the highest allocation, it still has nothing like the amount of resources that it requires.

As the survey will take the best part of three years, will the Minister undertake to visit some of the bad housing areas, such as those in my constituency, so that he can see the damp-ridden houses? He should not come to Maryhill only to open pretty, new housing estates.

Lord James Douglas-Hamilton: The hon. Lady must be aware that I have visited 52 district councils in Scotland and have seen their housing stock. I have been to the hon. Lady's constituency several times. Although I opened a new housing project, she must appreciate that it is not possible to visit her constituency without seeing other sorts of housing. I have seen plenty of examples of damp housing. I stress that what goes into Glasgow's housing plan will be very important and will be fully taken into account before allocations are made.

On the point about local surveys, the hon. Lady is aware that Scottish Homes is spending considerable sums of money in Glasgow, and that almost £500 million has been spent by housing associations.

Transport Policy

Sir David Steel: To ask the Secretary of State for Scotland if he will formulate an integrated transport policy for Scotland.

Mr. Rifkind: The Government believe in a balanced transport policy, providing users with as much choice as possible between competing forms of transport.

Sir David Steel: Is the Secretary of State aware that during the summer an efficient Scottish transport network

suffered two blows—first, the announcement by the Secretary of State for Transport that the new A1 motorway would stop short of the Scottish border and, secondly, the announcement by ScotRail that it is postponing the modernisation programme for its rolling stock due to lack of funding? When will the Scottish Office stand up to the Treasury?

Mr. Rifkind: The right hon. Gentleman seems unaware that there are two major projects for improving the A1. The dual carriageway will be extended first to Haddington and then beyond that to Dunbar. A steering group has been formed between the Scottish Office and the Department of Transport to determine what further improvements might be required.

The right hon. Gentleman must know that only 5,000 vehicles per day use the stretch of road between Dunbar and the border—one tenth of the amount of traffic using those parts of the A1 in the south that are to be upgraded under the announcement by my right hon. Friend the Secretary of State for Transport.

With the near completion of the east coast line British Rail is completing the biggest ever investment in that area, amounting to some £450 million on the electrification of the line between London and Edinburgh.

Mr. Buchanan-Smith: Does my right hon. and learned Friend accept that electrification is not complete when it reaches Edinburgh, but should continue up the east coast to Aberdeen? Is my right hon. and learned Friend prepared to discuss with his right hon. Friend the Secretary of State for Transport British Rail's investment criteria, which are related purely to a return on investment, not to a cost benefit analysis so that road and other forms of transport benefit? Secondly, in the light of the new situation affecting the price of fuels, will he discuss with British Rail and his right hon. Friend the relative costs of diesel and electric power?

Mr. Rifkind: I am familiar with the aspirations of people in the north-east to see the electrification of the east coast line extended from Edinburgh to Aberdeen, and British Rail's recently appointed project manager in Scotland is investigating whether further electrification can be justified. I appreciate that there is a debate about whether the criteria for a return on such investment are too strict or whether they are justified. If the use of taxpayers' funds is to be justified it is not unreasonable that British Rail should be expected to obtain a return on its investment and British Rail must take that into account. Debate on that issue will clearly continue for some time yet and I am glad that British Rail has not ruled out the electrification of that section of the line in the future.

Mr. Ron Brown: If the Secretary of State does not miss the bus at the next general election but makes a journey to the centre of Leith, he will find tenants demanding repairs to their properties which Scottish Homes, under the chairmanship of Sir James Mellon, is refusing to do.

Mr. Speaker: Order. I think that the hon. Gentleman is on the wrong question. This one is about transport.

Mr. Wilson: May I assure the Secretary of State that the Government's anti-rail prejudices will be a major issue in Scotland, as elsewhere, in the run-up to the general election? What interest has the Scottish Office taken in the decision to postpone investment in the main west coast line from London to Glasgow? Will he tell us precisely what representations the Scottish Office has made in the past months on the disastrous proposal to abolish Speedlink freight services, thereby forcing large quantities of freight from rail, to which they had been drawn, back on to the roads? The Secretary of State for Transport said that he had not referred to electrification north of Edinburgh at the Tory party conference in answering Mr. Hirst's protestations because he could not change his autocue in time. Is the Secretary of State for Scotland capable of changing his autocue to give some backing to the expansion, modernisation and electrification of rail services in Scotland?

Mr. Rifkind: The hon. Gentleman should inform himself before he makes foolish accusations. If he suggests that the Government are against investment in the rail network, he is clearly unaware of the fact that the Government have authorised no less than £3,700 million investment by British Rail throughout the United Kingdom during the next three years, which is the largest railway investment that Britain has ever known. The fact that Scotland has already benefited from one of the largest electrification projects that the United Kingdom has ever known compounds the hon. Gentleman's foolishness in asking that question. As the hon. Gentleman knows, British Rail has not reached any conclusion on Speedlink. We are taking considerable interest in that matter and we are seeking to evaluate the implications in Scotland and elsewhere of implementing the proposal.

Local Government Finance

8. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland when he last met the Convention of Scottish Local Authorities to discuss local government finance.

The Minister of State, Scottish Office (Mr. Ian Lang): My right hon. and learned Friend last met the president and senior office bearers of the Convention of Scottish Local Authorities on 6 July.

Mr. Ross: When the Minister met the president and office bearers, did he discuss with them the increasing difficulty that they and their members are encountering in encouraging people to pay their poll tax? Does he not realise that the inability of local government to draw blood from a stone by asking people living on poverty wages to pay a minimum of 20 per cent. is seriously challenging its ability to deliver services? Is it not time that he and his colleagues did away with the poll tax and started to deal with the serious underfunding from which local authorities have suffered for a number of years?

Mr. Lang: Part of the problem that local authorities have faced in collecting the community charge is the fact that so many Members of Parliament and councillors—in the Labour party and in other parties—have discouraged people from paying, thus leading them into considerable personal difficulty. In my view, they are embarking on a course of the highest irresponsibility. Despite that, however, authorities in Scotland now expect, on average, to collect some 95 per cent. of their budgeted targets. As the community charge accounts for only about one fifth of the total expenditure of local authorities, they will have about 99 per cent. of their total spend. In those circumstances, they should be able to meet the problem through prudent management of their spending.

Mr. Harris: Has my hon. Friend noticed that the hon. Member for Dunfermline, West (Mr. Douglas) has moved from the Labour Benches to the Scottish National Benches? However, it does not matter——

Mr. Speaker: Order. Has this something to do with Scottish questions? The hon. Gentleman must relate his remarks to the question on the Order Paper.

Mr. Harris: It does not matter where an Opposition Member sits if that hon. Member engages in the irresponsible and reprehensible action of encouraging people not pay their community charge. That hits— *[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman is an experienced Member of the House, and he knows that he must ask a question and not make statements.

Mr. Lang: I had noticed that the hon. Member for Dunfermline, West (Mr. Douglas) had moved from the Labour Benches to those of the Scottish National party. As he has moved from one socialist party to another, however, it is hard to tell the difference.

As for the attitude to the community charge, the most unfair and irresponsible posture for any party to adopt is to encourage people not to pay their fair share. The most unfair feature of all would be for those who have contributed to the cost of local services to be asked to pay the cost of those who have not. That is something that local authorities should not be asked to do.

Several Hon. Members *rose*——

Mr. Speaker: I think that I should call Mr. Dick Douglas.

Mr. Douglas: When the Secretary of State met COSLA, did he not say that local authorities in Scotland had fallen into the trap that he had laid for them? They are caught between a rock and a hard place. In the beginning, COSLA said that the tax was unworkable so why is it now trying to make it work by the most draconian means? I myself—and I have already been referred to—have been the subject of warrants of a dubious nature. Is it really in the mind of the Secretary of State to tell local authorities that to make the tax work they must get into the barbarous atmosphere and attitude of poinding and warrant sales? Should not the Minister go back to COSLA and say that he will review the scheme and take it away completely?

Mr. Lang: The vast majority of community charge payers have paid and are paying their community charge. The system of recovery available to local authorities is broadly the same as it was under the previous rating system. Those who are willing to ignore the irresponsible advice of politicians who tell people not to pay taxes, and are willing to pay their due to local authorities, will not have to fear the processes of recovery.

Mr. Maxton: When will the Minister stop using the rather foolish non-payment campaign being run by the Scottish National party as a shield behind which to hide and pretend that the poll tax is working? Does he not recognise that research shows that the vast majority of those who have not paid their poll tax simply cannot afford to pay it? The simple fact is that he could end the crisis tomorrow by abolishing the 20 per cent. rule, allowing a moratorium on rebates back to 1 April 1989 and improving the rebate system to make it much more generous. He must recognise that Scottish local authorities are facing a financial crisis as a result of the poll tax itself and not because a few people are foolishly not paying it.

Mr. Lang: If the hon. Gentleman is trying to tell me that Labour Members of Parliament and Labour councillors are refusing to pay their community charges because they cannot afford to do so, I have to tell him that I do not believe it. The vast majority of people have paid their community charge, and more than 1 million are eligible for a rebate, so account is taken of ability to pay. Perhaps the hon. Gentleman's irresponsible position explains why his party has inconceivably decided to go back to the even more unfair and most unacceptable payment of all, with a return to the old rating system.

National Health Service

9. **Mr. Ingram:** To ask the Secretary of State for Scotland when he last met Scottish health board chairmen to discuss the national health service in Scotland.

Mr. Michael Forsyth: I met the chairmen of health boards on 29 June.

Mr. Ingram: It is unlikely that the Minister would have had an opportunity to discuss with them the report produced recently by the Institute of Manpower Studies, commissioned by the Scottish Office, which showed a worrying wastage rate among nurses because of the lack of opportunity to involve themselves in patient care and because of cuts in wage rates. Will the Minister discuss that report at his next meeting with board chairmen, which I hope will be in the not-too-distant future? Is not that report a damning indictment of 11 years of Tory policy and of the Government's attitude to the health service, which nurses are leaving in droves?

Mr. Forsyth: We are anxious to improve the opportunities for recruiting nurses and other staff to the health service. The hon. Gentleman will recognise, if he is fair, that since 1979 the number of nurses in the health service has increased substantially, as has their pay—by about one quarter in real terms. I confess that I have not read the report to which he refers, but I will do so and respond to the points that he made.

Mr. Buchanan-Smith: Will my hon. Friend confirm that one of the objectives of health service reform is to encourage greater public involvement and interest? In relation to the reform of local health councils, is my hon. Friend satisfied that in large areas such as Grampian there will be adequate representation of both rural and urban interests? Even rural interests can be very disparate. Will he re-examine local health council reorganisation to ensure that it will provide genuine local involvement?

Mr. Forsyth: My view, which is shared by Opposition spokesmen, is that in general it will be better to have one health council per health board, with the resources to operate as a strong organisation and on an equal footing. I shall be answering today a question tabled by my hon. Friend the Member for Tayside, North (Mr. Walker) about the possibility, as suggested by my right hon. Friend the Member for Kincardine and Deeside (Mr. Buchanan-Smith), of having more than one health council per board.

There is nothing to prevent boards from proposing schemes which involve more than one health council, although our preference is for only one such council.

Mr. Menzies Campbell: I was right. Withdraw the circular.

Mr. Forsyth: If the hon. and learned Member for Fife, North-East (Mr. Campbell) will allow me to answer my right hon. Friend's question, he may then catch your eye, Mr. Speaker.

Our preference is for health councils that are strong enough to represent the voice of the consumer effectively, but health boards may suggest schemes that provide for more than one health council, and they will be considered on their merits.

Mr. Galbraith: When the Minister next meets the chairmen of the health boards, will he discuss with the chairman of Greater Glasgow health board the continuing public utterances of his general manager, who only yesterday said that the national health service in Glasgow is "second class"? That same general manager recently issued a warning to his staff that if any of them publicly criticise the NHS in Glasgow, they will be summarily dismissed. In that, he included comments to Members of Parliament. Yet only yesterday, in the surroundings of the luxurious Gleneagles hotel, the same general manager deprecated the Greater Glasgow health board and its services, for which he personally is responsible. Why do we have such double standards, whereby the general manager can criticise the health service but the rest of the staff cannot? If the general manager can criticise, so can the rest of the staff.

Mr. Forsyth: It is the general manager's job to identify deficiencies in the health service and to put them right. I pay tribute to what Laurence Peterken has done in the health service. In Greater Glasgow health board, Lennox Castle, in the hon. Gentleman's constituency, was identified as a hospital in need of improvement by the general manager, and it has been transformed. In that speech, Lawrence Peterken was saying that it was no part of the business of the health service to continue with inadequate Victorian buildings and that we wanted an efficient service providing the highest standards of care. That is the Government's belief. Only a fool would argue that there are no problems in the health service. There are problems. The Government are the first to have tackled them for a very long time and have delivered a higher standard of patient care.

Cammell Laird (Sale)

3.30 pm

Mr. Frank Field (Birkenhead): I seek to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing an urgent and specific matter which should have immediate attention, namely,

"the proposed sale of Cammell Laird shipbuilders."

The matter is immediate because the proposed sale was announced this morning, and it is urgent because 2,000 jobs are at stake, and Birkenhead is already a black spot in the unemployment league table. If the closure takes place and a sale is not forthcoming, we shall be pushed towards the top end of that league table.

Moreover, it is also urgent because Cammell Laird is the very heart of Birkenhead and it is difficult to conceive of the town without its shipyard. The matter is urgent because Cammell Laird provides one of the great skill centres of Merseyside and if this country is to have an industrial future in the next century, it is important that those qualities are not squandered lightly.

The matter is also urgent because I wish the House to have the opportunity to show that it understands the worries, doubts and anxieties that my constituents in Birkenhead as well as people throughout Merseyside will feel today.

The matter is urgent because we wish to give the Government the opportunity to explain to the House what measures they propose to take to ensure that the sale is a success.

Lastly, the matter is urgent because, if there is no sale, this great shipyard will be closed.

While I am grateful to you, Mr. Speaker, for giving me this opportunity to stress the positive side of Cammell Laird to a wider audience, I believe that it is only in a full-scale debate that I and the House could do justice to what is now on offer and on sale. I want the House to take a resolution that it will not lightly allow that asset, those skills, those people and the dignity that they have shown through the years to be cast on to the unemployment scrap heap. For all those reasons, and not merely one of them, I seek to move the Adjournment of the House under Standing Order No. 20.

Mr. Speaker: The hon. Member for Birkenhead (Mr. Field) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter which he believes should have urgent consideration, namely,

"the proposed sale of Cammell Laird shipbuilders."

I, too, listened to the news at lunchtime and I have listened with care to what the hon. Member has said about this important matter. However, as he knows, under Standing Order No. 20. I have to announce my decision without giving my reasons to the House. I have to decide whether his application comes within the Standing Order and whether a debate should take precedence over the business set down for today or tomorrow.

I regret that, in this case, the matter which he has raised does not meet those requirements and I cannot today submit his application to the House.

Points of Order

3.34 pm

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Speaker. In today's vote bundle, my name appears in error against various early-day motions, including early-day motion 1398. I have received an apology from the Table Office. It intends to include a correction in tomorrow's corrigenda. My concern, and what I believe is a matter for you, is that early-day motions are read by people outside the House and are taken to be an accurate reflection of the views of those hon. Members who sign them. I am most concerned that my name should have been added to those motions. I very much hope that something can be done to improve the mechanism. I am particularly concerned about early-day motion 1398, because it is about Israel and the middle east. I believe that those who signed that early-day motion did so either because they are naive or because they are anti-semitic.

Mr. Speaker: I regret the mistake that was made. It may have arisen because of the number of hon. Members who bear the same name. However, the hon. Gentleman has put the matter right and that is probably the best way to deal with it.

Mr. David Winnick (Walsall, North): On this point, and related matters, Mr. Speaker, although I know that you are not responsible for statements, you will know that the Foreign Secretary's visit to the middle east has produced a good deal of controversy on both sides of the House. I am wondering whether there is any way in which hon. Members can ensure that, when the Foreign Secretary returns to this country, there will be a statement. There is deep concern over what is happening in the middle east. Although the hon. Member for Harrow, West (Mr. Hughes) made derogatory references to a motion which I have not myself signed, that does not alter the fact that there is deep concern in the House over the killing of the 21 Palestinians.

Mr. Speaker: I share the hon. Gentleman's concern about that, as I think the whole House does, but he will have heard the Leader of the House's statement on Monday that he will take this matter into consideration.

Mr. Nicholas Soames (Crawley): On a point of order, Mr. Speaker. I am sorry to prolong this, but I wonder whether you could clarify the exact situation relating to Standing Order No. 20. The hon. Member for Birkenhead (Mr. Field) asked for your leave to adjourn the House on a matter which for his constituency is, without a shadow of doubt, of cardinal and critical importance. In circumstances such as that, which affect Birkenhead and which, in other circumstances, might affect my own constituency, will you clarify for me exactly what scale and magnitude of disaster there has to be before an Adjournment debate can be granted on what is, for an ordinary Member of Parliament, a really desperate state of affairs?

Mr. Speaker: It is a friendly act by the hon. Member, but he will have heard me say that I am enjoined not to give my reasons to the House. However, I imagine that there are those outside the House who will be as interested as the hon. Member in what the criteria are. I have to take into consideration other opportunities that may arise and

whether the matter is so urgent that it should take precedence over the business set down for today or tomorrow. These are very difficult decisions for the Chair. I hope that, as I said to the hon. Member for Birkenhead (Mr. Field), the matter will be raised on another occasion.

BILL PRESENTED

HOMEWORKERS' RIGHTS

Mr. Keith Vaz, supported by Ms. Clare Short, Mrs. Alice Mahon, Mrs. Maria Fyfe, Mr. David Hinchliffe and Mr. Jeremy Corbyn, presented a Bill to extend to homeworkers certain rights afforded to employees by enactments relating to health and safety, employment protection and finance; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Tuesday 23 October and to be printed. [Bill 201.]

Orders of the Day

Law Reform (Miscellaneous Provisions) (Scotland) Bill *[Lords]*

Order read for resuming adjourned debate on Question proposed [16 October] on consideration of the Bill, as amended (in Standing Committee), That the clause *(Supervised attendance orders as alternatives to imprisonment on fine default)* be read a Second time.

'.—(1) A court may make a supervised attendance order in the circumstances specified in subsection (3) below.

(2) A supervised attendance order is an order made by a court with the consent of an offender requiring him—

(a) to attend a place of supervision for such time, being 10, 20, 30, 40, 50 or 60 hours, as is specified in the order; and

(b) during that time, to carry out such instructions as may be given to him by the supervising officer.

(3) The circumstances are where—

(a) the offender is of or over 16 years of age; and

(b) having been convicted of an offence, he has had imposed on him a fine which (or any part or instalment of which) he has failed to pay and either of the following sub-paragraphs applies—

(i) the court, prior to the commencement of this section, has imposed on him a period of imprisonment under paragraph (a) of subsection (1) of section 407 of the Criminal Procedure (Scotland) Act 1975 (power of court, when imposing a fine, to impose also imprisonment on default) but he has not served any of that period of imprisonment;

(ii) the court, but for this section, would also have imposed on him a period of imprisonment under that paragraph or paragraph (b) of that subsection (power of court to impose imprisonment when a person fails to pay a fine or any part or instalment thereof); and

(c) the court considers a supervised attendance order more appropriate than the serving of or, as the case may be, imposition of such a period of imprisonment.

(4) Where, in respect of an offender, a court makes a supervised attendance order in circumstances where sub-paragraph (i) of paragraph (b) of subsection (3) above applies, the making of that order shall have the effect of discharging the sentence of imprisonment imposed on the offender.

(5) Schedule (*Supervised attendance orders: further provisions*) to this Act has effect for the purpose of making further and qualifying provision as to supervised attendance orders.

(6) In this section—

"local authority" means a regional or islands council;

"place of supervision" means such place as may be determined for the purposes of a supervised attendance order by the supervising officer; and

"supervising officer", in relation to a supervised attendance order, means a person appointed or assigned under Schedule (*Supervised attendance orders: further provisions*) to this Act by the local authority whose area includes the locality in which the offender resides or will be residing when the order comes into force.'.—*[Lord James Douglas-Hamilton.]*

Question again proposed.

3.38 pm

Mr. Donald Dewar (Glasgow, Garscadden): I was going to say that I was in full flight—but perhaps that is a little grandiloquent, in view of what was happening at 10 o'clock last night—when these proceedings were brought

[Mr. Donald Dewar]

to a close. However, I was certainly addressing the House, and I now rise with a certain feeling of nostalgia, because this is the last time that I shall start a session on the Law Reform (Miscellaneous Provisions) (Scotland) Bill, which to me seems like an old friend. I cannot remember any other Bill to which the Opposition have made more changes or on which they have made more political progress. I doubt whether the Minister's memories of it will be quite so happy, but there we are.

The proposal that supervised attendance orders should be made is of real importance. As I explained last night, the new clause came as a surprise to me. I had not expected it, but I should be misleading the House if I were to suggest that I oppose it in principle.

I have some doubts—this is the point I had reached yesterday—about the basis of the Minister's argument. He explained that because, under clause 51(3), community service orders can be imposed only where the only genuine alternative would be a prison sentence, we will not reach the position that has commonly existed whereby community service orders were imposed in place of a large fine. With the new narrow interpretation of when it is appropriate to have a community service order, the number of large fines will increase, and therefore it is assumed that the number of non-payers will increase. As a result, there has to be some alternative to imprisonment for non-payment to stop our prisons being choked and clogged as they have been in the past.

I should have been happier if the Minister had said that the pressure—perhaps not spectacular pressure but in my case nagging pressure going back to the Criminal Justice Bill in 1981—to see whether there could be an alternative to imprisonment for non-payment of fines had been successful and was being adopted on its merits. The argument about clause 51(3) is esoteric and doubtful. After all, a high fine does not necessarily lead to high non-payment because, presumably, the instalments are set according to the payer's means. If the court is doing its business, there should be no greater risk of non-payment and the penalties that follow than for any other financial responsibility.

I take the view that supervised attendance orders as an alternative to imprisonment might be more appropriate for those who have failed to pay small fines. It is offensive and ridiculous for people who may have failed to pay a fine of £20 or £30 to find themselves doing seven or 14 days in prison to the disadvantage of the prison system. I am not impressed by the Minister's argument, but the reform he is introducing is useful in a modest way.

I have already said that I have argued for and still believe in the abolition of imprisonment as a punishment for non-payment of fines. I have done so for the past decade in this place. I was going to make a graceful reference to the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) but, unusually, he is not in his place during a debate on this Bill. During the proceedings on the Criminal Justice Bill in 1981, he gave me very strong support but expressed a doubt because he thought that there had to be an alternative penalty to just debt collection and diligence. We are now providing that. The Government have suddenly found that it is practical to do something in this way, and we should be thankful for that.

I want to ask one or two questions which I am sure the Minister will be able to answer. I recognise that the cost is to be fully reimbursed. As I understand it, in the year ending 31 March 1989, local authorities spent £3·2 million on community service orders, at an average cost per order —according to a parliamentary question—of £920. In that year, there were 3,492 orders. I asked a further parliamentary question on 11 June and was told that the total number of orders made in 1989 was not under 3,500 but had increased in that short time to 4,190. In other words, the number of community service orders is on a steeply rising curve. Obviously, that raises questions about the Government's expectations for the number of supervised attendance orders that will be made and the cost that that will place on the Exchequer.

The Minister must not get me wrong: I believe that the cost should be met 100 per cent. I have a letter from Professor Fred Edwards, the director of the Strathclyde regional work and social department. He is talking about an agreement whereby local authorities had to meet agreed standards for the quality and quantity of the work—that is, of community service orders—before receiving increased funding. Clearly an incentive was being built in to raise standards in order to attract increased funding. I assume that the same system will apply here. Perhaps the Minister will say a word about that.

It is important that the Minister comments on the form of supervision—this point has been made by my hon. Friend the experienced Member for Greenock and Port Glasgow (Dr. Godman), who knows much about the social work world—and on how attendance sessions will be organised. We are told that they will be for between 10 and 60 hours, so, as an initial response to someone's conviction for a criminal offence, they will be shorter than community service orders. Of the 4,190 community service orders made in 1989, only 802 fell below 100 hours. I presume that some of the new supervised attendance orders will be as low as 10 or 20 hours, so clearly they will raise different practical problems.

I am not clear whether supervised attendance orders will be administered on a different basis from community service orders or whether people on attendance orders will mix and share activities with those performing community service. It may be a matter for the discretion of the local authority, but perhaps the Minister will say a word or two about that.

I notice that the briefing distributed by the Minister says that activities will be "provided in modular form". I am not clear what he means by that, but no doubt he will be able to wax earnest and learned on modular forms in supervised attendance orders.

Whom did the Minister consult? I have tried to find out from Strathclyde regional council—my regional council and social work authority—whether it was consulted before this innovation was introduced. I do not have a clear picture, but my impression is that, if there was consultation, it was cursory in the extreme, which suggests that it was introduced hurriedly. Was the Sheriffs Association consulted? Sheriffs will be involved in deciding supervised attendance orders. If it was consulted, what was its reaction and did it support the proposal?

Having asked these questions, I conclude briskly by making it clear that I welcome the proposal, so far as it goes. The prison system has been handicapped by the number of receptions of prisoners who were not sentenced to a custodial term but who ended up in prison because

they failed to meet a monetary penalty. The figures for receptions are spectacular. In 1988, the last figures available to me and excluding remand prisoners, who would be a distorting factor, the number of admissions for default of payment of fines was 9,680, which is 47·1 per cent. of total admissions to the Scottish prison system.

That is a startling figure, but it probably will not startle many of my colleagues, because it is familiar to anyone who takes a passing interest in the prison system. I am aware that it is only just over 6 per cent. of the daily prison population, but the clogging of the system, the problems of reception, of administration and of processing the entry of a prisoner only for him or her to be discharged perhaps two or three weeks later causes enormous destruction to the proper work of the prison system.

I am concerned that the way in which the Minister presented this proposal was that its purpose is to stop the problem getting worse. He has argued that, because of the changes in the initial use of CSOs, which will lead to an increase in large fines, if we do nothing the number of receptions for non-payment, and the pressure on the prison system, will increase. I hope that he can be more positive. I hope that supervised attendance orders will have an impact that does not just stop the problem worsening but improves it. I hope that, after two or three years of experience, we might be in a position to say that that 47 per cent. figure of receptions for non-payment of fines had significantly decreased.

If the system works well, courts could be encouraged —I know that courts take individual decisions in individual cases—to use this alternative and to rid the prison system of at least a proportion of people, not just at the top of the fine scale but at the bottom end of this sad band of people who find themselves in prison for quite the wrong reason, to their distress, to the concern of their families and to the expense of the state. I am afraid that those people make it more difficult for the prison system to deal with those who, for reasons of public safety, must be imprisoned. It is a modest reform, but I hope that it is the start of better things.

Mr. Harry Ewing (Falkirk, East): The Bill has many aspects. We are dealing now with a major issue in a piecemeal fashion. That has been one of the features of this Bill. The imposition and collection of fines are major issues, meriting a major inquiry to see where the problem really lies. I know from my mailbag and experience that it is not popular to say that a fine should relate more to the offender's ability to pay than to the crime committed. For many years in the Scottish courts, the fine imposed has related to the offence, not to the offender's ability to pay.

Some years ago, I went to Sweden to study the Swedish penal system. If there was one aspect that impressed me, it was the fact that, throughout my period there, not one person was imprisoned for failure to pay a fine. The reason is simple. In Scotland, a fair amount of research is carried out into an offender's background before the court sentences him or her to a first custodial sentence. In Sweden, extensive research is carried out into an offender's ability to pay a fine. Before a case comes to court, the presiding judge or magistrate knows exactly what the person can pay should he be found guilty and a fine be imposed. Payment is based on earnings and other aspects.

Having taken the trouble to investigate an offender's ability to pay, the Swedish authorities claim the right to collect the fine—a system which I favour. In Sweden, there are no supervised attendance orders or alternatives to paying a fine. Research is carried out and the fine relates not to the offence but to the person's ability to pay.

I make no criticism of the Government or of the Minister, because successive Governments—I take my share of the responsibility—have paid little attention to this aspect of court work. It makes no sense to fine a person £1,000 if he or she is on income support or to impose a fine that is way beyond a person's ability to pay, in the certain knowledge that the fine will not be paid. It would be more honest of a court to impose a prison sentence, because that would be the outcome in any case.

It is time that we all agreed that there must be a major inquiry into the operation of fines in the Scottish judicial system. In many ways, Scotland has led in terms of judicial and law reform, and we should all be proud of that. I am convinced that we can do the same in terms of the levying and payment of fines.

I cannot give the new clause a wholehearted welcome, because I regard it as a piecemeal approach to a major problem. Instead, I want to give it a qualified welcome and to ask the Minister one or two questions about it.

At present, when an offender fails to pay his fine and is sent to prison, he can buy himself out before his sentence is complete. There is a scale governing the length of the custodial sentence that a fine defaulter should serve, and that is determined against the background of the level of the fine. A fine defaulter who has failed to pay a £1,000 fine will serve longer than a defaulter who has failed to pay a £50 fine.

The Minister knows from experience that it is quite common for a fine defaulter to be imprisoned on Monday and for someone to go along and pay his fine on Tuesday morning. All the paperwork surrounding his reception in prison then has to be gone through again and his release arranged. Will a fine defaulter now be able to buy himself out of a supervised attendance order? Suppose that the order requires him to attend for the maximum period of 60 hours. Will he be able to buy himself out when he has completed 20 hours, and what will be the scale used? Clearly, we are not talking about the payment of the total fine, because the offender will have served a third of the supervised attendance hours specified in the order. The Minister must have some sort of scale in mind.

Who will decide whether the offender may buy himself out of the arrangement? How will we decide whether a fine defaulter should be asked to attend for 10, 20, 30, 40, 50 or 60 hours? Under the present arrangements under which a fine defaulter is sent to prison, scales are laid down. I may have missed the reference to such a scale in the new clause; that is not beyond me, I can assure the House. Is a scale to be specified for the proposed scheme? Unless we know what we are doing—unless social workers know in detail whether a fine defaulter can buy himself out—it seems inadvisable to proceed. We should not introduce the scheme until all the details have been put in place. If we introduce the scheme against a background of confusion, matters can only get worse and we shall find that we have added to the problem that we sought to solve.

My welcome for the new clause is qualified because, in my view, we are merely tinkering at the edges of what is now a major problem. We ought to consider other approaches. I urge the Minister to consider the establishment as soon as possible of a commission of inquiry to look into the whole question of levying fines according to the seriousness of the crime of which the

[Mr. Harry Ewing]

offender has been found guilty rather than according to his ability to pay. If I were asked to choose, I would choose a system that related to the offender's ability to pay because if we had such a system, many of the other issues that we are discussing today would disappear.

4 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I promise to be brief, Mr. Speaker. Before asking the Minister a couple of questions about the new clause, may I, too, give it my qualified support? I recently attended a session of the sheriff court in Edinburgh when it was hearing a number of what are colloquially known as "means court" cases. One young man was sent down for 30 days for his failure to pay a fine, much to his deep dismay. Other young men—those appearing were mainly men—suffered the same fate. I should add that I was in good company—I was with Michael Clancy of the Scottish Law Society.

I thought that it was all a disgraceful waste and wondered why we should put that young man's family through such distress. He was bundled down below within 20 seconds of the sheriff making his nonchalant decision. Therefore, although I give the new clause some support, the Minister and his officials should further consider its implications.

I refer the Minister to subsection (2)(b), which states that the offender will

"carry out such instructions as may be given to him by the supervising officer."

I believe that I am right in saying that, when answering an intervention from me yesterday evening, the Minister said that the supervising officer need not necessarily be a social worker. I am a little concerned about that. The Minister will recall that, in the explanatory memorandum that he sent to members of the Committee, he stated that, among others, we are referring to ex-drug abusers—those who have fallen by the wayside because of the misuse or abuse of drugs—and others. People who have unfortunately become addicted to drugs need to be supervised and need someone in the team who is highly experienced in such matters. As that rule must be applied to other offenders, I should like to hear the Minister offer a word or two about the non-social work supervisors, because I believe that he is straying into queer territory.

Similarly, the Minister needs to consult more comprehensively—or his officials need to consult more comprehensively—social work departments and voluntary associations whose main concern is the rehabilitation of offenders and those who have transgressed in terms of non-payment of minor fines. I should like to hear the Minister say something positive in response to my reservations on subsection (2)(b).

Mr. Tam Dalyell (Linlithgow): I am as concerned as my colleagues about some of the things that go on in the minor courts. I agree wholeheartedly with my hon. Friends who have expressed some shock about the way in which young people are simply sent to prison casually and without much consideration.

I should like to ask the Minister a rather unpleasant question. I am not anti-lawyer, but I have a particular case in mind, which is known to my hon. Friend the Member for Falkirk, East (Mr. Ewing) because it concerns Bo'ness, which I represented for many years.

Will the Minister make it an obligation on sheriffs and temporary sheriffs not to take any alcohol during the lunch hour? I once brought a case to the attention of the House, in which a police career was ruined—that of Sergeant Jamieson—by a temporary sheriff who had taken drink during the lunch hour and then took decisions that could not be undone. That case has lived with me and I suspect that the same has happened on a number of other occasions.

As we are on the subject, it might be a good idea if those on the bench took no alcoholic drink during their lunch hours.

Mr. Menzies Campbell (Fife, North-East): I have been encouraged to participate in the debate only following the remarks of the hon. Member for Linlithgow (Mr. Dalyell). For the record, I want to make it clear that I understand that there was an investigation by the then sheriff principal of the circumstances surrounding the case, and that no fault was found to attach to the sheriff concerned. The hon. Member for Linlithgow is perfectly entitled to raise the issue, but it is only right to put the record straight.

Mr. Dalyell: Does the hon. and learned Gentleman deny that the temporary sheriff concerned had taken alcohol during his lunch hour before coming to his decision?

Mr. Campbell: That is not within my knowledge——

Mr. Dalyell: It is within mine.

Mr. Campbell: What is within my knowledge is that an investigation was effected and no fault was found to attach to the sheriff.

Mr. Dalyell: Some of us thought it unfortunate that the sheriff concerned came to the decision that he did, and that the investigation was a matter of lawyers all getting together.

The Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I believe that the hon. Member for Linlithgow (Mr. Dalyell) had an Adjournment debate on this subject some years ago——

Mr. Dalyell: Yes.

Lord James Douglas-Hamilton: It would be rash of me to go into the case without researching all the facts, but I have heard what the hon. and learned Member for Fife, North-East (Mr. Campbell) has said, so I suspect that there are two sides to the issue, of which we have heard only one this afternoon. I shall look into the case.

I warmly welcome what the hon. Member for Glasgow, Garscadden (Mr. Dewar) said——

Mr. Dalyell: Airline pilots, drivers, and many other people in skilled occupations are not supposed to drink alcohol in the course of their work, so is it unreasonable to suggest that those who take decisions affecting people's lives should do the same? Many other people are not supposed to drink at work; should not the same apply to those on the bench?

Lord James Douglas-Hamilton: I approach the subject with some caution. If the hon. Gentleman were to table a motion suggesting that hon. Members should not take

drinks before they participated in debates, I suspect that there would follow a heated debate in which different views would be expressed. I shall look at the facts of the case and come back to the hon. Gentleman in due course. It would certainly be wrong of me to give a judgment off the top of my head——

Mr. Dalyell: In my opinion, those who are going to take part in debates on the Floor of the House should not take alcohol before doing so.

Lord James Douglas-Hamilton: I applaud the hon. Gentleman's high standards. All I am saying is that he would find this a contentious subject if he were to table a motion banning Members from drinking at lunchtime——

An Hon. Member: Or Speakers.

Mr. Speaker: Just for the record, I never do.

Lord James Douglas-Hamilton: I am glad to confirm that. I most certainly do not drink if I am about to speak in the House of Commons.

The hon. Member for Garscadden made a most positive speech; I agree with everyting that he said. The hon. Gentleman asked who was consulted. The Sheriffs Association, local authorities and other interested bodies were consulted. A letter was sent out in April and all the responses were in support of supervised attendance orders for fine default. The bodies consulted included the Convention of Scottish Local Authorities, the Association of Directors of Social Work in Scotland, the Association of Chief Police Officers (Scotland), the Howard League for Penal Reform and the Scottish Association for the Care and Resettlement of Offenders. I am glad to say that they strongly supported the measure.

The hon. Member for Garscadden asked about modular form and the kind of supervision. The programmes will be organised in standard units. For example, there will be two-hour sessions on drug and alcohol misuse and two-hour blocks of unpaid work with groups of from eight to 12 offenders. There might be some sharing with people who do group placements on community service orders, but where practicable the two groups will be kept separate.

I was asked about national standards for supervised attendance orders. Standards will be drawn up in consultation with local authorities and others and funding will be conditional on standards being met. I was asked about the details. Guidelines will be drawn up and, as I said yesterday, a consultative group will be formed to look into these matters. It will include representation from local authorities, the judiciary and other relevant interests.

The hon. Member for Falkirk, East (Mr. Ewing) asked whether fine defaulters could buy themselves out of supervised attendance orders. I am glad to confirm that the answer is no. Once the offender consents to a supervised attendance order, he will have to complete it. The hon. Gentleman also said that fines should be related to the means to pay and not to the severity of the offence.

Mr. Harry Ewing: The Minister says that an offender will not be able to buy himself out of a supervised attendance order. What sanction is available if the offender fails to complete the allocated number of hours? Is the sanction imprisonment? If that is the case, we are caught in the situation from which we are trying to escape.

Lord James Douglas-Hamilton: The answer to the hon. Gentleman's question is yes. What happens is broadly similar to that which occurs after non-co-operation with a community service order. I hope that that will not happen in more than a few cases. I confirm to the hon. Gentleman that section 395(1) of the Criminal Procedure (Scotland) Act 1975—the hon. Gentleman may have played a part in getting that Act on to the statute book—states:

> "A court . . . in determining the amount of any fine to be imposed on an offender shall take into consideration, amongst other things, the means of the offender so far as known to the court."

The High Court has rightly emphasised that in appeal cases. In this connection, I agree with the hon. Member for Garscadden.

The hon. Member for Greenock and Port Glasgow (Dr. Godman), who has left the Chamber for a moment, said that there was a need to do more work on implementation. I agree. Detailed guidance for social work authorities on the operation will be drawn up in consultation with interested parties before the provisions of the Bill come into force. The hon. Gentleman also asked about non-social work supervisors. Their use is well precedented in bringing forward community service schemes. They always have access to support and advice from professional social workers.

Like the hon. Member for Garscadden, I think that it is important for there to be a range of community disposals in which the people of Scotland can have confidence. The hon. Gentleman asked me about this late last night, when he asked me to speak about probation. Fewer than 3 per cent. of offenders appearing before the High and sheriff courts are placed on probation. While probation is not suitable for all offenders, it has the potential to make a much bigger contribution. It has been somewhat neglected, so we saw 100 per cent. funding as important, not just for community service orders and supervised attendance orders, but also for probation.

When we gave 100 per cent. central funding for community service orders, it resulted in a 25 per cent. increase in the number of such orders in the first year. Obviously, that is an important consideration.

Mr. Dalyell: Why does the Minister think that the level of provision has fallen back like this? When I was first elected to the House, there was a tough probation officer in West Lothian who was a father figure and who sorted out a number of boys by using common sense and know-how. That sort of thing does not happen to such an extent these days, unfortunately.

4.15 pm

Lord James Douglas-Hamilton: Our information is that local authority social workers are often reluctant to recommend this course of action in social inquiry reports, possibly because of the work load consequences for them, so 100 per cent. funding will assist.

Clause 51 makes other necessary changes to improve the effectiveness of the services. It ensures that community service orders are reserved for those offenders who would otherwise have been imprisoned. As the hon. Member for Garscadden said, the result would be to increase the number of fines. We believed it to be essential to do something about the problem of fine defaulters, or the Bill would inadvertently result in more people going to prison

[Lord James Douglas-Hamilton]

than was the intention of any hon. Member who served on the Standing Committee that considered the Bill, or the House as a whole.

Mr. Menzies Campbell: Like others, I have been critical of the Minister from time to time during the passage of the Bill, but I warmly welcome what he has just said. It betokens an enlightened and sensible attitude from the Department. I echo the sentiments expressed by the hon. Member for Linlithgow (Mr. Dalyell). The effectiveness of the probation service before the Social Work (Scotland) Act 1968 was a watchword in penal circles. If we can, by a more generous allocation of funds, return to probation officers the stature that they enjoyed and the successes that they were able to achieve, that would be a good thing for many young people in Scotland.

Lord James Douglas-Hamilton: I thank the hon. and learned Gentleman for what he has just said. I think that this move will also be welcomed by prison officers, who have the duty of looking after those who are in prison because of serious crimes. If a young person who has committed a minor misdemeanour and finds difficulty in paying his fines—there are hundreds of such cases—can be dealt with in this way, that will help with the administration of the prisons.

Mr. Dewar: It seems to me that the drive of some of these comments is a move away from generic social workers and back to specialisation in the social work department. I should be interested to hear whether the Minister embraces that proposition.

I wish to clarify what the Minister has just said, because it is important. The thrust of his central argument is that there will be large fines, leading to fine defaults and the use of the new supervised attendance order, which is aimed at preventing a specific increase. Do the Government hope that the supervised attendance order will be widely used, perhaps for small defaulters—people who are fined under £50 but who have not paid, perhaps because they are on benefit or have a number of social pressures on them—who will benefit from the flexibility that this allows, with the result that there is a reduction? In other words, I want to know what part the Minister thinks that a supervised attendance order will play, and whether it will largely replace, over time, the imprisonment factor.

Lord James Douglas-Hamilton: My view is that it will be seen as a lesser form of community service, shorter in scope and easier to carry out by those concerned. A range of disposals is important. The 100 per cent. funding for the probation community service order and supervised attendance orders will give the court a choice, which will depend on the seriousness of the case.

The hon. Member for Greenock and Port Glasgow also asked about the role of the social workers. Social workers should be deployed where their special skills can be used to the best effect. They will be responsible for the planning of supervised attendance orders and for generally overseeing their operation. The day-to-day supervision can be provided more cheaply by other local authority staff, and many of the components of the programme could be brought in from other providers, such as voluntary organisations. For example, local councils on alcohol could provide speakers on alcohol abuse.

It is important to distinguish supervised attendance from probation. In probation, the focus is on the individual offender and his offending behaviour. A probation order combines control of the offender with assistance to help him to solve his personal problems and stay out of trouble. Probation calls for the special skills of the social worker in one-to-one counselling and small group interaction. In contrast, supervised attandance will not be concerned with tailoring the approach to the individual offender. In essence, it is a fine on the offender's free time, and the supervisor's main function will be to ensure punctual attendance and good behaviour of a group of about eight to 12 offenders, whose activities will follow a standardised modular pattern.

The hon. Member for Greenock and Port Glasgow may have missed my earlier comment. In answer to his point, I can say that the Government do not believe that it would be a sensible use of scarce social work skills to have professional staff solely carry out this work. They will be much better employed in doing the things that only they can do—providing supervision and help to offenders on probation and parole, and preparing social inquiry reports to enable the courts to choose the most appropriate disposal.

Dr. Godman: I sincerely apologise to the Minister for the fact that I have been racing around for the past few minutes and therefore missed his comments.

It is essential that any activity-centred scheme is realistic and constructive, so that it helps such people to come back into the community. I know that ex-drug users at some centres spend many empty hours that could be more usefully spent preparing them to find jobs. That is why it is essential that the supervision is carried out by highly qualified and trained people.

Lord James Douglas-Hamilton: I agree with the hon. Gentleman, but there are degrees of specialisation within the social work department. As the hon. Member for Garscadden suggested, we want to encourage greater specialisation in working with offenders.

In response to the point raised by the hon. Member for Garscadden, I confirm that supervised attendance orders will be widely used for defaulters of small fines. They will be highly appropriate in that category. The provision fulfils an important need.

Mrs. Margaret Ewing (Moray): I am carefully following the Minister's arguments, and I agree that there is a need for qualified, trained social workers to be involved. Will there be additional recruitment into social work, and will additional funding be made available to colleges and universities involved in the training of social workers? The necessary resources and back-up facilities must be provided, because social work departments are already under severe strain.

Lord James Douglas-Hamilton: That is obviously a matter for the consultative group, which will have representation from local authorities, the judiciary and other relevant, interested bodies. We shall keep closely in touch with the position.

We believe that the new penalty will be of great value in helping to reduce the pressure on the prisons, while continuing to provide a disincentive to fine default and

enabling those who do default to make amends for their offence through loss of their free time, disciplined attendance and constructive activity.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 21

EFFECT OF MENTAL INCAPACITY ON POWERS OF ATTORNEY ETC.

'.—(1) Any rule of law by which a factory and commission or power of attorney ceases to have effect in the event of the mental incapacity of the granter shall not apply to a factory and commission or power of attorney granted on or after the date on which this section comes into force.

(2) In subsection (1) above, "mental incapacity" means, in relation to a person, that he is incapable of managing his property and affairs by reason of mental disorder within the meaning of section 1 of the Mental Health (Scotland) Act 1984.'.—*[Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: New clause 8—*Further provisions as to judicial factors*—

'.—After section 35 of the Judicial Factors Act 1849 there shall be inserted the following section—

"35A—(1) Subject to subsection (5) below, where an individual grants a factory and commission or power of attorney which includes a declaration of intention to which this section applies, the factor and commission or power of attorney shall not be revoked only by reason of any subsequent mental incapacity.

(2) This section applies to a declaration of intention which is in the prescribed form and includes a statement that the granter intends the factory or commission or power of attorney to continue despite any subsequent mental incapacity of his, provided that—

(a) the factory and commission or power of attorney has been subscribed by the granter and attested by two witnesses before a notary public and has been registered in the Books of Council and Session or in the books of the appropriate sheriff court of the sheriffdom in which the granter habitually resides;

(b) the notary public has made a statement in the prescribed form that the granter has read or has had read to him prescribed information explaining the effect of the declaration; and

(c) the granter has sworn or affirmed before the notary public that the declaration was made freely and without coercion of any kind.

(3) In subsections (1) and (2) above 'mental incapacity' means, in relation to a granter, that he is incapable of managing his property and affairs by reason of mental disorder.

(4) 'Mental disorder' has the same meaning as in section 1 of the Mental Health (Scotland) Act 1984.

(5) A factory and commission or power of attorney which includes a declaration of intention to which this section applied shall be revoked by appointment of a curator bonis or tutor-dative and may be revoked on application to the court by any person having an interest.

(6) In this section—

(a) 'prescribed' means prescribed by regulations made by the Secretary of State:

(b) 'the court' means the Court of Session or the sheriff court".'.

Government amendment No. 108.

Lord James Douglas-Hamilton: New clause 8 in the name of the hon. Member for Glasgow, Garscadden (Mr. Dewar) and new clause 21 have similar aims. They seek to overcome a problem faced by an increasing number of families where a relative, who has granted a factory and commission or power of attorney, subsequently becomes mentally incapacitated. In Scotland, unlike England and Wales, a power of attorney terminates if the granter becomes mentally incapacitated. A curator bonis could be appointed, but in view of the costs involved, a curatory is not usually considered worthwhile except for fairly large estates.

New clause 8 mirrors for Scotland provisions in the Enduring Powers of Attorney Act 1985 which apply to England and Wales, but the simpler provision in new clause 21 will achieve the same end. It will ensure that, after the commencement of the provision, any existing rule of law by which a factory and commission or power of attorney ceases to have effect in the event of the mental incapacity of the donor shall have no effect. Mental incapacity is as defined in section 1 of the Mental Health (Scotland) Act 1984.

The provisions will apply only to powers of attorney granted after the provision comes into force. It does not seek to alter the effect of powers of attorney already granted, nor does it revive powers of attorney that have lapsed because of the mental incapacity of the donor. In the former case, the granter can revoke any existing power and grant a new power.

Amendment No. 108 seeks to ensure that the new clause will come into effect as soon as possible—that is, on commencement of the Act. New clause 21 is sufficient to achieve the objectives sought by the hon. Member for Garscadden. It has been deliberately kept simple, since the Law Commission intends to publish later this year a discussion paper on powers of attorney and other matters relating to guardianship of the adult incapacitated.

It may turn out that, on the basis of the commission's consultations, and a more wide ranging consideration of the matter, a different solution to the problem may emerge. Accordingly, I ask hon. Members to recognise that it may be necessary to return to the subject when the commission issues its report and recommendations. In bringing forward the new clause we recognise that a social need exists which should be met now, and new clause 21 is sufficient to achieve that end. Therefore, I ask hon. Members to accept new clause 21 and amendment No. 108, and I ask the hon. Member for Garscadden to withdraw new clause 8.

Mr. Dewar: I have no difficulty about falling in with the Minister's request on this occasion. I do not always think that a shorter clause is a better clause but there is no doubt that we are attempting to obtain the same result and I am perfectly happy to take the Minister's word that his new clause encompasses the meaning more conveniently. It is an admirable means of curing a difficulty, which, as he fairly said, has faced many families who unfortunately, have had to deal with the situation where a close relative no longer has the faculties to look after his or her affairs. It is right in those situations—in a sense anticipated, because a power of attorney has been granted—that the power of attorney should run on and allow the proper administration of that person's affairs. I am glad that the Minister has acted to achieve that. I welcome his new clause, and will not press new clause 8.

Dr. Godman: I, too, welcome new clause 21. Will the Law Commission, as part of its brief, comment upon the code of practice which was produced under the auspices of the Mental Health (Scotland) Act 1984? I ask that question because I am fairly confident that neither the House nor the Scottish Grand Committee has ever had the opportunity of scrutinising the workings of that important Act.

Lord James Douglas-Hamilton: The remit is for the Law Commission to consider later in the year matters relating to the guardianship of the adult incapacitated. In so far as the code relates to this, it would be perfectly competent for the Commission to comment on it as it so wished.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 24

EVIDENCE OF CHILDREN THROUGH TELEVISION LINK IN CRIMINAL PROCEEDINGS

'.—(1) Subject to subsections (2) and (3) below, where a child has been cited to give evidence in a trial, the court may, on an application being made to it, authorise the giving of evidence by the child by means of a live television link.

(2) The court may grant an application under subsection (1) above only on cause shown having regard in particular to—

(a) the possible effect on the child if required to give evidence, no such application having been granted; and

(b) whether it is likely that the child would be better able to give evidence if such application were granted.

(3) In considering whether to grant an application under subsection (1) above, the court may take into account, where appropriate, any of the following—

(a) the age and maturity of the child;

(b) the nature of the alleged offence;

(c) the nature of the evidence which the child is likely to be called on to give; and

(d) the relationship, if any, between the child and the accused.'.—*[Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this we may take the following: Government new clauses 25 to 27.

New clause 1—*Evidence of children on commission in criminal proceedings—*

'.—(1) Notwithstanding section 32 of the Criminal Justice (Scotland) Act 1980 and subject to section (Circumstances in which procedures may be authorised) of this Act, where a child has been cited to give evidence in a trial, whether under solemn or summary procedure, the court may, on an application being made to it at an appropriate time, appoint a commissioner to take the evidence of the child.

(2) The proceedings before a commissioner under this section shall be recorded by video recorder.

(3) The accused shall not be present in the room where the proceedings under this section are taking place except with the leave of the commissioner, but the accused, if not present, shall be entitled to watch and hear those proceedings by such other means as seem suitable to the commissioner.

(4) In subsection (1) above "at an appropriate time" means—

(a) in relation to solemn proceedings, at any time before the oath is administered to the jury;

(b) in relation to summary proceedings, at any time before the first witness is sworn, or

(c) in exceptional circumstances, in relation to either solemn or summary proceedings, during the course of the trial.'.

New clause 2—*Use of screens in taking evidence of children in criminal proceedings—*

'.—(1) Subject to section (Circumstances in which procedures may be authorised) of this Act, where a child has been cited to give evidence in a trial, whether under solemn or summary procedure, the court may, on an application being made to it, authorise the use of a screen to conceal the accused from the sight of the child, notwithstanding that such use of a screen is objected to by or on behalf of the accused.

(2) Where a screen is used in pursuance of this section, arrangements shall be made to ensure that the accused is able to watch and hear the child while the child is giving evidence.'.

New clause 3—*Evidence of children through television link in criminal proceedings—*

'.—Subject to section (Circumstances in which procedures may be authorised) of this Act, where a child has been cited to give evidence in a trial, whether under solemn or summary procedure, the court may, on an application being made to it, authorise the giving of evidence by the child by means of a live television link.'.

New clause 4—*Circumstances in which procedures may be authorised—*

'.—(1) The court may grant an application under sections (*Evidence of children on commission in criminal proceedings*), (*Use of screens in taking evidence of children in criminal proceedings*) or (*Evidence of children through television link in criminal proceedings*) of this Act only on cause shown having regard in particular to—

(a) the possible effect on the child if required to give evidence in open court; and

(b) whether it is likely that the child would be better able to give evidence if not required to do so in open court.

(2) In having regard to the matters referred to in paragraphs (a) and (b) of subsection (1) above, the court may take into account, where appropriate, any of the following—

(a) the age and maturity of the child;

(b) the nature of the alleged offence;

(c) the nature of the evidence which the child is likely to be called on to give; and

(d) the relationship, if any, between the child and the accused.'.

Government amendment No. 127.

4.30 pm

Lord James Douglas-Hamilton: This is perhaps the most important issue before us this afternoon. The clauses concern the protection of children in criminal cases, about which there has been widespread concern, and it is right that they should be before us today. There has been considerable concern about criminal trials where child witnesses under stress have been unable to give their evidence properly. The hon. Member for Greenock and Port Glasgow (Dr. Godman) tabled a number of amendments in Committee, and made it clear that he wished to return to the matter on Report.

The discussion is centred on the use of a live television link arrangement, under which the child witness would be in a room separate from the court room and would give evidence through closed-circuit television. We have decided that the arrangement should be progressively introduced in Scotland. It is intended—subject to consultation with the judiciary—that appropriate equipment should be available initially in Edinburgh and Glasgow.

The arrangement is based on the recommendation of the Scottish Law Commission in its "Report on the evidence of Children and Other Potentially Vulnerable Witnesses", published earlier this year. The Commission believes that, in many cases, children will be able to give evidence in court by conventional means.

Live television links should be required in relatively few cases. Their use is accordingly to be at the discretion of the trial judge, according to the statutory criteria set out in the first Government amendment. It would of course reduce the expected benefits from the use of the live television link if the child witness still had to identify the accused in court in a face-to-face dock identification. Accordingly, a further Government amendment deals with evidential requirements.

There are also further provisions dealing with sheriff court jurisdiction and the transfer of sheriff court cases within a sheriffdom. The jurisdiction provision enables a case to be taken anywhere in a sheriffdom, and the transfer of a case within a sheriffdom will be allowed when an application for the use of a live television link has been approved. Without these transfer provisions, it would be difficult to operate the new procedure efficiently.

We have reached the view that we should not—at least, in the meantime—implement the Scottish Law Commission's recommendations with regard to a video—recorded pre-trial deposition procedure and a statutory provision relating to the use of screens. The deposition procedure would involve an examination of the child witness, ideally before the judge who was to preside at the trial. Much the same purpose will be served by a live television link. We have decided that it is appropriate to introduce the live television link procedure first, and monitor its operation carefully before considering other statutory measures.

Mr. Dalyell: Will the Minister say why he thinks that he and his Department know better than the Law Commission? I thought that the Law Commission was rather convincing.

Lord James Douglas-Hamilton: I would not say that I knew better than the Law Commission. I have discussed the matter in detail with my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn). *[Interruption.]* The hon. Member for Garscadden is expressing scorn, but my hon. and learned Friend probably has more experience of criminal cases than any other Scottish Member of Parliament. He has considerable knowledge of the subject.

Mr. Dewar *rose*——

Lord James Douglas-Hamilton: I will give way to my hon. Friend the Member for Tayside, North (Mr. Walker), as I have not done so yet.

Mr. Bill Walker (Tayside, North): My hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) asked me, if the opportunity arose, to express his apologies for not being present, and to state clearly that he supports what the Government are doing and believes that it is right.

Lord James Douglas-Hamilton: I thank my hon. Friend. My hon. and learned Friend the Member for Perth and Kinross told me the same.

The Government take the view they do because to adopt another arrangement could be prejudicial to the accused. I myself have been involved in a court case in which a child witness identified a boy as guilty of murder, but under cross-examination admitted that he had told a lie on the instructions of relatives. I have seen that happen. That case involved youths who had kicked another youth to death. If that child's claim had not been broken down under cross-examination, an innocent person could easily have been convicted of murder. As well as the protection of children, we must bear in mind the importance of fairness to the accused.

Mr. Menzies Campbell: I cannot help making the observation that, if the hon. Member for Tayside, North (Mr. Walker) now has power of attorney for the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn), we may have to examine the capacity of the latter.

Taking the three new clauses together, I find it difficult to grasp the practicalities of defending an accused person in circumstances in which a television link has been allowed by the court, and the extent to which cross-examination of a child may be possible. If I read new clause 26 correctly, cross-examination of a child on the issue of identification may not be excluded by way of statute. Practical difficulties exist that remain to be explained.

Lord James Douglas-Hamilton: In the case of a child who had been abused in one way or another, dock identification could be very upsetting and distressing for that child. We believe that a video link could provide an effective means of taking evidence. Identification might be made on some former occasion. One Glasgow police station has a one-way mirror that allows women who have been raped, for example, to identify their attackers without suffering immense additional distress.

Dr. Godman: I am confused by the Minister's use of the terms "closed-circuit television link" and "video link". I refer him to a comment that he made at the beginning of our debate yesterday afternoon:

> "I intend to accept the central point on video evidence. That does not include every aspect of new clause 1".—[*Official Report*, 16 October 1990; Vol. 177, c. 1060.]

Why has the Minister changed his mind?

Lord James Douglas-Hamilton: I want to make it clear that I do accept the proposals for a video link, but the evidence goes further than that, and suggests that there is a risk that it could be prejudicial to the accused.

As to cross-examination, the television link would be continuous. The provision concerning identification would apply only where the court had granted an application for use of the television link procedure. Where a child gives evidence that he or she recalls having previously identified the person alleged to have committed the offence, the evidence of a third party of that identification would be admissible as evidence of such identification. There remains for determination by the court the sufficiency of that evidence—whether the Crown has sufficiently proved the identification. Accordingly, fairness to the accused would not be prejudiced.

Mr. Dalyell: This is a complex subject, and Ministers are certainly entitled to make decisions on the basis of their own experience. I personally would greatly value the views of the hon. and learned Member for Perth and Kinross (Sir

[Mr. Dalyell]

N. Fairbairn) on such a subject. Equally, the House is entitled to know in detail why the Government have overturned the Law Commission recommendation, especially since its Lord President, Lord Hope, is currently proposing a scheme.

Do the Government have the agreement, in their view, of the Lord President? Has he given advice to the effect that the Government, rather than the Law Commission, are correct? I do not want to make a party point, because none is to be made, but it is a matter of considerable importance to a number of our constituents. Again, I can think of a personal case in which I was tangentially involved on a constituency basis.

Lord James Douglas-Hamilton: I genuinely do not think that the Lord President has been approached to ask whether he supports the Law Commission's view in opposition to any other point of view on this matter. He is certainly aware of the Government's proposals, as the hon. Member for Linlithgow will be aware.

The Scottish Law Commission in its report recorded a number of reservations expressed to it about the use of screens. The Scottish court is exploring technical aspects of the use of screens and we would wish to monitor the present use before reaching a concluded view as to the needs of the statutory provision on the line recommended by the Scottish Law Commission.

Undoubtedly hon. Members are aware of the welcome memorandum on guidance on child witnesses which was issued by the Lord Justice-General at the end of July. The purpose of the memorandum is to provide assistance to judges in the exercise of their discretionary powers to put a child at ease—for example, by removing wigs and gowns. The adoption of other measures recommended in the Lord Justice-General's memorandum can be expected to make a substantial contribution to reducing stress for child witnesses. We wish to know how wider use of such measures will help before we consider further statutory or other innovations.

Two other Government amendments provide necessary definitions and make necessary adjustments to the long title of the Bill. The Government amendments provide a coherent and practical set of provisions. We wish to respond quickly to the opportunity to legislate now to bring in closed circuit television for child witnesses.

The new clauses tabled by the hon. Member for Greenock and Port Glasgow are not workable as they stand, in the absence of a provision enabling cases to be transferred and doing away with dock identification. Accordingly, I invite the House to support the Government amendments.

4.45 pm

Dr. Godman: I thank the Minister for responding as he did to my new clause 3. However, I wish to speak to new clause 1 which is also in my name. Incidentally, I shall not press new clause 3 as it was intended to elicit a comprehensive response from the Minister and I thank him for his positive response.

New clause 24 not only brings Scots law into line with English law in terms of section 32 of the Criminal Justice Act 1988, but is an improvement on that English legislation. I think that I am right in saying that there are now 22 English Crown courts with closed circuit television and that there is a fair geographical spread throughout England of what has become known as "CCTV". There is some confusion between closed-circuit television and video recordings. The Minister was talking about closed circuit television.

My aim in new clause 1 is simple: to give added protection to children when they give evidence in criminal proceedings involving sex abuse or physical abuse.

In the past 10 months, two major reports on this deeply troubling matter have been published in England and Scotland. I refer to Judge Pigot's Home Office advisory group's report on video evidence published in September 1989 and to the 125th report of the Scottish Law Commission entitled, "Report on the evidence of Children and Other Potentially Vulnerable Witnesses" which was published about nine months ago.

In the context of new clauses 1, 2 and 4 and of the Minister's new clauses, English and Scottish legal systems have a good deal to learn from each other. I was much taken by the observations offered by Spencer and Flin in their book, "The Evidence of Children. The Law and the Psychology"—Spencer is a Cambridge fellow and Dr. Rhona Flin is a psychologist at the Robert Gordon's Institute in Aberdeen. In their book, published by Blackstone Press earlier this year, they said about evidence given by children:

> "It is now almost 400 years since James VI of Scotland became James I of England, and nearly 300 years since the Act of Union: yet little knowledge about the Scottish legal system seems to have spread south of the Border. In Cambridge University Library there has been a copy of Dickson's classic treatise on the law of evidence in Scotland since 1864, and when the first author consulted it in 1989, he found that every page remained uncut!"

I believe that if the English were more familiar with our system of children's hearings, which was set up in 1971, they would establish something akin to that system in England. It is a matter of considerable regret to me that, despite a near consensus in the House, the Government have failed to use the Children Act 1989 as a step towards the creation of an informal system of courts south of the border. In that regard, England and Wales are some 20 years behind Scotland. However, in the matters dealt with by my new clauses Scotland lags behind England. The Minister is rectifying that to some extent in his new clauses.

In support of new clause 1 and the use of video-recorded interviews with children as evidence, I intend to quote from both the reports that I mentioned. I am disappointed by the Minister's comments on the use of such video-recorded interviews as evidence. I understand that such legislation, involving the use of such video-recorded interviews, will be introduced south of the border. If that is the case, we shall again be lagging behind in Scotland.

I confess that to draw up my new clause I plagiarised the draft Bill that was appended to the Scottish Law Commissioner's report. I make no apology for that, because, among other things, it has elicited a most heartening response on closed-circuit television from the Minister. I still hope to persuade the House on the need for a similar response to new clause 1. My aim is to lessen the appalling burden imposed on children, without harming the interests of the accused.

I think that the Pigot report may lead to new legislation south of the border. On page 69, it states:

"We recommend that at trials on indictment for violent and sexual offences and offences of cruelty and neglect and at comparable trials in the juvenile courts"—

which is the English system—

"video-recorded interviews with children under the age of 14 conducted by police officers, social workers or those whose duties include the investigation of crime or the protection of the welfare of children should be admissible as evidence. Where the offence charged is of a sexual nature this provision should extend to child witnesses under the age of 17".

That is a radical proposal, but I accept it wholeheartedly.

At page 18, paragraph 416, the Scottish Law Commission's report said:

"On the whole matter we accordingly recommend: 10(a) where a child has been cited to give evidence in a criminal trial, whether under solemn or summary procedure, it should be competent, as an alternative to adducing the child as a witness in court, to take the evidence of that child on commission prior to the date of the trial or, exceptionally, during the course of the trial."

This excellent report goes on:

"(b) the taking of evidence on commission should, so far as practicable, take place in a room which is congenial and non-threatening so that the child may feel at ease during the proceedings."

I heartily endorse that recommendation.

The video-recorded interviews to which I refer are far removed from precognitions under Scottish law. Precognition is

"The preliminary examination of witnesses or persons likely to know about the facts of a case, in order to obtain, with a view to trial, a general knowledge of the available evidence; especially in criminal law, an examination by a procurator-fiscal of those who can give evidence regarding a crime or offence (in older practice conducted by or before a sheriff or other judge ordinary)".

That quotation is taken from "The Oxford English Dictionary", second edition, volume XI. "The Concise Scots Dictionary" simply states that precognition is

"a statement made by a witness during this investigation."

Such precognitions are usually conducted by ex-police officers, but it is not unknown for others to carry out such work, even though they may have had no training. The video-recorded interviews provided for by my new clause 1 would have to be spontaneous and voluntary. They should certainly not be based on interrogation and they should not be conducted by over-zealous professionals. I recognise that there are major difficulties; they do not have to be pointed out to me by the hon. and learned Member for Fife, North-East (Mr. Campbell), or by my hon. and old Friend the Member for Glasgow, Garscadden (Mr. Dewar). Precognitions have always caused difficulties for our courts.

I am reminded of Lord Justice Clerk Thomson's comment in Kerr v. H.M. Advocate, Scottish Law Times 1958, volumne 82. He said that

"Precognosers as a whole appear to be gifted with a measure of optimism which no amount of disillusionment appears to damp."

As with precognitions, the interviews of children present problems because of their limited powers of conversation and their immaturity.

In the Butler-Sloss report the observation is offered that

"Not all members of the judiciary"—

this is the English judiciary—

"are in favour of video recordings."

That comment, however, appears to be based on anecdotal evidence, perhaps obtained during conversations with fellow judges over a glass of sherry. No research evidence is offered in that report for the reservation concerning video-recorded interviews being used as depositions.

The commissioner to whom the Law Commission refers would need to be chosen carefully, perhaps initially from the ranks of reporters to the children's panels. I have every confidence in their integrity. My hon. Friend the Member for Garscadden will readily agree with that comment, because he was employed for a short time as a reporter. Professionals of that kind could, in the early days, take on the role of commissioner in order to obtain such evidence. A young child is much better able to remember dreadful incidents shortly after the perpetrator has committed them rather than in a courtroom six, eight, 10 months, or even a year or 18 months later. That is why I say that video-recorded interviews should be used as evidence in such cases.

I regret that we are dealing with these important issues on Report. They are worthy of lengthy and tough-minded debate. There are cases under investigation in Scotland to which I cannot refer because they are sub judice. However, they have aroused a sense of horror and repugnance among all decent-minded people throughout the land, despite the conservative reservations of lawyers. I have much respect for lawyers, despite some of the observations that I have made, but, by heavens, they form part of a conservative profession. They always offer, as the Minister has done, the classic conservative argument that the moment is not right for change, that the moment is not propitious. It is the classic argument of the conservative lawyer, irrespective of political affiliation.

New clause 2 provides for the use of screens. Again the Scottish Office is lagging behind the English. I refer to Home Office circular 61/1990, published in August 1990. The title of the circular is

"Use of Screens in Magistrates' Courts."

That circular was sent to the clerk to the Magistrates' Courts Committee and to clerks to the justices, with a copy for the chairmen of the bench, for information. The circular has also been sent to the chief officers of police in England and to the chief probation officer. The circular says about screens:

"The purpose of this circular is to bring to the attention of courts a recent decision of the Court of Appeal on the use of screens in courts in cases of violence and/or sexual abuse involving child witnesses.

2. The Court of Appeal, in the case of R v X, R v Y, R v Z [1989] 'The Times' November 3 ruled that the use of screens was not unfair or prejudicial in order to prevent children from being intimidated by their surroundings.

3. Justices' clerks may also wish to be aware that the Advisory Group on Video Evidence, chaired by Judge Pigot, in its Report published in December 1989 recommended that screens should be used in proceedings in magistrates' courts in cases of violence against and/or sexual abuse of children. This would help child witnesses to bear the burdens of appearance in open court, cross-examination, face to face confrontation with the alleged perpetrator and repeated and unnecessary worry about matters which may be extremely distressing or even traumatic."

If the measure is regarded as necessary for English children, why is it not necessary for Scottish children?

During the summer recess, which was not all holiday for hard-working Members of Parliament, I examined—not with an architect's eye but with a shipwright's eye—all the court rooms in the sheriff courts in Edinburgh. On some occasions I sat in on cases. I have examined all the High Court courtrooms and the courtrooms in the sheriff court in Glasgow. That court must be the most modern in Scotland. God knows what the architects were thinking when they placed the witness box in each of those courts within 12 or 15 ft of the dock.

5 pm

In those circumstances, young children may have to give evidence about members of their family—their nearest and dearest—within three or four yards of the accused. If the English can introduce screens and such a circular can be sent out by the Home Office, why cannot the Minister send a similar circular to Scottish sheriffs?

On page 19, paragraph 4·17 the Law commission report says:

"we expressed considerable reservations about the use of screens as a means of concealing an accused from the sight of a child who is giving evidence in court. Those reservations were based, first, on a concern that screens might not in fact be effective in reducing a child's anxiety".

I recognise and reaffirm the distinctiveness of our legal system, but in this case we in Scotland have a good deal to learn from the English experience, just as they have a good deal to learn from our excellent system of children's hearings. Screens could be used in some of our courts and, given the architecture of those courts, they would provide an essential protection for children.

As I have said, I have no wish to continue with new clause 3 in the light of the Minister's comprehensive new clauses. However, although I am heartened by the Minister's new clauses, I am deeply disappointed and saddened by his obduracy about the use of screens. He is a courteous and civilised adversary in debates, but, in the light of the Home Office circular to English magistrates, I am appalled at what appears to be a contradiction between what he said in the House last night—column 1060 of *Hansard*—about the use of video evidence and what he has said today. I am fairly confident that it is a genuine mistake. Like many other hon. Members and many people outwith the House, he has confused closed circuit television links with video recordings. I do not think that there is any such thing as a video link. He is talking about a closed circuit television installation that allows a child to give evidence while sitting in congenial surroundings in a room adjourning the court. There cannot be a video link in those circumstances.

The video-recorded interview is a change. It has been argued for by police officers, police surgeons, social workers and the Royal Scottish Society for Prevention of Cruelty to Children. I visited the society's unit in the east end of Glasgow last week. It has a video camera with a two-way mirror. I do not know why they are called two-way mirrors because those being observed cannot see the observers. People such as Norman Dunning and Sam McTaggart of the RSSPCC should be allowed to interview a child following abuse or an assault. That interview should be used in its entirety as a production and should be admissible as evidence. The aim is to reduce the appalling distress that is inflicted upon children following such abuse.

Apparently my new clause has some technical deficiencies, but, if the Minister were to produce something along similar lines, I believe that it would lead to a significant improvement in the rehabilitation and treatment of children caught up in horrendous circumstates. Also it might persuade mothers, in some cases the fathers, or those responsible for the care and protection of children to come forward so that the alleged perpetrator may be proceeded against.

My response to the Minister is mixed. I am pleased with his new clause concerning closed circuit television, but I am deeply disappointed, indeed angered, over his obdurate response to my new clause 1. He still has a chance to change his mind about my new clause.

Mr. Dewar: There was some laughter when the Minister said that he had consulted the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) about new clause 24. There was a voice from afar, a sort of thought transference, as the hon. Member for Tayside, North (Mr. Walker) told us of the hon. and learned Gentleman's support for this proposition. It meant no disrespect to the hon. and learned Member for Perth and Kinross, but the Minister has spent all his time in Committee disagreeing with him on everything and it seems odd that he should now pray in aid his agreement as a conclusive argument.

Lord James Douglas-Hamilton: All advocates at the Bar will recognise that my hon. and learned Friend the Member for Perth and Kinross is an exceptionally experienced criminal lawyer. He has had immense experience in the courts. The hon. and learned Member for Fife, North-East (Mr. Campbell) has been his junior counsel, as have my right hon. and learned Friend the Secretary of State for Scotland and I.

Mr. Dewar: I accept that. I do not wish to spend my time discussing the hon. and learned Gentleman's views except to say that I am not surprised that he supports new clause 24. I should have thought that he would have great doubts about new clause 26, which deals with identification procedures, but I shall come to that.

This is an important announcement. It has come late in our proceedings and I regret that, because we have no opportunity for amendment. My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) might have made more progress if this had been carried out on a different timetable. I pay tribute to my hon. Friend, who, as we know, has long been involved in this matter. He has done an enormous amount of hard work and has shown tremendous interest and commitment in the cause of helping children through the stressful and difficult occasion of having to give evidence in court. The change in views must owe something to my hon. Friend's work and efforts.

I speak perhaps from a prejudiced position. For a short period, I earned my bread and butter as a defence lawyer, practising mainly in the criminal courts. As a counterweight to that, I spent five years as a reporter to the children's panel, which might have given me a rather different perspective. I welcome the new clause on the use of television links to take the evidence of children. I hope that it will work well, because it is important to protect children in that difficult position.

We have heard much about the Scottish Law Commission report, which was published in February and is the fundamental basis of this debate. I agree with my hon. Friend the Member for Greenock and Port Glasgow about the fundamental point made in paragraph 4.8, which says that there is

"a range of available options from which can be selected the one which appears likely to be the most beneficial in a given case."

There were three available options, and I have some sympathy with the point about the reasons why one of the three has been selected. However, the Minister's argument was not clear on that point.

The Minister should say more about pre-trial deposition, the use of screens and why it was decided not to proceed with them; there is some confusion. My hon. Friend the Member for Greenock and Port Glasgow made a strong plea on pre-trial deposition, but what he was advocating in his new clause is different from what the Law Commission advocated in its report. He kept saying that it is an excellent report and that it should be implemented, but the key to pre-trial deposition is that it is not just a recorded voluntary statement by the child but a formal examination of the child. A key factor recommended by the Law Commission was that there should be cross-examination of the child by the solicitors appearing for the Crown and defence which should take place at the latest possible date and as near to the trial date as is administratively possible. That is very different from what my hon. Friend was advocating. I do not want to enter into the details of that point because of the constraints on time, but pre-trial deposition can be interpreted in rather different ways. I sympathise with my hon. Friend the Member for Greenock and Port Glasgow about the use of screens and the Minister should say a little more about them.

It came as a surprise to me that closed circuit television was now selected for debate in this way, and I stress the word "now", because, as anyone who has the most cursory interest in this matter will recognise, it has a curious history. Paragraph 4.28 of the Law Commission's report says:

"In the Discussion Paper"—

that was the basis of its findings—

"we suggested that live closed circuit television should not be introduced in Scotland as a means of enabling child witnesses to give their evidence. Our principal reason for reaching that conclusion was that we considered that a child who was too frightened to give evidence in court was unlikely to be any less frightened if required to sit in a distant room, surrounded by a mass of cameras and screens . . . No doubt in view of the negative position which we ourselves had adopted at that stage, the majority of consultees simply agreed with us without making any further comment."

The Law Commission came down decisively against the proposition that it then advocated in its final report because, as I understand it, it reached the conclusion in paragraph 4.31 that

"a closed circuit television arrangement along the lines which we have described appears likely to be helpful."

Paragraph 4.29 says that English experience

"has persuaded us, first, that a closed circuit television arrangement need not be obtrusive or threatening from the point of view of the child, and second, that it need not, and does not, present problems from the point of view of judges, counsel and, so far as can be ascertained, juries."

It therefore reached its conclusions on the basis of English experience. I want to make a confession to the House which is probably shared by most hon. Members present: I have not seen the English experience in action. I do not know whether the Minister has done so; perhaps when he replies he will say whether he has.

5.15 pm

I do not want to found too much on this, but perhaps as a corrective and a warning I say that we shall have to monitor this practice carefully. I have seen a report of a solicitor whom I know extremely well and who has very wide knowledge of these cases. He is noted for his work in welfare law and cases involving children. He recently visited Guildford Crown court—he showed much enthusiasm in doing so—and I have the report that he wrote for the benefit of the Law Society. He says that he visited that court in a positive frame of mind. He states that he is strongly in favour of reform and

"Given that I approached this task in that frame of mind I was disappointed by what I saw at Guildford. The most abiding overall impression is that the use of the live television link is very obviously more conducive to an inquisitorial process and is very much out of place grafted on to adversarial proceedings."

He mentions several technical difficulties that he witnessed and records the fact, in a rather legal phrase which may prejudice his testimony in some people's minds, that

"There is no doubt that the use of this television link system generates an aura in the court which is not conducive to a vigorous defence case."

He backed that up from what he saw in that court.

That is one of the difficulties. We are trying to produce such an atmosphere, but, as was fairly acknowledged by my hon. Friend the Member for Greenock and Port Glasgow, the balance must be maintained, and it is sometimes difficult to achieve that.

I do not want to quote that report at length, because it would not be fair to do so, but it is clear that that solicitor, having seen the system in operation, took a rather different view from the Law Commission. We shall obviously have to monitor these matters carefully, although I am certain that we are right to try to strike at the problems of children giving evidence and to create an atmosphere that is fairer and will put them more at ease.

We tend to argue these matters in the context of child abuse cases, but the Government's proposal is available —I stress the word "available"—for any witness under the age of 16. It is perhaps not always true to say that it will be used for a small child who perhaps has been sexually abused by a member of the family.

My hon. Friend the Member for Greenock and Port Glasgow mentioned the excellence of the report, but he will not have forgotten that in paragraph 4.7 the Law Commission states:

"Any new techniques or procedures will, we anticipate, be required in a relatively small number of cases."

I find that a little disappointing. If the Law Commission is right, such new techniques or procedures may not make as big an impact as perhaps some people expect.

I suspect that most of the evidence that is given by children about sexual abuse, perhaps in the home and involving members of their family, will be given not in criminal trials but in children's panel hearing proofs. Although that is not a criminal trial, and although some courts try to put the child at his or her ease, many of the inhibitions and the problems that will exist for the child giving evidence would exist for him giving evidence in a criminal charge. The effect for the child in terms of what may happen and whether he may continue to live at home is perhaps just as traumatic and drastic. We may have to consider how we run our children's hearing proofs because that may become a matter of some importance.

Does the Minister intend to accept the Scottish Law Commission's recommendation in paragraph 4.40 that guidelines should be laid down for the courts on when these television arrangements should be used? Perhaps he feels that it would be better to leave the matter entirely to the discretion of the courts. The hon. Gentleman should say something also about the Scottish Law Commission's recommendation that, if this system is used, it must be founded on an application before the trial by one of the parties to the trial, be it the Crown or the defence.

Presumably, some thought has been given to that aspect. It would be useful to know whether a pre-trial application must be made and when this system will begin to operate.

The report on the Guildford Crown court proceedings referred to a child who was in a separate room with someone who knew that child—I was going to say "minder" but it sounds a little inhuman. In that case, it was the mother. The counsel who conducted the examination-in-chief and cross-examination remained in the court-room. I gather that in Canada counsel go into the room with the child and the whole case is examined there. This is a fundamental difference in approach. I suspect that some of the difficulties on which my colleague reported in the Guildford case may have arisen from the fact that there was a preference for counsel on both sides to speak "from afar" through the television mechanism.

Dr. Godman: One can think of variations. Why not put the accused person or persons in a room adjoining the court, with links to the courtroom? One can think of a number of ways in which life can be made much easier for the child without harming the interests of the accused.

Mr. Dewar: That matter can be discussed. It is a fairly basic principle—this may sound like a lawyer's point—that an accused man or woman is entitled to be present throughout his or her trial. If that person is in another room with a television link, there might be problems. However, I take my hon. Friend's point. All these matters can be discussed.

New clause 26 will be of particular concern to many people involved in court work because it involves identification of the accused. Paragraph 3.7 of the Scottish Law Commission report states:

"The identification of an accused person as the perpetrator of an alleged offence is always an essential matter which the prosecution requires to establish in the course of a trial."

If this is an essential matter, careful arrangements must be made to ensure that identification can be fairly tested and challenged by the defence if it wishes.

I recognise that "dock identification"—to use the Scottish Law Commission's words—has been in disfavour in England and Wales since 1914 and I recognise all its shortcomings. I have often been struck by the fact that it is not very difficult for a person to know who he is supposed to identify if the other person is sitting in the dock between two policemen. Memory may be unreliable after a period has passed and not be as sound when the trial comes around. Identification is important. I accept that in many of the cases in which this procedure may be used, involving allegations of child abuse within a family, identification may not be a big issue. But for all that, there is a much more wide-ranging power in new clause 26 and we must pay some attention to it.

The Scottish Law Commission dealt at some length with this matter and concluded that in a case where there was identification parade evidence or some other recognised identification procedure—perhaps involving a young person and identification from a group of photographs—evidence of that should be lodged as a production 14 days before the trial. The Scottish Law Commission concluded that, during the period before the trial, the defence should have the right to challenge, and if that evidence were challenged presumably identification would have to be made during the trial in a more traditional fashion. That may seem a little clumsy. Clearly, an attempt was made to ensure that there was a right of challenge.

New clause 26 states that where

"the child gives evidence that he recalls having identified, prior to the trial, a person alleged to have committed an offence, the evidence of a third party as to the identification of that person by the child prior to the trial shall be admissable as evidence as to such identification."

How does the defence challenge that identification? The Minister must address himself to that point. The defence can challenge the third party who is giving evidence, but the third party is not the primary person involved. Is it envisaged that, in those circumstances, the child can be cross-examined? Presumably, one would be able to cross-examine the child about the circumstances in which he made the identification.

It is important to establish exactly what is envisaged because the identification may be vital in some cases. Even in sexual abuse cases, assumptions may be made about who is responsible. In my experience, such assumptions are not always justified. Another person may have been responsible, even if the incident took place as described. We all know that identification can be shaken. I know even from my limited and lowly experience in the sheriff court that identification has been decisively shaken under cross-examination in terms of the jury's decision.

I am concerned about new clause 26. I recognise that we do not want to put undue pressure on a child, but some cases relate to charges that are peculiarly damaging to the reputation of the accused and have disastrous consequences. We must be careful to ensure that there is a right to challenge identification evidence. I am not sure whether, on the face of new clause 26, that will apply as well as the Minister would like. I hope that he will comment on that matter.

My fears may be exaggerated. For example, there may be a pre-trial application by the Crown to protect a child. The defence may say, "The essence of our defence is that my witness was not involved. There has been a mistake in identification." The court may take that information into account in deciding whether this procedure is entirely appropriate. There is a difficult balance to strike and there are unanswered questions about the identification issue.

I have taken enough time to express some of my anxieties. We are right to go down this road. I have some sympathy with the screen proposal. I feel that much more work should be done on the matter of pre-trial depositions than is possible during these truncated proceedings. I hope that what the Minister offers will protect the child, remove the threatening majesty of the system, allow the child to speak more freely and in a more relaxed fashion and allow the court to get the truth with more certainty, which is the point of the exercise. It is difficult to strike a balance, but I am happy with the idea that we should introduce these provisions, that we should monitor them carefully and that we should learn from experience and consider what further steps are necessary.

Mr. Menzies Campbell: I have grave reservations about these provisions. Those reservations are in no sense ameliorated by the fact that we are discussing these matters against the background of a time restraint. What we are discussing represents a substantial innovation in criminal procedure and the law of evidence in Scotland.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) spoke with great sincerity and on the basis of

considerable analysis and work. I hope that the hon. Gentleman will not think that my reaction is the automatic reaction that one might expect from someone involved in the law.

I do not claim to have the experience of defending in the criminal courts that the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) has, but I have had the advantage of prosecuting and defending and I suspect that that may entitle me to claim a rather more rounded view of the difficulties to which the new clauses may give rise. The hon. Member for Glasgow Garscadden (Mr. Dewar) has referred to some of those difficulties already. But it is also important to realise that new clause 24 applies not simply to cases involving assaults on children, as its language makes plain. It says that the court will have the power available to it

"where a child has been cited to give evidence in a trial".

That means any trial.

5.30 pm

There may well be cases in which it is not the prosecution but the defence that seeks to take advantage of the new clause. The defence may judge it in the interests of the accused to create the kind of artificiality to which we shall undoubtedly be subjected if the child is in another room while the proceedings of the court are taking place in the courtroom.

One important issue has not been addressed so far. The accused person is not represented by counsel or solicitors in every case; he may choose to represent himself. In such cases, the court is slow to allow anything to happen that may be prejudicial to the accused by reason of the fact that he or she is not legally represented. It has been suggested that we might follow the Canadian model and have counsel or solicitors in the same room as the child witness. The whole purpose of the new clause would be defeated if the accused was representing himself and went with the prosecutor to the room where the child was being kept. The proposal is by no means straightforward.

Moreover, one should not underestimate the difficulties for the prosecutor if the child is to be kept in a room away from the court. Often a stage is reached in a child' evidence at which, for a whole variety of reasons—some of which have been canvassed—the child becomes reluctant to continue and needs to be prompted. Those who have prosecuted in cases that involve children giving evidence know that there are certain devices that one can use. One may adopt a slightly different tone. Within the bounds of proper questions, and not transgressing by the use of leading questions, one may remind the child of some factor that may persuade him to remember his evidence. We should not discount, or be unaware of, the difficulties that may be caused to both prosecution and defence in the ordinary conduct of criminal proceedings if those proceedings are conducted in accordance with the new clause.

The new clause lists a number of factors that the court must take into account in considering whether to allow such an application. Absent from that list of factors is something that is an essential feature of all criminal proceedings—fairness to the accused. As the hon. Member for Greenock and Port Glasgow said, the purpose of this innovation is to prevent children from having to suffer the additional traumatic effects of having to give evidence about extremely unpleasant events in which they may have been involved. But however laudable and desirable that purpose may be, it must always be subordinate to our overriding purpose, which is to convict the guilty and to ensure that the innocent are not convicted. The absence of any reference to fairness to the accused in the critieria set out in the new clause is certainly worthy of note and, in my view, gives rise to some concern.

Like the hon. Member for Garscadden, I am especially apprehensive about the effect of new clause 26. I intervened in the Minister's opening remarks to say so, and you, Mr. Deputy Speaker, had to chide me for the length of my intervention. It was only a reflection of my concern.

Suppose that, on a previous occasion, a child has identified someone who is subsequently charged and who is an accused person in criminal proceedings. It would appear that, however informal the circumstances were, and whatever the nature of the relationship between the child and the person to whom the identification was made, it would be open to that person to come to the court and say that that identification was made.

Those of us who have participated in criminal trials involving children know that there is the constant fear of coaching. Such an identification may well have been made in response to a series of leading questions—to questions of an interrogatory nature and questions that might contain some threat or inducement. Nevertheless, the identification would become admissible in evidence. Moreover, under new clause 26, the fact of the identification having been made would still be a matter on which the child, and the person to whom it was made, could be cross-examined.

No doubt the Minister has given careful consideration to the cases of Muldoon *v.* Her Majesty's Advocate and Bennett *v.* Her Majesty's Advocate and will know the extent to which the High Court of Justiciary has departed from the apparently inflexible rule that identification could be carried out only in the presence of the accused in the course of the proceedings. But I wonder whether careful consideration was given to the effect that this new clause, which is designed to protect children, would have and to the extent to which it may innovate in respect of the principle of fairness to the accused person.

Sir Nicholas Fairbairn (Perth and Kinross): I apologise for not having been here throughout the debate.

I support new clause 24 because I think that it represents the best way of not putting odium upon an accused person. The protection of the accused lies in the fact that there must be an application to justify. It is not a matter automatic; the procedure must be justified by application to the court. That is most important.

I should also like to bring to the attention of the hon. and learned Member for Fife, North-East (Mr. Campbell) something that I did not know until last week. Apparently, in England, an identification in court—which I have always thought pretty suspect—is not valid.

Mr. Campbell: On the latter point, I have never known the hon. and learned Gentleman to be anxious to import into the procedure of the law of Scotland things that take place in England. At the centre of our criminal procedure has been the fact that identification must be live identification, although that was watered down to some extent by the views expressed by the court in the case of Muldoon *v.* Her Majesty's Advocate.

[Mr. Campbell]

In respect of new clause 26, I have tried to illustrate the kind of difficulties that may arise when one embarks on an innovation in the established procedures. The motivation behind such innovations may be of the best but they may raise important and significant issues of principle none the less. I understand that, as the hon. and learned Gentleman said, any application under new clause 24 can be granted only by a court if an application is made to it. The language of the new clause states "on cause shown". I understand that, but, as I said before the hon. and learned Gentleman joined us in the Chamber, fairness to the accused must stand at the centre of our criminal proceedings. My concern is that the absence of an express reference to that among the factors that the court must take into account is a serious omission.

The mood of the House, the country and those who are concerned with these matters is that something should be done to try to assist the giving of evidence by children. It would be churlish and small-minded to try to stand out against that. However, as the hon. Member for Garscadden seemed to imply, I believe that we are embarking upon a substantial innovation that may well give rise to difficulties of which we have not yet conceived in the short time available for our debates.

In those circumstances, there is a substantial obligation on the Minister to give an undertaking that there will be the most careful monitoring of what takes place. On the issues of identification and the effective representation of an accused person, we need an undertaking that those matters will be examined with great care to ensure that no prejudice arises. It would be most unfortunate if, in our anxiety to do well by children, either through inadvertence or omission, we created circumstances that caused great unfairness to accused persons.

As has been said many times, it is a question of balance. I am prepared to take a bet on the balance being established by these provisions. None the less, I feel it important to enter these reservations and to urge the Minister to ensure that this innovation in our law does not pass unmonitored and that its effects are properly taken into account and understood.

Mrs. Margaret Ewing: I intend to be brief, Mr. Deputy Speaker. I wish first to congratulate the hon. Member for Greenock and Port Glasgow (Dr. Godman) on his assiduous work over a considerable period, which has brought this matter eventually to the Floor of the House. It is a pity that we did not have an opportunity to explore this issue in more detail in Committee, because this is a significant innovation. I share the hon. Gentleman's concern because I, too, do not belive that the provisions go far enough. I share his disappointment that pre-trial video depositions are not to be introduced because that would have been a major step forward.

I listened with great interest to the hon. and learned Member for Fife, North-East (Mr. Campbell). I found it difficult to understand many of his technical legal arguments. He seemed extremely pessimistic about the venture upon which our legal system is now embarking. We have a responsibility to take such steps forward. My background is in social work training. Anyone who has read case studies of children who have been physically or sexually abused knows the trauma through which those children have lived and which they are asked to relive time and time again when asked to give evidence.

This week, many people have been thinking about the horrendous case of the 11-year-old girl who was raped in a ward at St. Helier hospital. We must think of the trauma that that girl and her family have undergone. In similar circumstances in Scotland, we would want to ensure that that child and her family would be spared as many difficulties as possible when bringing the accused to justice and to ensure that it never happens again.

From a humanitarian point of view, the provisions are a step forward for children in our society. I not only wish the new clause every success, but hope that its provisions will be extended to take account of the other points raised not only by the hon. Member for Greenock and Port Glasgow, but also by the Scottish Law Commission.

The Minister said that television circuits would be introduced first in Edinburgh and Glasgow. When will that happen? The hon. Gentleman also mentioned monitoring. How long does he envisage the monitoring period lasting? Will it be for a short period or for two or three years? I should like to know how long it will be until a final decision is taken. We should also like to know who will decide whether the experiment has been a success, and the criteria for deciding whether it is a success or a failure.

I know that the Minister will respond positively—I can tell by the look on his face that he intends to refer to these important points. Many people in Scotland are waiting to hear the exact details of his proposals.

5.45 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): I begin by congratulating my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), without whom I am sure that the House would not be discussing these issues. I also want to put on record my great condemnation of the fact that this House saw fit to discuss such relative trivialities as the conduct of the financial affairs of charities for many days in Committee, and yet something as important as this issue has been pushed in at the tail end of our consideration. That is a deplorable sense of proportion. I hope that, when the House is considering a future Scottish law reform Bill, it will give such issues far greater prominence.

I agree with my hon. Friend the Member for Greenock and Port Glasgow that screens could be an important and valuable part of setting a child at ease, reassuring him or her, and making it possible for the child to feel less fear. I hope that we shall see some progress on that in the future.

On the issue of the stage at which a child should be interviewed, I accept that both prosecution and defence must cross-examine the child in the interests of justice. However, I do not understand why anyone should think that that cross-examination should invariably take place as near as possible to the date of the trial. I should have thought that, in most cases, the nearer the date of the interview, carried out by both sides, to the events being complained about, the better. Obviously, when the child already knows the person or persons who are accused, recognition of those individuals is irrelevant. However, when the accused persons are not known to the child, it is clear that the sooner the proceedings take place after the event the more likely it is that the child will properly be able to recall events and to recognise those concerned.

I was once a witness to a crime and reported the person to the police as having long, greasy red hair, of slim build and about 5 ft. 6 in. tall, but if that person had turned up in court a year later with his hair cut and washed and wearing different clothes, I might not have recognised him if he had not been standing in the dock. It is nonsense to expect a child—possibly a young child—to have clear recall many months after an event.

I turn now to the claim that children never tell lies. They are not capable of telling lies involving events that are outside their experience. A child cannot invent something which he or she has never encountered, because a child could not recognise such things. Children do not invent things that they could have learnt about only from pornographic magazines, for example, if they have never set eyes on them. That means that children are likely to be telling the truth. In the Cleveland controversy, in their anxiety to protect persons from unjust accusations, some people were far too prone to go around saying that children generally tell lies about such events. For the reasons that I have explained, I do not believe that.

Although I accept that, in justice to the accused person, the questioning must be partly adversarial, it should be carried out in such a way as to ensure that it is a seeking out of the truth. The adversarial aspect of a normal trial might rattle and unsettle a child and cause him to keep silent. That is to be deplored and it must be avoided.

Not enough account has been taken of the fact that it is not only the court that might intimidate a child. A child witness in a high court or a sheriff court might have to travel a long way to take part in a trial and might have to stay overnight in an unfamiliar setting. He might have to have breakfast in an hotel dining room and sleep in a strange bed—all that can be unsettling, as any parent will know. Since little can be done about these unsettling events, it is all the more important to try to create as much of an atmosphere of confidence as possible for the child.

I was interested to receive in my mail this week—most hon. Members must have received it too—a newsletter from the Scottish Child Law Centre. It contains an inquiry page on which a social worker dealing with a number of abused children who would be appearing in court to testify had asked the writers of the publication what could be done to ease the position of such children. We have already heard about a memorandum that came out in the summer describing some improvements which have already been made, such as people no longer wearing wigs and gowns, but I think that the advice given to the social worker shows that there is a long way to go yet. It was that

"preparation can sometimes be difficult because of lack of consistency in approaches by judges to the protection of child witnesses".

Such inconsistences must be reduced as much as humanly possible. It should not be left to a judge to decide how he or she should approach the protection of child witnesses. I hope for some code of practice on such matters.

The same publication goes on to refer to a Crown office leaflet entitled "Going to Court", which can be helpful, and to a leaflet which is apparently used for children in English courts, entitled "Susie and the Wise Hedgehog go to Court". It seems that that could be used to some extent in Scotland, and such publications should be used for the benefit of young children. In rarefied debates such as this, we often forget about the language in which young children think.

All these aspects must be examined much more thoroughly than is possible in these circumstances. The fact that so many judges are elderly and upper class shows the chasm between them and children who may speak broadest Glaswegian. They may not be able to communicate with each other at all.

I agree with other hon. Members that these measures must be carefully monitored. I hope that, next time we discuss Scottish law reform, we shall draw up a comprehensive programme on how to deal with children in Scottish courts and make it an important part of future Scottish legal legislation, instead of treating the subject at the tail end of a Bill as if children hardly mattered.

Lord James Douglas-Hamilton: This has been an important debate in which the need increased protection of children has been accepted.

The hon. and learned Member for Fife, North-East (Mr. Campbell) asked whether television links were novel. They are not; they are already used in England and Wales, and we shall monitor them carefully.

All courts will be directed in matters concerning fairness to the accused and the interests of justice in all criminal proceedings, so these aspects do not need to be expressly provided for.

I agree about the importance of identification, which the hon. and learned Gentleman and the hon. Member for Glasgow, Garscadden (Mr. Dewar) mentioned. At pre-trial identification, the accused will have the right to be represented, but if his representative wishes to challenge the identification at the trial he is free to do so, and if necessary to examine the child on the identification procedures.

Informal identification is admissible, and the court can take that evidence into consideration, but it is not required to believe it or to decide the case in accordance with it. The court must weigh the evidence.

I have not seen the television rules in operation in England, but my Scottish Office officials certainly have. We shall draw on their assessment and make certain that the procedures and equipment operate effectively in Scotland. The Guildford courts use voice-activated television rather than fixed television, and that confirms the need for careful monitoring.

I was asked whether the procedures would be applied to proof before a children's hearing. The answer is, not at this stage. We have decided that it is appropriate in the first instance to introduce the live television link procedure for child witnesses in criminal trials, but we shall have to monitor that closely, too.

There are views that screens do not operate effectively to reduce a child's anxiety, so the Government want to proceed initially relying on the Lord Justice General's memorandum and advice to judges, and also on live video links. Screens can be used at present with the consent of the accused and the defence.

Evidence on commission is a judicial deposition. There may be difficulties in taking the child's evidence in parts. We think it better in the meantime to take all the evidence at the trial, if necessary using television links.

Subject to consultation with the judiciary, the starting date in Edinburgh and Glasgow will be 1991; and thereafter, following monitoring, throughout Scotland.

The hon. Member for Garscadden asked about regulation. It can be done by Act of Adjournal as appropriate.

[Lord James Douglas-Hamilton]

I was asked whether counsel would be in a court room or in a side room with a child. Counsel would remain in the court room. The television link would provide the link between the court room and the adjacent room where the child was.

I was asked about the Home Office circular which follows an English appeal about the use of screens in English courts. In Scotland, screens have been used successfully with the consent of the accused.

New clause 24 provides for the court to determine whether these circumstances are appropriate to the use of these special procedures. Before the court reaches a decision, it will have to consider an application from one of the parties, and it will be open to the other party to seek to oppose the application if he or she so wishes. If the application is granted and one of the parties subsequently considers that the trial was not fair, it would be open to that party to lodge an appeal.

This is a major step, and I think that we are right to take it, but we are also correct to proceed cautiously, because we must consider not only the protection of the child but also fairness to the accused.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 25

TRANSFER OF CASES IN WHICH CHILD'S EVIDENCE IS TO BE GIVEN THROUGH TELEVISION LINK

'.—(1) Where a sheriff to whom an application has been made under section (*Evidence of children through television link in criminal proceedings*) of this Act would have granted the application but for the lack of accommodation or equipment necessary to achieve the purpose of the application, he may by order transfer the case to any sheriff court which has such accommodation and equipment available, being a sheriff court in the same sheriffdom.

(2) The sheriff court to which a case is transferred under this section shall be deemed to have granted an application under that section in relation to the case.'.—*[Lord James Douglas-Hamilton.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 26

IDENTIFICATION OF ACCUSED BY CHILD

'. Where a court has, or is deemed to have, granted an application made under section *(Evidence of children through television link in criminal proceedings)* of this Act in relation to a child cited to give evidence in a trial, and the child gives evidence that he recalls having identified, prior to the trial, a person alleged to have committed an offence, the evidence of a third party as to the identification of that person by the child prior to the trial shall be admissible as evidence as to such identification.'.—*[Lord James Douglas-Hamilton.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 27

INTERPRETATION OF SECTIONS (EVIDENCE OF CHILDREN THROUGH TELEVISION LINK IN CRIMINAL PROCEEDINGS), (TRANSFER OF CASES IN WHICH CHILD'S EVIDENCE IS TO BE GIVEN THROUGH TELEVISION LINK) AND (IDENTIFICATION OF ACCUSED BY A CHILD)

'. In sections *(Evidence of children through television link in criminal proceedings), (Transfer of cases in which child's evidence is to be given through television link) and (Identification of accused by a child)* of this Act, unless the contrary intention appears—

'child' means a person under the age of 16 years;

'court' means the High Court of Justiciary or the sheriff court; and

'trial' means a trial under solemn or under summary procedure.'—*[Lord James Douglas-Hamilton.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 28

CRIMINAL JURISDICTION OF SHERIFF COURT

'. The following subsection shall be inserted at the end of each of sections 3 and 288 of the Criminal Procedure (Scotland) Act 1975 to form subsection (4) and subsection (5) respectively of these sections—

'( ) Where an offence is alleged to have been committed in one district in a sheriffdom, it shall be competent to try that offence in a sheriff court in any other district in that sheriffdom.'—*[Lord James Douglas-Hamilton.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 29

EXECUTION OF DOCUMENTS BY COMPANIES

'.—(1) For section 36B of the Companies Act 1985 (execution of documents: Scotland) there shall be substituted the following section—

"*Execution of documents: Scotland.*

36B.—(1) This section has effect in relation to the execution of any document by a company under the law of Scotland on or after 31 July 1990.

(2) For any purpose other than those mentioned in subsection (3) below, a document is validly executed by a company if it is signed on behalf of the company by a director or the secretary of the company or by a person authorised to sign the document on its behalf.

(3) For the purposes of any enactment or rule of law relating to the authentication of documents under the law of Scotland, a document is validly executed by a company if it is subscribed on behalf of the company by—

(a) two of the directors of the company;

(b) a director and the secretary of the company; or

(c) two persons authorised to subscribe the document on behalf of the company,

notwithstanding that such subscription is not attested by witnesses and the document is not sealed with the company's common seal.

(4) A document which bears to be executed by a company in accordance with subsection (3) above is, in relation to such execution, a probative document.

(5) Notwithstanding the provisions of any enactment (including an enactment contained in this section) a company need not have a common seal.

(6) For the purposes of any enactment providing for a document to be executed by a company by affixing its common seal or referring (in whatever terms) to a document so executed, a document signed or subscribed on behalf of the company by—

(a) two directors of the company;

(b) a director and the secretary of the company; or

(c) two persons authorised to sign or subscribe the document on behalf of the company,

shall have effect as if executed under the common seal of the company.

(7) In this section "enactment" includes an enactment contained in a statutory instrument.

(8) Subsections (2) and (3) above are—

(a) without prejudice to any other method of execution of documents by companies permitted by any enactment or rule of law; and

(b) subject to any other enactment making express provision, in relation to companies, as to the execution of a particular type of document."

(2) Where, on or after 31 July 1990 and prior to the coming into force of this section, a document was signed or subscribed, in accordance with section 36B(2) of the Companies Act 1985 (as inserted by section 130(3) of the Companies Act 1989), by—

(a) a company; or

(b) a body corporate to which section 36B of the 1985 Act (as so inserted) applied by, under or by virtue of any enactment,

that document shall be deemed to have been validly executed by the company or body corporate in accordance with subsection (2) of section 36B of the 1985 Act as substituted by subsection (1) above.

(3) Where, on or after 31 July 1990 and prior to the coming into force of this section, the presumption in section 36B(3) of the Companies Act 1985 (as inserted by section 130(3) of the Companies Act 1989) applied in relation to a document, that document shall be deemed to have been validly executed in accordance with subsection (3) of section 36B of the 1985 Act as substituted by subsection (1) above, and subsection (4) of that section as so substituted shall apply to the document as if it bore to be so executed.

(4) For the avoidance of doubt, in determining, for the purposes of subsection (3) above, whether the presumption in section 36B(3) of the Companies Act 1985 (as inserted by section 130(3) of the Companies Act 1989) applied in relation to a document, the reference in section 36B(2)(b) of the 1985 Act (as so inserted) to the last page shall be construed as a reference to the last page of the document excluding any inventory, appendix, schedule, plan or other document annexed to the document.

(5) Any reference to section 36B of the Companies Act 1985 (however expressed) in any enactment (including an enactment contained in a statutory instrument) shall be construed as a reference to section 36B of that Act as substituted by subsection (1) above.'—*[Lord James Douglas-Hamilton.]*

Brought up, and read the First time.

Lord James Douglas-Hamilton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to discuss Government amendments Nos. 129 to 135.

Lord James Douglas-Hamilton: The clause has the full support of the Law Society of Scotland. It deals with a complex legal point. It has unanimous support, and it is important for lawyers' practising in commercial law in Scotland.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Mr. Deputy Speaker: We now come to new clause 5. I call Dr. Norman Godman.

Dr. Godman: With a heavy heart, not moved.

New Clause 9

PROCEDURE AT TRIAL OF PERSONS SUFFERING FROM MENTAL DISORDER

'(1) Sections 174 (Insanity in bar of trial or as the ground of acquittal) and 376 (Power of court to order hospital admission or guardianship) of the Criminal Procedure (Scotland) Act 1975 shall be amended as follows—

(2) After subsection (3) of section 174 there shall be inserted the following subsection:—

"(3A) An Order made by a Court in pursuance of the last foregoing subsection, concerning the detention of a person in a State hospital or such other hospital specified, shall cease to have effect if the person the Order refers to is reprosecuted and the case disposed of by a Court."

(3) After subsection (1) of section 376 there shall be inserted the following subsection:—

"(1A) An Order made by a Court in pursuance of the last foregoing subsection, concerning the detention of a person in a hospital or the placing of a person under the guardianship of a specified local authority or person, shall cease to have effect if the person the Order refers to is reprosecuted and the case disposed of by a Court.".'.—*[Mr. Menzies Campbell.]*

Brought up, and read the First time.

6 pm

Mr. Menzies Campbell: I beg to move, That the clause be read a Second time.

I shall try to adopt the spirit of the proceedings. The clause is important but I shall try to deal with it briefly. It seeks to address an issue that has been brought to my attention by Dr. Derek Chiswick, an eminent consultant forensic psychiatrist at the Royal Edinburgh hospital. It seeks to deal with the circumstances that may arise if an accused person is found insane in bar of trial under solemn procedure and is thereafter automatically committed to the state hospital at Carstairs without limit of time by virtue of the provisions of section 174 of the Criminal Procedure (Scotland) Act 1975. When such a person subsequently becomes sane and fit to plead, he may be brought back to be reprosecuted. However, there is now an automatic procedure whereby the original hospital restriction orders are terminated after reprosecution. Thus it may be the case that accused persons acquitted after reprosecution could, theoretically at least, find themselves still liable to be detained without limit of time in the state hospital at Carstairs.

Along with two other eminent colleagues, Dr. Chiswick has written a helpful article on this matter in the *Psychiatric Bulletin* 1990, volume 14, pages 208-10. That article sets out precisely the kind of circumstances to which I have referred and draws attention to two cases, one arising from proceedings in December 1986 at the High Court in Edinburgh and the second in January 1985 at the Dunoon sheriff court. In each of those cases there was reprosecution. In the first case the accused was acquitted by reason of the judge determining that there was insufficient evidence against her to allow the case to continue and the prosecution to proceed. The second case was slightly different, but in both cases it was necessary for the Secretary of State to authorise an absolute discharge some time after the second set of proceedings had been concluded. I understand that in England and Wales there is a power, similar to the one sought by the new clause, in the Criminal Procedure (Insanity) Act 1964.

[Mr. Menzies Campbell]

As the Minister will readily appreciate, the new clause applies not only to solemn proceedings but to summary proceedings. That is precisely the kind of issue which a Law Reform (Miscellaneous Provisions) Bill should address, and it should find favour with the Minister because it involves what I suppose one might describe as a tidying up of the legislative situation in Scotland. Such a situation has not arisen in England because of relevant statutory provisions. I urge the Minister to give the new clause a favourable reception. It can hardly be regarded as contentious and would remove a statutory anomaly which the two cases referred to by Dr. Chiswick and his colleagues plainly demonstrate is urgently required.

Lord James Douglas-Hamilton: The hon. and learned Gentleman has raised an extremely interesting matter. I have considerable sympathy with what he is trying to achieve and there is some force in the new clause. I shall look carefully at the matter with a view to dealing with it comprehensively at an appropriate time in the future. I am grateful to the hon. and learned Gentleman for raising the matter.

Mr. Menzies Campbell: If the Minister would give a little more urgency to

"an appropriate time in the future"

I should be satisfied, because cases clearly have arisen and may be likely to arise at any time. The longer the delay, the more likely is the continuation of this statutory anomaly. If the Minister will inject a note of urgency into his undertaking, I shall not find it necessary to press the matter.

Lord James Douglas-Hamilton: We shall do our best in the light of what is possible.

Mr. Menzies Campbell: I do not wish to be seen as unreceptive to the Minister's generosity but he could do a little better than that. He is like the drowning man, and I offer him a third and last opportunity to say that the matter will be treated urgently.

Lord James Douglas-Hamilton: I cannot commit the Government to immediate legislation. I do not know exactly what will be in the Queen's Speech, although its terms will soon be revealed. Obviously, we shall do our best.

Mr. Menzies Campbell: I accept that. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 19

SETTING ASIDE OF CONVICTIONS

'In section 453 of the Criminal Procedure (Scotland) Act 1975 (consent of prosecutor to set aside the conviction) the words in subsection (3) "not exceeding £40·00" shall be deleted and the words ", the amount of which to be decided at the discretion of the Court," added.'.—*[Sir David Steel.]*

Brought up, and read the First time.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): I beg to move, That the clause be read a Second time.

I express my gratitude to Mr. Speaker for selecting this new clause. It was not in the provisional selection list yesterday, but Mr. Speaker paid some heed to my representation which was, in short, that one of the purposes of our being here at all is to seek the redress of grievances. The new clause seeks such a redress which cannot be achieved for one of my constituents, whose case I shall shortly outline. However, it will be of benefit to others who find themselves in a similar position.

Time is short and I shall not go into the details of the case. Suffice it to say that in 1987 a constituent living in Melrose was convicted in the Clydesdale district court in Lanark on a charge of speeding. Some two years later it came to light that the conviction was an error and should not stand. He then received a letter from the procurator fiscal in Lanark setting out the procedure to be adopted in order to appeal by way of bill of suspension. It was explained to him that the procedure is laid down in section 453 of the Criminal Procedure (Scotland) Act 1975. That is the section which I seek to amend. This is the only procedure that Parliament has provided for such cases where a conviction is in error and the Crown, like everyone else, must follow it.

The procedure is relatively straightforward. In particular, the parties do not require to be heard in a court at all and the matter can be dealt with expeditiously by a judge sitting in chambers. Section 453(3) of the Act allows expenses not exceeding £40 to be awarded to the appellant and paid by the Crown. My constituent pursued this procedure and his solicitor's fees were a not unreasonable £170. He was therefore out of pocket in achieving the lawful redress of his grievance which Parliament has allowed. I took the matter up with the Lord Advocate and had a helpful reply from the Solicitor-General. It states:

"I recognise that in fact your constituent was left out of pocket. I have noted this point and can reassure you that any future review of procedure will consider whether this particular aspect can be further simplified in some way."

I received that letter during the summer recess. It seems wrong to allow a miscellaneous provisions Bill of this kind to go through the House without taking the opportunity to put this matter right since it is acknowledged by the Crown Office that an amendment should be made.

The 1975 Act allowed for expenses of £20 and by statutory instrument in 1984 that was raised to £40. I am assured by those who know about these things that inflation alone means that in real terms £40 in 1984 should now be £150. My basic point is why we have a fixed sum in the principal Act at all. My proposal is that the expenses awarded to an aggrieved person should be at the discretion of the court. I do not think that that discretion would be used irresponsibly. The new clause is a sensible amendment to the criminal law of Scotland and the House should seize the opportunity to adopt it.

Lord James Douglas-Hamilton: The right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) described the position accurately. I was interested to hear the details of his constituent's difficulties. The amount of compensation—£40—was set by statutory instrument in 1984, and the time may have come to review that figure. When it was set, it represented an appropriate limit on expenses. In the light of the circumstances mentioned, I propose to consider—in consultation with interested parties and taking account of the terms of the 1975 Act, which enables the Secretary of State to substitute a new sum, having regard to the changes in the value of money —what adjustment is necessary by means of a further statutory instrument.

The right hon. Gentleman wanted me to go a little further and consider whether this matter could be dealt with more thoroughly by further legislation. I will consider that matter in the future, but the immediate option is a statutory instrument, and that can be proceeded with relatively quickly.

Sir David Steel: I shall press the Minister on two points. First, this is not compensation—the hon. Gentleman may have made a slip of the tongue—because we are talking about the expenses incurred by an aggrieved individual in seeking redress of a grievance. My contention is that, within reason, these expenses should be met. It is far better for a court to judge that matter than for the House to judge it in abstract.

Secondly, if I simply accept the Minister's assurance on a statutory instrument, I shall not have done my duty. We all know the pressure on both the Scottish Office and the time of the House. How do we know when a statutory instrument will be introduced? The erosion of money values since 1984, when the matter was last examined, is serious. Would it not be more simple to accept the principle that the court should determine the right limit on expenses, rather than establishing a sum that has to be constantly updated by statutory instrument? I hope that the Minister will give me a rather more cheerful reply.

Lord James Douglas-Hamilton: I hope that we can introduce a statutory instrument before too long. There should be no problem.

On the second point, before we introduce any legislation, it will be necessary to consult the interested parties.

The right hon. Gentleman has raised relevant points and we shall consider them carefully.

Sir David Steel: Is the Minister saying that a statutory instrument will be introduced fairly quickly?

Lord James Douglas-Hamilton: Yes.

Sir David Steel: On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 59

BLOOD AND OTHER SAMPLES IN CIVIL PROCEEDINGS

Lord James Douglas-Hamilton: I beg to move amendment No. 102, in page 63, line 7, leave out 'direct' and insert 'request'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take Government amendments Nos. 103 to 107.

Lord James Douglas-Hamilton: These are technical amendments on DNA, and I commend them to the House.

Mr. Dewar: I accept that these are technical amendments, but they relate to an important clause, which introduces into civil actions in Scotland a new power, which will probably be brought into play most commonly in paternity cases. The DNA test, or genetic fingerprinting, allows deciding the truth of the matter to be put beyond any significant chance of error. I was pleased when the new clause that I moved in Committee on this subject was accepted by the Government. I hope that it will end the bitterness and humiliation that is all too often built into paternity cases. I have been involved in such cases—in a professional sense—and they are not a pleasant experience.

The Committee and the House spent some time on the protection of children giving evidence in court, and spoke of the stress put on them. There is a strong case for introducing the change set out in this clause as it protects those who might otherwise become entrenched combatants in paternity cases. I am delighted that this will reach the statute book, and it is a worthwhile part of the Bill.

Will the Minister say something about commencement? I know that there is a citation and commencement clause in the Bill—clause 62—under which certain parts of the Bill come into force within two months, beginning with the date on which the Act is passed. Clause 59 is not one of them, which means, as I understand clause 62(2), that it will be brought into force.

"on such day as the Secretary of State may appoint by order made by statutory instrument".

This is not just idle curiosity. I have had inquiries, in particular from solicitors who have an active interest in this machinery, about when the commencement order will be laid. It would be useful if the Minister could help me on that point.

6.15 pm

Lord James Douglas-Hamilton: It will come into force two months after Royal Assent. I understand that this is covered in the clause.

Mr. Dewar: Can I press the Minister on that point? I may be becoming obtuse and goitered in my old age——

Mr. Menzies Campbell: That is not true.

Mr. Dewar: Thank you for that loyal all-party vote of confidence from behind me.

Clause 62 refers to the provisions of part III, which is the licensing part, and says that it and

> "section 55 of this Act and so much of section 61 as relates to those provisions; and
>
> (b) section 56 of this Act and paragraphs 21 and 32 of Schedule 7 to this Act,

shall come into force at the end of the period of two months beginning with the day on which this Act is passed."

Therefore, clause 59 is not included, so it must be covered by clause 62(2), which provides that it will commence when an order is laid before the House. If the Minister is saying that he intends to lay an order so that the clause will be brought into effect two months after the passing of the Act, I am happy with that, but that seems an unlikely promise, so I should like him to confirm it.

Lord James Douglas-Hamilton: I can confirm that that is the intention. I believe that we can proceed along those lines under the terms of the Bill. There should be no problem and the provisions will commence two months after the passing of the Act.

Mr. Dewar: I am obliged.

Amendment agreed to.

Amendments made: No. 103, in page 63, line 13, leave out 'direction' and insert 'request'.

No. 104, in page 63, line 14, leave out 'given' and insert 'made'.

No. 105, in page 63, line 16, leave out 'directed' and insert 'requested'.

No. 106, in page 63, leave out lines 22 to 28 and insert—

[Mr. Dewar]

'(3) In section 6 of the Law Reform (Parent and Child) (Scotland) Act 1986 (determination of parentage by blood sample)—

(a) in subsection (1), for the words "blood sample" there shall be substituted "sample of blood or other body fluid or of body tissue"; and

(b) in each of subsections (2), (3) and (4), for the words "a blood" there shall be substituted "such a".'

No. 107, in page 63, line 31, leave out 'Act' and insert 'section'.—*[Lord James Douglas-Hamilton.]*

Clause 62

Citation, commencement and extent

Lord James Douglas-Hamilton: I beg to move amendment No. 58, in page 64, line 12, leave out 'subsection (3)' and insert 'subsections (3) and (3A)'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 59.

Lord James Douglas-Hamilton: These amendments put the law back to what everyone thought that it was. I commend them to the House.

Mr. Dewar: We have made such good progress so suddenly and unexpectedly that I can allow myself the luxury of asking a question. As I understand the situation, the means test courts have been operating in a way that is not justified by the law of Scotland, so that these amendments give them the powers that they always thought that they had to act in the way that they have always acted. If that is the position, I am curious about what happens if someone challenges the competence of what the courts have been doing. Will it be necessary to allow for compensation, or to make provision to undo the damage that has been done if, for example, someone has gone to prison as a result of this misunderstanding of the law? I am in favour of things being put right, but will the Minister say a word or two about the consequences for those who were dealt with under a misapprehension?

Lord James Douglas-Hamilton: I do not think that there will be a problem. The amendments clarify the position. They implement the provisions to empower the means inquiry courts to allow a fine defaulter more time to pay his or her fine and at the same time to impose a period of imprisonment in the event of future default. As hon. Members know, a recent High Court ruling cast doubt on this practice and the necessary clarification was agreed unanimously in Committee. It is right, as the courts in Scotland are conducting means inquiries daily, that the legal position should be clarified as soon as possible.

Mr. Menzies Campbell: Has anybody been sent to prison as a result of non-payment of fines on a misunderstanding of the legal powers of the sheriff?

Lord James Douglas-Hamilton: I will have to check on that, but not to my knowledge. The point is that doubt was cast on the process by a High Court ruling, so that it was necessary to clarify the matter to make certain that that would not happen.

Amendment agreed to.

Amendments made: No. 108, in page 64, line 19, leave out 'section 56' and insert 'sections 56, 59 and *(Effect of mental incapacity on powers of attorney etc.)*'.

No. 59, in page 64, line 22 at end insert—

'(3A) Paragraph 27(4) of Schedule 7 to this Act shall come into force on the day on which this Act is passed.'

No. 129, in page 64, line 23, leave out 'subsection (5)' and insert 'subsections (4A) and (5)'.

No. 130, in page 64, line 23, at end insert—

'(4A) Section *(Execution of documents by companies)* of this Act, paragraph 31A of Schedule 7 to this Act and Schedule 8 to this Act so far as relating to the Companies Act 1985 and the Companies Act 1989 extend also to England and Wales.'—*[Lord James Douglas-Hamilton.]*

Schedule 1

Scottish Conveyancing and Executry Services Board

Lord James Douglas-Hamilton: I beg to move amendment No. 60, in page 65, leave out from 'securing' in line 17 to end of line 23 and insert—

'(a) that members of the Board have expertise or knowledge of—

(i) the provision of conveyancing and executry services;

(ii) the financial arrangements connected with the purchase and sale of heritable property;

(iii) consumer affairs; and

(iv) commercial affairs; and

(b) that, so far as is reasonably practicable, the composition of the Board is such as to provide a proper balance between the interests of, on the one hand, qualified conveyancers and executry practitioners and, on the other hand, those who make use of their services.'

The amendment fulfils an undertaking that I gave in Committee to the hon. Member for Glasgow, Garscadden (Mr. Dewar).

Mr. Dewar: I shall be brief, but the amendment is worth comment. I thank the Minister for honouring his undertaking on a quite significant matter. As the hon. Gentleman knows, the Scottish Consumer Council pressed hard for the amendment, and it was right to take an interest in the executry board's membership. The amendment brings us into line with the phraseology that appears in the Courts and Legal Services Bill, which is the English equivalent. The important point is that, in appointing members to the board, the Government are committed to ensuring that

"as far as is reasonably practical, the composition of the Board is such as to provide a proper balance between the interests of, on the one hand, qualified conveyancers and executry practitioners and, on the other hand, those who make use of their services."

It is important to maintain that balance. There is a danger, which we could fall into unintentionally, of appointing to the board only people with technical skills, so that the board ends up with a collection of lawyers, qualified conveyancers and suchlike. Of course they have an important contribution to make, but it is valuable to put in statute a burden on the Government to keep in mind the need for proper representation of those who consume the services—not in a token manner, but as a means of ensuring a proper balance. I understand that to be more than someone being a lone individual playing a lone role against the serried ranks of those who may—not in a vicious, but in a practical sense—have a vested interest in the profession that is being regulated. It is a worthwhile provision, and I thank the Minister for including it.

Amendment agreed to.

Lord James Douglas-Hamilton: I beg to move amendment No. 61, in page 66, line 6, at end insert—

'(2) Where a person ceases to be a member of the Board otherwise than on the expiry of his term of office, and it appears to the Board that there are special circumstances which make it right for that person to receive compensation, the Board may, with the consent of the Secretary of State, make a payment to that person of such amount as the Board may, with the consent of the Secretary of State, determine,'

Mr. Deputy Speaker (Sir Paul Dean): With this we may discuss Government amendments Nos. 62, 68 and 109.

Lord James Douglas-Hamilton: These are technical amendments relating to the payment of pension provisions for the ombudsman.

Amendment agreed to.

Amendments made: No. 62, in page 66, line 13, leave out

'by way of compensation for loss of employment' and insert '(including pensions, allowances or gratuities by way of compensation to or in respect of any such employee who suffers loss of employment).'

No. 63, in page 68, leave out lines 14 to 17 and insert—

'18. The Board may exercise the power conferred by paragraph 18A below for the following purposes—

(a) an inquiry under subsection (1) of section 18 of this Act;

(b) a review of a decision by virtue of subsection (10)(a) of that section; and

(c) consideration by the Board whether to exercise the powers conferred on them by section (*Board's intervention powers*) of this Act.

18A. The Board may give notice in writing to a practitioner specifying the subject matter of their investigation and requiring either or both of the following-'.

No. 64, in page 68, line 21, leave out 'inquiry' and insert 'investigation'.

No. 65, in page 68, line 24, leave out 'inquiry' and insert 'investigation".

No. 66, in page 68, line 25, leave out '18(a)' and insert '18A(a)' .—*[Lord James Douglas-Hamilton.]*

Schedule 2

PUBLICATION OF APPLICATIONS MADE UNDER SECTION 22

Lord James Douglas-Hamilton: I beg to move amendment No. 67, in page 69, line 4, after 'a' insert 'daily'.

This is a simple amendment that responds to a point raised by the hon. and learned Member for Fife, North-East (Mr. Campbell). Originally it was tabled as amendment (a), but another, controversial amendment was also marked (a), and the two were confused. I promised to put the matter right on Report.

Mr. Menzies Campbell: Perhaps I might be allowed a small moment of self-congratulation. This amendment is the only material alteration that I have made during the passage of the Bill. It may be a case of "Si monumentum requiris, circumspice."

Amendment agreed to.

Schedule 3

SCOTTISH LEGAL SERVICES OMBUDSMAN

Amendments made: No. 68, in page 69, line 25, at end insert—

'(2) Where a person appointed to the office of ombudsman ceases to hold that office otherwise than on the expiry of the term of office specified in his appointment, and it appears to the Secretary of State that there are special circumstances which make it right for that person to receive compensation, the Secretary of State may, with the consent of the Treasury, make a payment to that person of such amount as the Secretary of State may, with the consent of the Treasury, determine.'

No. 109, in page 69, line 29, leave out from 'remuneration' to end of line 30 and insert

'and as to compensation for loss of employment (which may take the form of pensions, allowances or gratuities).

4A. Neither the ombudsman nor his staff are, in such capacity, Crown servants.'—*[Lord James Douglas-Hamilton.]*

Schedule 4

JUDICIAL APPOINTMENTS

Mr. Dewar: I beg to move amendment No. 140, in page 70, line 17, leave out

'had a right of audience in both the Court of Session and the High Court of Judiciary'

and insert

'been admitted as a solicitor in Scotland'.

I cannot find the amendment—*[Interruption.]* It is obviously an interesting amendment of great importance. *[Interruption.]* I cannot find it and the House will have to bear with me for a moment. I have found it, and I am confirmed in my opinion that it is an interesting amendment about which the House will no doubt feel strongly. Unfortunately, it is not one that I can debate at any great length in the present circumstances. I shall briefly state my grievance, take it away and nurse it until another occasion.

I accuse the Minister—but not in any unparliamentary sense—of, if not fraud, at least a little sleight of hand. We are dealing with the right of a solicitor to be considered for a place on the bench of the Court of Session. When that was first mooted, I had the impression that any solicitor could be considered, provided that he had met the time qualification of one year in practice. It now appears that, in fact, he must have had right of audience in both the Court of Session and the High Court of Justiciary for the requisite number of years. In other words, he must be one of those strange hybrid animals—a solicitor—advocate. That is unduly restrictive.

Although it will not be common, it is possible that someone such as a senior partner in a big commercial practice, whose views on commercial law, company law and a whole range of issues are widely respected, and who would have the standing that might tempt his brother professionals to ask for his professional opinion, might aspire to that position. I hasten to add that I would never aspire to be, nor ever would be, in such a category. I am not sure that it would be right to say that, if such a person wished to aspire to what is, in many ways, the highest honour in his trade—a place on the bench of the Court of Session—he should have to go through such an odd, and at the moment untried, formula of gaining right of audience in the Court of Session and the High Court of Justiciary.

[Mr. Dewar]

It may be unlikely that someone will be considered for the High Court bench who has not had direct Court of Session experience. However, the spirit behind the widening of the selection was that solicitors should at least be possible candidates and, in exceptional circumstances, might even be chosen. I understand that it is now possible for a solicitor to go to the shrieval bench and therefore come up that way rather than having had active life in the Court of Session.

I shall not press the amendment, but its intention was to make it clear that a solicitor was a solicitor under the new proposals, considered on his merits, who did not have to go through the hoop or over the hurdle of becoming a solicitor-advocate in the way described in the Bill. I do not expect the Minister to accept the amendment, but as we have a few minutes in hand I hope that he will explain why the Bill will rule out a large number of solicitors from consideration—many of whom, I suspect, are the most respected members of the profession, whom many of us might think to be the most appropriate for consideration.

Lord James Douglas-Hamilton: Eligibility of criteria for appointment as a Court of Session judge was discussed in the Secretary of State's consultation paper issued in March 1989. As a result, it was suggested that the application of that principle to situations where solicitors had rights of audience in supreme courts would require the introduction of changes in statute. It was suggested that, if they had rights of audience for five years, they should be eligible. That was widely welcomed by those consulted, including the representative bodies concerned.

The hon. Member for Glasgow, Garscadden (Mr. Dewar) has proposed a major amendment, and in considering it we do not have the benefit of the views of all the different groups and organisations that have an interest in judicial appointments. The response to the consultations last year on behalf of my right hon. and learned Friend the Secretary of State did not suggest that his proposals relating to the eligibility of criteria for judicial appointments were over-restrictive. In fact, the Bill ensures that in future all lawyers, whether advocates or solicitors, who have served as sheriffs principal or sheriffs for five years or more, should be eligible for appointment as a senator of the Court of Justice.

The amendment not only has technical deficiencies, but more importantly it would serve to weaken the eligibility criteria for the most senior judicial appointments in Scotland. Therefore, reluctantly, I must say that I cannot accept it.

Mr. Dewar: The Minister is always a man of charity and I am grateful for the word "reluctantly" in his last sentence. I shall have to be content with that.

I hope that, as the new arrangements unfold—I concede that that will be over a number of years—the restrictions about which I have complained will be reassessed and, perhaps, a more generous and unreluctant view taken of my case.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 70, in page 70, line 35, at end insert

', with the consent of the Secretary of State, and'.

No. 71, in page 71, line 5, at beginning insert 'Subject to paragraph 7A below,'.

No. 72, in page 71, line 6, leave out 'or the High Court of Justiciary'.

No. 73, in page 71, line 12, at end insert—

'7A. A person appointed to be a temporary judge of the Court of Session shall, by virtue of such appointment, be a temporary Lord Commissioner of Justiciary in Scotland.'.

No. 74, in page 71, line 14, leave out 'of the Court of Session or the High Court of Justiciary'.

No. 75, in page 71, line 16, after 'Court' insert 'of Session or the High Court of Justiciary'.

No. 76, in page 71, line 18, leave out 'that' and insert 'either'.

No. 77, in page 71, line 21, leave out 'that' and insert 'the relevant'.—*[Lord James Douglas-Hamilton.]*

Schedule 7

Amendment of Enactments

Lord James Douglas-Hamilton: I beg to move amendment No. 14, in page 86, line 3, leave out '10' and insert '21'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 15, 16 and 17.

Lord James Douglas-Hamilton: This fulfils a commitment that I gave in Committee about time scales on licensing which I think will be acceptable to the House.

Amendment agreed to.

Amendments made: No. 15, in page 86, line 7, leave out '10' and insert '21'.

No. 16, in page 86, line 10, leave out '21' and insert '28'.

No. 17, in page 86, line 14, leave out '21' and insert '28'.

—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 18, in page 86 line 36, after '64' insert—

'(a) in subsection (1), after the words "an entertainment licence" there shall be inserted the words ", a refreshment licence"; and

(b)'.

I can explain the amendment in more detail if hon. Members wish.

Amendment agreed to.

Lord James Douglas-Hamilton: I beg to move amendment No. 78, in page 90, leave out lines 44 to 46.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 85,

Lord James Douglas-Hamilton: This amendment removes redundant references.

Amendment agreed to.

Amendments made: No. 95, in page 90, line 50, at end insert—

'The Community Service by Offenders (Scotland) Act 1978

. In section 4 of the Community Service by Offenders (Scotland) Act 1978 (which, amongst other things, gives the court powers to deal with failure to comply with community service order) there shall be added at the end the following subsection—

"(3) The evidence of one witness shall, for the purposes of subsection (2) above, be sufficient evidence.".'.

No. 110, in page 91, leave out from beginning of line 33 to end of line 14 on page 92 and insert—

'(5) In section 26 of the 1980 Act (offence for solicitors to act as agents for unqualified persons)—

(a) in subsection (1)(c), at the beginning there shall be inserted "subject to subsection (4),";

(b) in subsection (1)(d), at the beginning there shall be inserted "subject to subsection (4),";
(c) in subsection (2), at the end there shall be inserted "or employed by a law centre."; and
(d) after subsection (3) there shall be inserted—

"(4) Subsection (1)(c) and (d) shall not apply in relation to—
(a) writs relating to heritable or moveable property drawn or prepared upon the account of or for the profit of independent qualified conveyancers providing conveyancing services within the meaning of section 20 (interpretation of sections 14 to 19) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990; or
(b) papers to found or oppose an application for a grant of confirmation in favour of executors drawn or prepared upon the account of or for the profit of an executry practitioner or recognised financial institution providing executry services within the meaning of the said section 20.".'—*[Lord James Douglas-Hamilton.]*

6.30 pm

Lord James Douglas-Hamilton: I beg to move amendment No. 111, in page 92, leave out line 17.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 87.

Lord James Douglas-Hamilton: This amendment again honours a commitment that I gave in Committee.

Amendment agreed to.

Amendments made: No. 112, in page 92, line 22, at end insert 'providing conveyancing services'

No. 79, in page 92, line 36, at end insert—

'(7A) In section 42A (powers of Council where inadequate professional services alleged), at the end of subsection (2) there shall be inserted the following paragraph—
"(d) to direct the solicitor to pay to the client by way of compensation such sum, not exceeding £1,000, as the Council may specify.".'

No. 80, in page 93, line 7, at end insert '(a)'.

No. 81, in page 93, line 10, at end insert—
'and
(b) after subsection (2)(c) there shall be inserted the following paragraph—
"(d) to direct the solicitor to pay to the client by way of compensation such sum, not exceeding £1,000, as the Tribunal may specify.".'

No. 126, in page 93, line 22, at end insert—

'(11A) After section 56 there shall be inserted the following section—

"*Further provision as to compensation awards.*

56A.—(1) The taking of any steps under section 42A(2) or 53A(2) shall not be founded upon in any proceedings for the purpose of showing that the solicitor in respect of whom the steps were taken was negligent.

(2) A direction under section 42A(2)(d) or 53A(2)(d) to a solicitor to pay compensation to a client shall not prejudice any right of that client to take proceedings against that solicitor for damages in respect of any loss which he alleges he has suffered as a result of that solicitor's negligence, and any sum directed to be paid to that client under either of those provisions may be taken into account in the computation of any award of damages made to him in any such proceedings.

(3) The Secretary of State may by order made by statutory instrument amend subsection (2)(d) of sections 42A and 53A by substituting for the sum for the time being specified in those provisions such other sum as he considers appropriate.

(4) Before making any such order the Secretary of State shall consult the Council.

(5) An order made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.".'

No. 83, in page 93, leave out lines 23 to 28 and insert—

'(12) In section 63 (penalties and time limit for prosecution of offences)—
(a) in subsection (1)—
(i) for the words "level 3" there shall be substituted the words "level 4"; and
(ii) the words from "and to imprisonment" to the end shall cease to have effect; and
(b) after subsection (2) there shall be inserted the following subsections—

"(3) Where an offence under this Act is committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of—
(a) any director, secretary or other similar officer of the body corporate; or
(b) any person who was purporting to act in any such capacity,
he (as well as the body corporate) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act is committed by a partnership or by an unincorporated association (other than a partnership) and is proved to have been committed with the consent or connivance of a partner in the partnership or, as the case may be, a person concerned in the management or control of the association, he (as well as the partnership or association) shall be guilty of the offence and shall be liable to and punished accordingly.".'

No. 113, in page 93, line 29, leave out 'section 65(1)' and insert
'subsection (1) of section 65'.

No. 114, in page 93, line 31, leave out 'and' and insert—
' ""foreign lawyer" means a person who is not a solicitor or an advocate but who is a member, and entitled to practise as such, of a legal profession regulated within a jurisdiction outwith Scotland;";
(aa) after the definition of "judge" there shall be inserted—
"law centre" means a body—
(a) established for the purpose of providing legal services to the public generally as well as to individual members of the public; and
(b) which does not distribute any profits made either to its members or otherwise, but reinvests any such profits for the purposes of the law centre;";
(ab) after the definition of "Lord President" there shall be inserted—
"multi-disciplinary practice" means a body corporate or a partnership—
(a) having as one of its directors or, as the case may be, partners, a solicitor or an incorporated practice; and
(b) which offers services, including professional services such as are provided by individual solicitors, to the public; and
(c) where that solicitor or incorporated practice carries out, or supervises the carrying out of, any such professional services as may lawfully be carried out only by a solicitor;
"multi-national practice" means—
(a) a partnership whose members are solicitors or incorporated practices and registered foreign lawyers; or
(b) a body corporate whose members include registered foreign lawyers, and membership of which is restricted to solicitors, incorporated practices, registered foreign lawyers and other multi-national practices;";
(ac) after the definition of "property" there shall be inserted—

[Lord James Douglas-Hamilton]

"registered foreign lawyer" means a foreign lawyer who is registered under section 60A;".'

No. 115, in page 93, line 35, at end insert—

'and

(c) in the definition of "unqualified person", after the word "person" there shall be inserted ", other than a multi-disciplinary practice,".'

No. 84, in page 94, leave out lines 17 to 21 and insert—

' "14A. In carrying out their duty under paragraph 14, the Tribunal may refrain from publishing any names, places or other facts the publication of which would, in their opinion, damage, or be likely to damage, the interests of persons other than—

(a) the solicitor against whom the complaint was made; or

(b) his partners; or

(c) his or their families,

but where they so refrain they shall publish their reasons for so doing.".'

No. 131, in page 95, line 17, at end insert—

'Companies Act 1985 (c. 6)

31A.—(1) The Companies Act 1985 shall be amended as follows.

(2) In section 38(1) (appointment of attorney to execute deeds abroad), the words "under the law of England and Wales" shall cease to have effect.

(3) In section 39(3) (official seal for use abroad), the words "or, in the case of a company registered in Scotland, subscribed in accordance with section 36B," shall cease to have effect.

(4) In section 186 (share certificate to be evidence of title), the words "(or, in the case of a company registered in Scotland, subscribed in accordance with section 36B)" shall cease to have effect.

(5) In section 188(2) (issue and effect of share warrant to bearer), the words "(or, in the case of a company registered in Scotland, subscribed in accordance with section 36B)" shall cease to have effect.

(6) Subsection (2) of section 462 (power of company to create floating charges under Scots law) shall cease to have effect.'

No. 132, in page 95, line 26, at end insert—

'Insolvency Act 1986 (c. 45)

32A. Section 53(3) of the Insolvency Act 1986 (execution of instrument appointing receiver) shall cease to have effect.' —*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 116, in page 95, line 28, at beginning insert—

'In subsection (3) of section 4 (Scottish Legal Aid Fund) of the Legal Aid (Scotland) Act 1986—

(a) paragraph (a) shall cease to have effect; and

(b) in paragraph (c), after the word "property" there shall be inserted "(including money)".

(1A) .'

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 117, 118, 119, 121, 122 and 123.

Lord James Douglas-Hamilton: The first amendments are technical, but amendment No. 119 is a bit more substantial. My right hon. and learned Friend the Secretary of State will be able, by regulation, to insist that an assisted person be represented in the supreme courts by a solicitor with rights of audience there rather than by an advocate. That choice will be for the client alone and that will be followed.

Amendment agreed to.

Amendments made: No. 117, in page 95, line 28, leave out 'the Legal Aid (Scotland) Act 1986' and insert 'that Act'.

No. 118, in page 96, line 9, at end insert—

'(4A) After subsection (2) of section 17 (contributions and payments out of property received) of that Act, there shall be inserted the following subsections—

"(2A) Except in so far as regulations made under this section otherwise provide, any sum of money recovered under an award of or an agreement as to expenses in favour of any party in any proceedings in respect of which he is or has been in receipt of civil legal aid shall be paid to the Board.

(2B) Except in so far as regulations made under this section otherwise provide, where, in any proceedings, there is a net liability of the Fund on the account of any party, the amount of that liability shall be paid to the Board by that party, in priority to any other debts, out of any property (wherever situate) which is recovered or preserved for him—

(a) in the proceedings; or

(b) under any settlement to avoid them or to bring them to an end.".

(4B) Subsections (3) to (5) of that section shall cease to have effect.

(4C) In subsection (6) of that section, for the words "subsection (5)" there shall be substituted the words "subsections (2A) or (2B)".

(4D) In subsection (8) of that section, for the words from "subsection" to the end there shall be substituted the words "subsection (1) above and in section 33 of this Act to "fees and outlays" include references to sums which would have been payable to that solicitor if he had been so employed.".'

No. 119, in page 96, line 20, leave out from 'words' where it first appears to the end of line 21 and insert—

'", his counsel" there shall be substituted the words "or a solicitor holding rights of audience by virtue of section 25A (rights of audience) of the Solicitors (Scotland) Act 1980, his counsel or such a solicitor".

(8A) In subsection (9)(b) of the said section 31, at the beginning there shall be inserted "Subject to subsection (11) below,".

(8B) At the end of the said section 31 there shall be inserted the following subsection—

"(11) Nothing in subsection (9)(b) above shall enable the Secretary of State to make regulations authorising the granting of legal aid only to solicitors holding rights of audience under section 25A (rights of audience) of the Solicitors (Scotland) Act 1980.".'.

No. 120, in page 96, line 26, at end insert—

'The Criminal Justice (Scotland) Act 1987 (c. 41)

33A. In section 6(1) of the Criminal Justice (Scotland) Act 1987 (definition of implicative gifts), for the words "mentioned in section 5(2) of this Act" there shall be substituted "on which, in respect of a person suspected of, or charged with, an offence to which section 1 of this Act relates, the warrant to arrest and commit was granted, or a restraint order was made (whichever first occurs).".'—*[Lord James Douglas-Hamilton.]*

Schedule 8

REPEALS

Amendments made: No. 85, in page 97, leave out lines 24 to 26.

No. 86, in page 98, line 10, column 3, at end insert—

'Section 31(3).'

No. 87, in page 98, leave out lines 11 and 12.

No. 88, in page 98, leave out line 14.

No. 133, in page 98, line 46, at end insert—

'1985 c. 6.	The Companies Act 1985.	In section 38 (1), the words "under the law of England and Wales".
		In section 39(3), the words "or, in the case of a company registered in Scotland, subscribed in accordance with section 36B".
		In section 186, the words "(or, in the case of a company registered in Scotland, subscribed in accordance with section 36B)".
		In section 188(2), the words "(or, in the case of a company registered in Scotland, subscribed in accordance with section 36B)".
		Section 462(2).'

No. 134, in page 98, line 53, at end insert—

'1986 c. 45.	The Insolvency Act 1986.	Section 53(3).'

No. 121, in page 99, line 2, column 3, at beginning insert—

'In section 4(3), paragraph (a) and, in paragraph (b), the words "a court".'

No. 122, in page 99, line 4, leave out '(12)' and insert '(3) to (5)'.

No. 123, page 99, line 10, at end insert—

'1988 c. 34	The Legal Aid Act 1988.	
		In paragraph 3 of Schedule 4, sub-paragraphs (b) and (c).

No. 135, in page 99, line 12, at end insert—

'1989 c. 40	The Companies Act 1989.	Section 130(3).
		In Schedule 17, paragraphs 1(2), 2(4), 8 and 10.'

—[Lord James Douglas-Hamilton.]

New schedule

SUPERVISED ATTENDANCE ORDERS: FURTHER PROVISIONS

1.—(1) A court shall not make a supervised attendance order in respect of any offender unless—

(a) the court has been notified by the Secretary of State that arrangements exist for persons who reside in the locality in which the offender resides, or will be residing when the order comes into force, to carry out the requirements of such an order;

(b) the court is satisfied that provision can be made under the arrangements mentioned in paragraph (a) above for the offender to carry out such requirements.

(2) Before making a supervised attendance order, the court shall explain to the offender in ordinary language—

(a) the purpose and effect of the order and in particular the obligations on the offender as specified in paragraph 3 below;

(b) the consequences which may follow under paragraph 4 below if he fails to comply with any of those requirements; and

(c) that the court has, under paragraph 5 below, the power to review the order on the application either of the offender or of an officer of the local authority in whose area the offender for the time being resides.

(3) The Secretary of State may by order direct that subsection (2) of section (*Supervised attendance orders as alternative to imprisonment on fine default*) of this Act shall be amended by substituting, for any number of hours specified in that subsection such other number of hours as may be specified in the order; and an order under this subsection may in making such amendment specify a different such numbers of hours for different classes of case.

(4) An order under paragraph (3) above shall be made by statutory instrument, but no such order shall be made unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.

2.—(1) A supervised attendance order shall—

(a) specify the locality in which the offender resides or will be residing when the order comes into force; and

(b) require the local authority in whose area the locality specified under paragraph (a) above is situated to appoint or assign a supervising officer.

(2) Where, whether on the same occasion or on separate occasions, an offender is made subject to more than one supervised attendance order, the court may direct that the requirements specified in any of those orders shall be concurrent with or additional to those specified in any other of those orders, but so that at no time shall the offender have an outstanding number of hours during which he must carry out the requirements of these orders in excess of the largest number specified in section (*Supervised attendance orders as alternative to imprisonment on fine default*) of this Act.

(3) Upon making a supervised attendance order the court shall—

(a) give a copy of the order to the offender;

(b) send a copy of the order to the director of social work of the local authority in whose area the offender resides or will be residing when the order comes into force; and

(c) where it is not the appropriate court, send a copy of the order (together with such documents and information relating to the case as are considered useful) to the clerk of the appropriate court.

3.—(1) An offender in respect of whom a supervised attendance order is in force shall report to the supervising officer and notify him without delay of any change of address or in the times, if any, at which he usually works.

(2) Subject to paragraph 5(1) below, instructions given under a supervised attendance order shall be carried out during the period of twelve months beginning with the date of the order; but, unless revoked, the order shall remain in force until the offender has carried out the instructions given under it for the number of hours specified in it.

(3) The instructions given by the supervising officer under the order shall, so far as practicable, be such as to avoid any conflict with the offender's religious beliefs and any interference with the times, if any, at which he normally works or attends a school or other educational establishment.

4.—(1) If at any time while a supervised attendance order is in force in respect of any offender it appears to the appropriate court, on evidence on oath from the supervising officer, that that offender has failed to comply with any of the requirements of paragraph 3 above or of the order (including any failure satisfactorily to carry out any instructions which he has been given by the supervising officer under the order), the court may issue a warrant for the arrest of that offender, or may, if it thinks fit, instead of issuing a warrant in the first

instance issue a citation requiring the offender to appear before that court at such time as may be specified in the citation.

(2) If it is proved to the satisfaction of the court before which an offender is brought or appears in pursuance of sub-paragraph (1) above that he has failed without reasonable excuse to comply with any of the requirements of paragraph 3 above or of the order (including any failure satisfactorily to carry out any instructions which he has been given by the supervising officer under the order), the court may—

(a) revoke the order and impose such period of imprisonment as could, in respect of the original default or failure, have been imposed by the court which made the order if the order had not been made; or

(b) subject to section (*Supervised attendance orders as alternative to imprisonment on default*) of this Act and paragraph 2(2) above, vary the number of hours specified in the order.

(3) The evidence of one witness shall, for the purposes of sub-paragraph (2) above, be sufficient evidence.

5.—(1) Where a supervised attendance order is in force in respect of any offender and, on the application of that offender or of the supervising officer, it appears to the appropriate court that it would be in the interests of justice to do so having regard to circumstances which have arisen since the order was made, that court may—

(a) extend, in relation to the order, the period of twelve months specified in paragraph 3 above;

(b) subject to section (*Supervised attendance orders as alternative to imprisonment on default*) of this Act and paragraph 2(2) above, vary the number of hours specified in the order;

(c) revoke the order; or

(d) revoke the order and impose such period of imprisonment as could, in respect of the original default or failure, have been imposed by the court which made the order if the order had not been made.

(2) If the appropriate court is satisfied that the offender proposes to change, or has changed, his residence from the locality for the time being specified under paragraph 2(1)(a) above to another locality and—

(a) that court has been notified by the Secretary of State that arrangements exist for persons who reside in that other locality to carry out instructions under supervised attendance orders; and

(b) it appears to that court that provision can be made under those arrangements for him to carry out instructions under the order;

that court may, and on application of the supervising officer shall, amend the order by substituting that other locality for the locality for the time being specified in the order; and the provisions of section (*Supervised attendance orders as alternative to imprisonment on fine default*) of this Act and of this Schedule shall apply to the order as amended.

(3) Where the court proposes to exercise its powers under sub-paragraph (1)(a), (b) or (d) above otherwise than on the application of the offender, it shall issue a citation requiring him to appear before the court and, if he fails to appear, may issue a warrant for his arrest.

6.—(1) The Secretary of State may make rules for regulating the carrying out of the requirements of supervised attendance orders.

(2) Without prejudice to the generality of subsection (1) above, rules under this section may—

(a) limit the number of hours during which the requirements of an order are to be met on any one day;

(b) make provision as to the reckoning of time for the purposes of the carrying out of these requirements;

(c) make provision for the payment of travelling and other expenses in connection with the carrying out of these requirements;

(d) provide for records to be kept of what has been done by any person carrying out these requirements.

(3) Rules under this paragraph shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

7. The Secretary of State shall lay before Parliament each year, or incorporate in annual reports he already makes, a report of the operation of section (*Supervised attendance orders as alternative to imprisonment on fine default*) of this Act and this Schedule.

8. In section 27 of the Social Work (Scotland) Act 1968 (supervision of persons put on probation, released from prison or subject to community service orders)—

(a) in subsection (1)(b) there shall be inserted at the end the following "; and

(iv) without prejudice to paragraphs (i) to (iii) above, persons in their area who are subject to supervised attendance orders under section (*Supervised attendance orders as alternative to imprisonment on fine default*) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.";

(b) for the words "probation and community service scheme", wherever they occur, there shall be substituted the words "probation, community service and supervised attendance scheme".

9.—(1) In this Schedule—

"the appropriate court", in relation to a supervised attendance order, means the court having jurisdiction in the locality for the time being specified in the order under paragraph 2(1)(a) above, being a sheriff or district court according to whether the order has been made by a sheriff or a district court, but in a case where the order has been made by a district court and there is no district court in that locality, the sheriff court;

"local authority" and "supervising officer" have the same meanings respectively as in section (*Supervised attendance orders as alternative to imprisonment on fine default*) of this Act.

(2) Except where the context otherwise requires, expressions used in this Schedule and in the Criminal Procedure (Scotland) Act 1975 have the same meanings in this Schedule as in that Act.'.—*[Lord James Douglas-Hamilton.]*

—[Brought up, read the First and Second time, and added to the Bill.

Title

Amendments made: No. 127, in line 9, after 'licensing:' insert

'to make special provision in relation to the giving of evidence by children in criminal trials;'.

No. 128, in line 9, after 'licensing:' insert

'to empower a sheriff court to try offences committed in the district of a different sheriff court in the same sheriffdom;'.

No. 96, in line 11, after 'prison' insert

'and for supervised attendance as an alternative to imprisonment on default in paying a fine'.—*[Lord James Douglas-Hamilton.]*

Lord James Douglas-Hamilton: I beg to move amendment No. 89, in line 15, leave out

'in relation to homelessness due to risk of violence'.

This amendment will ensure that the long title more accurately reflects the amendments to the Housing (Scotland) Act 1987 that are included in the Bill.

Amendment agreed to.

Motion made and Question proposed, That the Bill be now read the Third time.

6.34 pm

Mr. Dewar: There will be one or two Third Reading speeches, but they will all be marked by their brevity.

I look back with some satisfaction on the Bill, but it will remain something of a curiosity in the annals of Scottish parliamentary procedure. Never were so many columns of *Hansard* filled in so short a time.

The situation now is rather different, but it is appropriate that for most of this evening the Under-Secretary of State laboured on alone, accompanied only by the Secretary of State. I say entirely appropriate because, in a sense, they were alone for almost the entire Committee stage.

The Under-Secretary of State gets tired of people paying tribute to him, but I must do so on this occasion. He ploughed on with remarkable courage, often sounding like Bertie Wooster, but in a sense as unflappable as Jeeves. Never have I seen briefs put to such determined use when all round him there was chaos and confusion. At times —this is a factual observation—the Committee Room looked like the last act of "The Duchess of Malfi", with bodies everywhere. We saw the decrowning of the chairman of the Scottish Conservative party and we saw blood on every side, but in the middle of it all the Under-Secretary of State kept going, and for that he deserves some credit.

I hope that no one will accuse me of over-complacency, but Opposition Members—I include my friends in other parties, particularly the hon. and learned Member for Fife, North-East (Mr. Campbell) and, an honorary blood brother for this occasion only, the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn), who I believe in the many votes taken in Committee voted for the Government only once, not by mistake but as a matter of principle, and we all allow the hon. and learned Gentleman his occasional aberrations of principle—did good work. I cannot remember any Bill that has left our hands more changed and more lightened. A great deal of rubbish had gone and many good things had been added, for which we can claim some credit.

I also want to thank those from outside this place who helped us. It may not be proper to mention them in detail, but a number of bodies have laboured long and hard, perhaps above all the Law Society. Many others, such as the Scottish Consumer Council, were also involved and their help, although not always uncritically received, was invaluable. Their contribution to the law of Scotland may not be major, but the Bill makes a better contribution to it than it otherwise would have done.

A number of issues of real importance have had to go by the board. I have explained this before, but I stress it again. The Opposition were implacably opposed to what was suggested, but it was impossible in the ludicrous time scale suggested to look at the matters adequately—I am thinking particularly of changes in the divorce laws, licensing laws and some good ideas on reforming fines in the criminal courts, along with a number of other matters. I hope that we will have an opportunity to return to those before too long.

I understand that there is a possibility next Session of legislation on parole. The Under-Secretary of State, probably wisely, remained silent when I said that I hoped that would be a Scottish Bill, not a throwaway Scottish insert in a United Kingdom Criminal Justice Bill. The Kincraig report contained some serious propositions and I hope that if we are to implement some of them, as we should, we will do so on the basis of Scottish legislation.

Perhaps that would give us an opportunity to return to some of the issues, or perhaps there should be another Law Reform (Miscellaneous Provisions) (Scotland) Bill—I hope that the Secretary of State does not blanch at the thought—before too long. It has all been good fun, and —on a more serious note—rather a useful exercise.

6.39 pm

Sir Nicholas Fairbairn: The Leader of the House will remember that the late F. E. Smith—late at night and after some appallingly boring and long-drawn-out speeches—was asked to give a vote of thanks. He said "Before I came here I prepared two speeches, one long and one short, and because of the lateness of the hour I intend to give them both." I intend to give neither. All that I want to say is that I hope that our Government and our party will not break the rule that rules should not be multiplied and that legislation of any kind is a bad thing.

6.40 pm

Mr. Menzies Campbell: When we set out to consider the Bill, few of us realised that it would prove such an effective springboard for the career of Lord Sanderson of Bowden, or that it would have such a dramatic effect on unemployment statistics in the city of Edinburgh. Had we known that those dramas were being enacted as we went through our routine day-by-day examination of its clauses in Committee, it might have added a certain piquancy to our proceedings, and might even have persuaded the press and television to take yet more interest in our efforts to improve the law of Scotland.

One thing is certainly true: putting charities, reform of the legal profession and licensing law reform into a Bill, and then adding what were genuinely miscellaneous provisions, meant that many important issues failed to receive the time and the detailed intellectual consideration that they undoubtedly deserved.

The Under-Secretary of State deserves our congratulations on his indefatigability and his continuing courtesy to all sides. Sometimes it seemed that a greater strain was being put on his courtesy by those behind him than by those who were nominally opposing him. However, he survived.

I look forward with considerable pleasure to accounts of our proceedings as they will appear in biographies which I know are yet to be written. The role that some people played in the proceedings, especially in Committee, will be marked in passages of such colour and verve that they will come to be regarded as significant contributions to English fiction.

No doubt the Bill will pass into law. It contains many good things, but I fear that it also contains a number of bad laws, the lack of quality of which will be properly explored and made clear only when some of the measures that we have passed into law are put into practice. Undoubtedly, it has been a learning experience for all of us. I do not think that anyone will wish to oppose Third Reading at this stage, but it can certainly be said that the Bill is now in rather better condition that it deserved.

6.42 pm

Mr. Dalyell: As one who has been present for the past two days' debate on the Floor of the House but was not a member of the Committee, I should like to say thank you to my parliamentary colleagues of all parties who have taken part in our discussions, as well as to the officials and to the Law Society of Scotland for having improved, in many respects, the lot of our Scottish constituents.

6.43 pm

Dr. Godman: This is the second Law Reform (Miscellaneous Provisions) (Scotland) Bill in which I have been involved; I hope that a considerable time will elapse before I am called back by the Whips to take part in a third. I only hope that, if I am placed on the Standing Committee on another Bill in the future, the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) is also placed on it.

I should like to express my thanks to the Under-Secretary of State for the many civilities and courtesies that he has extended to me, both in Committee and on the Floor of the House. I am heartened by the measures concerning the introduction of closed-circuit television to deal with the evidence given by children in criminal proceedings; however, I am deeply disappointed that the same Minister was unwilling to listen to my argument concerning the use of video-recorded interviews as evidence in criminal proceedings. I fear that, with the advent of the Gracious Speech on 7 November, we will find that we are slipping further behind English legislation in this respect. Nevertheless, with the Under-Secretary's involvement, we have improved the law of Scotland as it affects the interests of young children who are caught up in such horrendous circumstances, and I am grateful to him for that measure at least.

6.45 pm

Mrs. Margaret Ewing: Those of us who served on the Standing Committee will have many memories that will no doubt be recounted through the ages, not so much because of the contents of the Bill as because of the nature of its passage. The memories include the summoning of members of the Scottish Grand Committee in the Royal High school in Edinburgh to be given talks behind the scenes and long walks up and down the Committee Corridor by the Secretary of State for Scotland and various Ministers with their own Back Benchers. Judging by the expressions on their faces, the Secretary of State sometimes wished that there was a perpendicular structure at the foot of the passage over which he could tip some of his own Back Benchers.

More seriously, let me say that there have been improvements as a result of the Bill; but the way in which it was treated was, in many ways, an insult to the need for law reform in Scotland. Certainly—as one who sees the institution of the Scottish legal system as a major bastion of Scottish nationhood and as an institution of which we are rightly proud—I hope that any future miscellaneous law reform Bills will be just that, and that we shall be able to look in more detail and more effectively at many of the issues that have been left untouched.

I too thank the Minister for his abiding courtesy throughout the many hours in which we have debated. I also congratulate him on being a member of a team that has at least lived up to one of the Prime Minister's requirements. I refer to her request for a "green" image: what would have been a very large statute has been reduced during our proceedings to a much smaller one.

6.47 pm

Lord James Douglas-Hamilton: Let me pay tribute to those hon. Members who served on the Committee for more than 80 hours, to the Law Society of Scotland, to the Scottish Consumer Council and other bodies and, of course, to the officials who worked ceaselessly around the clock to ensure that I gave accurate answers to the points raised by Opposition Members. I have no regrets about the considerable number of amendments: I believe that that is parliamentary democracy operating at its best.

Part I of the Bill will help charities by giving them much more information. Part II will help to introduce an element of competition to assist the consumer and will also open up access to the supreme courts for solicitors for the first time in Scottish legal history. Part III will introduce important licensing reforms and stiffen the criteria for late-night extensions, which is a law-and-order measure. Part IV has been discussed extensively today; perhaps the two most important measures concern supervised attendance and video links, which will go a long way towards protecting children.

I thank hon. Members for the part that they have played in the Bill. I believe that it will prove a significant measure for us to look back on in years to come.

Question put and agreed to.

Bill read the Third time, and passed.

Caldey Island Bill

Not amended (in Standing Committee), considered.

Clause 1

ELECTIONS

Amendment made, in page 1, line 23, leave out from 'a' to first 'of' in line 7 on page 2 and insert

'person to be included in the registers of parliament and local government electors published for the years beginning with 16th February 1990 and 16th February 1991—

(a) subsections (1) to (3) above shall be deemed to have been in force on 10th October 1989 and 10th October 1990 (the qualifying dates in relation to those registers);

(b) the reference in section 11(2) of the Representation of the People Act 1983 to the correction of a register shall include a reference to any addition made by virtue of this section; and

(c) the relevant provisions'—*[Sir Wyn Roberts.]*

Bill reported, with an amendment.

6.49 pm

The Minister of State, Welsh Office (Sir Wyn Roberts): I beg to move, That the Bill be now read the Third time.

In Committee, some concern was expressed about clause 2, and I am happy to inform the House of our decision that the Caldey community should become liable for community charge as from 1 April 1991, and that it should also become liable to non-domestic rates as from the same date.

We have also succeeded in devising a good scheme to provide transitional relief for the community. I believe that, on the whole, the islanders will find the total package quite acceptable. Therefore, I have pleasure in commending the Bill to the House.

6.50 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I thank the Minister for his courteous response, as always, to the substantial point that we made in Committee about the imposition of poll tax before the Bill could be passed. I do not imagine that the islanders of Caldey will be desperately pleased at having the poll tax imposed on them in any shape or form, but at least we have saved them from being taxed before the relevant legislation could be enacted, for the Minister has now confirmed that the poll tax will not take effect there before next year.

The Minister said that the Government have devised "a good scheme" to provide the equivalent of transitional relief. We have already made the point that some difficulty arises because there is no previous rating base from which to work. However, the Minister seems to have confirmed his promise to do something about transitional relief, so perhaps he will give us an idea of what it will be.

6.51 pm

Sir Wyn Roberts: The scheme that we intend to establish will require the islanders, each year in a four-year transitional period, to pay a fixed percentage of that year's community charge for standard spending—or CCSS. That percentage, which I propose to set at 80 per cent. in 1991-92, will increase over the four-year period so that the islanders will move smoothly into a regime of full charges in 1995-96—the same year that full charges will be payable in the rest of Wales as the general transitional relief scheme comes to an end.

The effect of my proposals into 1991-92 is that, as the Welsh CCSS for next year is £228, the islanders will each pay 80 per cent. of that figure, or £182—and so will in effect receive relief of £46 per head. If the charge actually set is lower than the CCSS, then the islanders will each pay only 80 per cent. of that lower charge. However, if the relevant authorities' spend is such that the charge set exceeds £228, each islander will pay 80 per cent. of the CCSS plus the amount by which the charge set exceeds the CCSS. Therefore, Dyfed county council and South Pembrokeshire district council will want to set their budgets in such a way as to enable the islanders to gain maximum benefit from the scheme that I have described.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 188, Noes 4.

Division No. 320] **[6.52 pm**

AYES

Abbott, Ms Diane
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Tony *(Newham NW)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bevan, David Gilroy
Bidwell, Sydney
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Corbyn, Jeremy
Cran, James
Cryer, Bob
Curry, David
Dalyell, Tam
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fisher, Mark
Flynn, Paul
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Freeman, Roger
French, Douglas
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger

Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Ian
Lawrence, Ivan
Lee, John *(Pendle)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lord, Michael
McCartney, Ian
McCrindle, Robert
McFall, John
MacKay, Andrew *(E Berkshire)*
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Michael, Alun
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Murphy, Paul
Nelson, Anthony
Neubert, Michael
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Portillo, Michael
Powell, Ray *(Ogmore)*
Price, Sir David
Raison, Rt Hon Timothy
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Speller, Tony
Stanbrook, Ivor
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Strang, Gavin
Sumberg, David
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Trotter, Neville
Waldegrave, Rt Hon William
Walker, Bill *(T'side North)*
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Neil Hamilton and
Mr. John M. Taylor.

NOES

Madden, Max
Skinner, Dennis
Wardell, Gareth *(Gower)*
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Ron Davies and
Mr. Rhodri Morgan.

Bill accordingly read the Third time, and passed.

Mr. Bob Cryer (Bradford, South): On a point of order, Madam Deputy Speaker. I wonder if you could confirm that the Caldey Island Bill which has just been given a Third Reading was a Bill to extend the franchise, and some hon. Members were here to vote on it, but it is a matter of regret that the hon. Member for Pembroke (Mr. Bennett) —the area concerned—was apparently unable to make the Lobby in time.

Madam Deputy Speaker (Miss Betty Boothroyd): As the hon. Member is aware, hon. Members' attendance in the House has nothing whatsoever to do with the Chair.

Heathrow Express Railway Bill *[Lords]*

Motion made, and Question proposed,

That the Promoters of the Heathrow Express Railway Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.— *[The First Deputy Chairman of Ways and Means.]*

7.6 pm

Sir Patrick McNair-Wilson (New Forest): I support the motion standing in the name of the Chairman of Ways and Means that further consideration of the Heathrow Express Railway Bill should be carried over to the next Session of Parliament. Hon. Members may know that the Bill has already been through its stages in the other place. Indeed, throughout discussions, there have been petitioners against the Bill, but at no point have they objected to the concept of what it seeks to do. The Bill was deposited as far back as November 1988, but at no stage in its proceedings has it been delayed or objected to, other than delays caused by the pressure of Bills, which has made it impossible for the Bill to have a Second Reading before the Summer recess started at the end of July.

The Bill aims to provide a straightforward and basic service. During discussions in the Opposed Private Bill Committee in the other place, some substantial changes were made, which I hope will be to the benefit of the people who will use the link and to those who live in the area it will pass through, or who represent it.

I hope that hon. Members will agree that it would be very unfortunate if the Bill were not allowed to complete its stages, as it satisfies an important requirement.

Mr. Harry Greenway (Ealing, North): My hon. Friend says that the Bill will benefit constituents such as mine who live in the area through which the express train will pass. That may be so, but I have not yet received the assurances which I sought from the promoters that the train would stop at least twice a day in Ealing.

If the train cannot be stopped at Greenford, which would be better still, I would settle for a stop at Ealing

Broadway in the constituency of my hon. Friend the Member for Ealing, Acton (Sir G. Young)—at least twice a day, and more often if possible. The promoters have made certain noises about that, as if to say that they will make some concessions to the good citizens of Ealing and the surrounding areas, but so far nothing concrete has come from them. Could my hon. Friend give me some assurance on that matter?

Sir Patrick McNair-Wilson: As one expects, my hon. Friend speaks with great fluency on a matter that concerns his constituents. No one is a more doughty fighter on behalf of his constituents than he. If he will bear with me for a moment, however, I shall endeavour to deal with the point that he made about stopping trains on the link. It is a matter of concern not only to my hon. Friend the Member for Ealing, North (Mr. Greenway) but also to my hon. Friend the Member for Ealing, Acton (Sir G. Young) and others.

At this stage I want to establish the Bill's credentials —how far it has come and how it has been held up by events that are not directly related to the arguments that might be deployed when considering the clauses. The Bill is jointly promoted and jointly financed by Heathrow Airport Ltd., which is a wholly owned subsidiary of British Airports Authority and British Rail. The Bill aims to satisfy a real need—a fast, dedicated service between the capital and its principal airport. That is in line with thinking throughout the rest of Europe.

Many might reasonably ask why such a service has not been provided before this. I am among those who believe that we should have had something along these lines a long time ago. The Bill is a direct response to the Government's White Paper of 1985 that dealt with airport policy. The Heathrow surface access study, commissioned by the Department of Transport, followed in 1987. An evaluation of the consultations on that document followed in June 1988. Immediately after those consultations had been brought to a successful conclusion, the Bill was deposited—in November 1988. It is in response to a direct demand by all those concerned. No time has been wasted by those who wish to provide the service.

The underground service, the airbus, cars and taxis provide other means of getting to Heathrow airport, but those of us who know this part of England well recognise that road congestion is a great problem. A dedicated service would therefore be a great bonus. It would be a premium service. The promoters are seeking by means of the Bill to provide a fast premium service to enable travellers, who are prepared to pay a fare of approximately £6, to have fast transport straight into the airport.

Sir Alan Glyn (Windsor and Maidenhead): It will, of course, provide a very good service, but is my hon. Friend aware that most people want to travel by car to the airport and that the new service will not relieve the congestion on the M4, as has been suggested?

Sir Patrick McNair-Wilson: My hon. Friend uses the M4 to reach his constituency. Although I use it a great deal, he must use it more than I do. I realise that it is a very crowded route, but that applies to almost every other motorway that runs into and out of London. It surely cannot be denied that we need the best possible public service links from the capital to the airport if we are to alleviate the problem to which my hon. Friend has just referred.

Mr. Robert Adley (Christchurch): I know that my hon. Friend is an avid reader of all my publications. Therefore, I am sure that he will have read in bed "Tunnel Vision", in which I have tried to deal with the problem. I stress in particular the need for a west-facing link. If I catch your eye, Madam Deputy Speaker, I hope to be able to refer to it and to deal with the point made by my hon. Friend the Member for Windsor and Maidenhead (Sir A. Glyn). The contents of the Bill deal only with traffic from London, although that is not clear from the long title. The procedural point that I wish to put to my hon. Friend is this: is he of the opinion that, if the promoters succeed in obtaining the agreement of the House to this carry-over motion, they will be amenable to some of the proposals that may emerge during the debate?

Sir Patrick McNair-Wilson: My hon. Friend has made an important point. He is an acknowledged expert on these matters. It leads me straight to the point that was raised by my hon. Friend the Member for Ealing, North and others: that the link with Heathrow should not be unique to that service, and that others should be able to take advantage of the line that will start at Paddington. I have to make the point, which applies to hon. Members with constituencies in Wales and elsewhere, that, although the promoters are seeking, by means of the Bill, powers to construct the basic route, they have not closed their minds to the point that has just been made by my hon. Friend. They have not disregarded, either, the pleas that have been made by other hon. Members. When the line is in operation, all sorts of options can be examined. However, we are considering a Bill that provides only a basic service.

Mr. Rhodri Morgan (Cardiff, West): So the answer is no.

Sir Patrick McNair-Wilson: I am not so sure that the hon. Gentleman is right about that. If one were coming from Cardiff, or from anywhere else in Wales, which I know extremely well, one would probably be better off to go to Paddington and pick up the dedicated line to Heathrow rather than have to face all the confusion and problems that could exist—I do not say that they would exist—with stopping trains of any sort.

Another fundamental point is that, following the announcement by my right hon. Friend the Secretary of State for Transport about London's east-west crosslink, there will be occasions when people from the eastern side of the capital will want to take advantage of a train that goes straight into the airport. British Rail and the British Airports Authority have made it clear that they are anxious to look at that point. The important point, however, is that the time scale of the two projects is totally different. The airport link with which we are dealing this evening is designed to be operational by 1994, whereas the east-west crosslink is unlikely to be available until 1999 —a five-year gap.

Mr. Harry Greenway: I promise my hon. Friend that I shall not persist with my interruptions, so I hope that he will be kind enough to allow me this one. My hon. Friend is, I know, an honourable man. However, he is asking the House to accept the good faith of the promoters and to agree in due course to the construction of the line. He says that, when it is operational, the promoters will consider

[Mr. Harry Greenway]

pleas made by others, such as my hon. Friend the Member for Ealing, Acton and myself, for a proper stop at Ealing at certain times of the day.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. We are at the commencement of the debate. I must remind the House that this is a carry-over motion. We are not debating the arguments for and against the Bill. I hope that hon. Members will keep in mind the fact that this is a narrow procedural motion.

Sir Patrick McNair-Wilson: I am grateful to you, Madam Deputy Speaker, for your ruling.

Mr. Greenway *rose*——

Madam Deputy Speaker: Order. I think that the hon. Gentleman had completed what he wanted to say. He was going off the rails in a very big way.

Sir Patrick McNair-Wilson: We must bear in mind that this is not a Second Reading debate, but I hope that I carry the House with me when I say that a Second Reading debate will be needed on a future occasion. I have taken note, however, of my hon. Friend's point.

There are still 15 petitioners against the Bill. According to the motion on the Order Paper, those petitions will be carried over to the new Session.

As I pointed out at the outset, the petitioners have no objection in general to the concept of the rail link that is being promoted. They are concerned about individual special interests which, hopefully, can be discussed in Committee if the Bill is sufficiently lucky to be given a Second Reading.

It is worth remembering that the original Bill introduced in the other place conceived the likelihood of an overhead rail viaduct across the M4 and into airport terminals 3 and 4. As a result of the discussions in the opposed Committee in the other place, the promoters have decided to go under that motorway and, hopefully, improve the environmental appearance of the operation and meet the important points made by the objectors. As a result of that decision, they have probably added about £25 million to the cost. Therefore, we have already seen in discussions on the Bill that substantial changes can be made.

Mr. Terry Dicks (Hayes and Harlington): My hon. Friend mentioned an increase of £25 million. The paper produced by the promoters mentions the figure of £12 million. I want to help my hon. Friend and ensure that he has got the figures right, because we should not give the wrong information in this debate.

Sir Patrick McNair-Wilson: The figure I have is £25 million. If my hon. Friend has another figure, we must discuss that later. However, if one were to look at the possibility of burying the line still further, we would be looking at a further increase of about £10 million, which would have a detrimental effect on the fare structure to which I have referred.

I hope that the House will agree that this is an important matter and that it should receive further consultation and discussion. It should be allowed to have a Second Reading during the next Session and then proceed to its Committee and other stages. Therefore, I commend the motion.

7.21 pm

Mr. Sydney Bidwell (Ealing, Southall): I must plead a constituency interest in this matter and remind the House that I am a former railway worker. I know every inch of the railway. If we go back far enough, I was a goods guard and shunter. When the hon. Member for Ealing, North (Mr. Greenway) made a plea for a stop at Ealing Common, it reminded me of someone who asked me whether a train stopped at Paddington. I said, "Blimey, madam, if it doesn't, there won't 'alf be a row." I support a stop at Ealing Broadway, and my constituents want a stop at Southall. In that part of my constituency there is a large Indian community and many employees of Heathrow airport. Of course, it is for the Bill's promoters to decide whether they want to resist the idea of stops. It might contradict the title of the Bill.

I want more information about the speed of the trains, because they will fundamentally affect my constituents in west Ealing. Already work is being undertaken on track laying in conjunction with the new high-speed train. Some of the houses near that area are nearly 100 years old and already suffer vibration from the existing services. In some of the houses, pictures jump about on the walls. A high-speed service to Heathrow at 15-minute intervals will not do much to improve their lives. I understand that British Rail has had a discussion with local residents. Those residents have said that it is the last thing they want, since there is about 25 ft. between the back of houses and the railway track, and the embankment is to be raised to bedroom height. I do not think that many hon. Members would want to live in that part of the London borough of Ealing.

I must take this opportunity to spell out some of the worries of my constituents. However, in accordance with the spirit in which the hon. Member for New Forest (Sir P. McNair-Wilson) introduced the Bill, I must say that in general terms there is a welcome for the idea.

Mr. Dicks: Will the hon. Gentleman say exactly where in his constituency the line rises to the height of windows? I bow to his expertise on the railways but I was under the impression that that would happen as the train was leaving Hayes, not Southall.

Mr. Bidwell: I used to be a resident of Hayes and this matter never worried me when I lived there, so the hon. Gentleman probably knows more about it than I do. Although I often motor and walk around that area, I am sure that he knows more than I do about the spur extension near his constituency and across Stockley industrial estate.

There was a derailment last year very close to the houses I have mentioned, but miraculously there was no loss of life. An express train from Oxford to Paddington hit a piece of rail which it was thought may have been left by vandals, although that has never been proved. When such things occur, residents adjacent to the line must be fearful, especially with the prospect of increased traffic, even though on a quieter track.

Nobody has told me that they are powerfully opposed to the idea, and I would expect British Rail, backed up by the British Airports Authority—which is rolling in money—to be generous if the question of compensation for my constituents arises in the future. I am sure that they will want to be generous, because it is not simply a matter of increased use of the existing track with traditional express

trains to Reading, south Wales and so on. If the enterprise is to be thought to be worthwhile, they will want a service of Gatwick-Victoria proportions.

I promised that I would raise this matter. I think that there will be further consultation with British Rail, and the British Airports Authority should be present at such consultations. They should look further at the worries and fears of those in my constituency who will be affected. As far as I know, no one will suffer such oppression, although I am sure that my colleague, the hon. Member for Hayes and Harlington (Mr. Dicks), will tell us differently. The old houses I have mentioned must be considered seriously. If they are not, I shall lead a protest greater than has been known hitherto.

7.28 pm

Sir John Wheeler (Westminster, North): I welcome the principle of the motion and the potential progress of the Bill. I welcome the introduction of the debate by my hon. Friend the Member for New Forest (Sir P. McNair-Wilson) who is standing in for my hon. Friend the Member for Ilford, South (Mr. Thorne) who has ultimate charge of the progress of the Bill on behalf of the promoters. My hon. Friend the Member for Ilford, South has been particularly helpful to Westminster city council in recognising my constituents' special concerns because of the proximity of Paddington to the residential community.

If the House is minded to pass the motion, I hope that in future greater consideration will be given to the environmental aspect of the Bill as it affects the city of Westminster. My council has asked me to make clear that it is concerned about the impact that traffic may have should the Bill progress. Much growth is already expected in traffic movements to the A40 and the M40 extension, growth is predicted in general traffic and railway patronage of Paddington and there are estimates of a growth of traffic to Heathrow.

Mr. Adley: I fully understand and support what my hon. Friend is saying. Does he agree not only that his constituents are entitled to the protection for which he is asking but that he is entitled to suggest—if he does not do so, I will, and he might agree with me—that environmental expenditure to alleviate the problems faced by people because of railway schemes should be funded in exactly the same way as environmental expenditure is provided to alleviate problems created by road schemes? If there is an environmental problem, the taxpayer should pay, not the promoters of the Bill.

Sir John Wheeler: I am grateful for my hon. Friend's intervention, but it is not for me to express an opinion on the merits of his argument. That is, perhaps, for elsewhere or for another time in this Chamber.

My support for the principle of the Bill and the motion rests on the assumption that the promoters will continue to consider the traffic and environmental impact in the city of Westminster. In particular, they will want to focus their attention on access to Paddington station via what is described as

"a sub-standard ramp off Bishop's bridge road which requires cars to stop and proceed at 4 mph."

I am advised that considerable progress is being made by the promoters to satisfy the council and particularly residential environmental groups such as the south-east Bayswater residents association. Should that progress continue to be made, I have no doubt that the Bill will be greatly welcomed.

Mr. Peter Snape (West Bromwich, East): What is the view of the hon. Gentleman and his council about the existing underground connections at Paddington? Does he feel that an additional 6 million passengers through Paddington main line station may cause enormous difficulties unless underground facilities are considerably improved?

Sir John Wheeler: That, again, goes beyond my ability to comment tonight and is a matter for elsewhere.

The Bill is greatly affected by the proposal to provide the east-west cross way, which may have the advantage of reducing potential vehicular traffic to Paddington railway station. That announcement impacts favourably on the environmental aspect of the Bill and I very much hope, therefore, that the motion will be supported tonight.

7.34 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I am uncertain whether to support the motion and will therefore need certain assurances from the sponsor of the Bill before reaching a decision.

I need not explain why a Welshman should speak to the Bill or seek those assurances. Paddington, with which this expressway will connect, is important not only to my personal life, given the amount of time that I spend going to and from it, but to the commercial and business community of south Wales. High-speed access to Paddington station is a vital factor in the industrial and commercial development of the Principality.

The best architectural sight in London is Paddington from a departing train. I say that not as a personal whim but because that station and the line to south Wales play a significant role in the economic well-being of south Wales. If, therefore, there is to be any disruption, even for a short period, to the high-speed link between London and south Wales—I shall draw the attention of the House to that possibility in a minute—it will be a matter of profound concern not only for hon. Members and their personal convenience but for the economic and commercial development of the Principality.

A vivid example that has concerned us about key life-line communication links is the state of the Severn bridge. The fact that it has been in a state of repair, refurbishment or alteration for a long time has had an important impact on attracting industry and commerce to the Principality. We therefore have every right to be worried, and before supporting the motion I shall need assurances from the sponsor of the Bill about the nature and character of the works and the impact that a new expressway might have on the speed with which the main 125 service from south Wales travels in and out of Paddington.

Let me explain some of my basic worries, which were not raised on Second Reading or Third Reading in the other place. Following an inquiry with the Private Bill Office in the other place, I do not believe that they were the subject of detailed discussion or cross-examination in the Committee proceedings in the other place. The first of my worries is the impact that a new 15-minute service from Paddington between 5 am and 11.30 pm might have on existing and future traffic to and from Paddington. If I do

[Mr. Ted Rowlands]

not receive some reassurance from the sponsor that our worries and concerns will be taken on board, that will influence how I vote.

Those of us who spend a considerable part of our lives on this line——

Mr. Morgan: Who almost live on it.

Mr. Rowlands: Almost.

Many times, the 125 has been on time until the last three or four miles into Paddington station. Those last three or four miles cause the delays. About 90 per cent. of delays occur in that vital three or four miles into Paddington. One of the possible consequences of supporting the motion would be to add another 15-minute service in and out of Paddington from 5 am to 11.30 pm. I have not found any evidence from the proceedings on the Bill showing that the ripple effects that this new service might have on the speed of the 125 service in and out of Paddington have been investigated.

Sir Patrick McNair-Wilson: As this is not Second Reading I shall not be seeking leave to speak again, but the promoters have assured me that current services will not be disadvantaged as a result of the Heathrow link. That is the best assurance that I can give the hon. Gentleman. If the motion is passed, he will have an opportunity to raise this matter in more detail on Second Reading.

Mr. Rowlands: I am grateful to the hon. Gentleman. I am glad that he has already understood that vital point. There was little evidence in the debate in the other place that it had been taken on board; it was, understandably, very much a London debate. The Bill has much wider significance, especially in terms of the Welsh economy. I hope that the word will go out to the promoters that we will seek detailed and categorical assurances. As I understand it, the new 15-minute service will be provided on existing lines and there are no plans to build new lines into the Paddington area. This point has not been dealt with in the necessary detail.

I understand from my reading that a great deal of the construction will not take place immediately around the main line. I do not believe that a scheme of such importance will not cause considerable disruption on and around the existing railway tracks into and out of Paddington, especially in areas about which Conservative Members can speak with greater knowledge. I ask the hon. Member for New Forest (Sir P. McNair-Wilson) to say that he will take this matter back to the promoters. We need an assurance about construction. The high-speed 125s travelling from the south-west and south Wales are vital to economic development and to inward investment in our community. We want an assurance that the construction will not affect their speed.

Sir Patrick McNair-Wilson: The hon. Gentleman has made an important point, about which the promoters are concerned. The assurance has been given—to me, at any rate—that the service will in no way disadvantage main line trains travelling to Paddington from south Wales and other parts of the country.

Mr. Rowlands: I value that intervention. Obviously we shall seek to put flesh on that assurance later.

It would be galling for us to lose the speed and the efficiency of one of the major lifelines from the Principality to the capital. Many of us have suggested that British Rail should consider electrifying western lines as it has done along the east coast. It would be galling to watch construction of an electrified portion of the line in the west if construction slows services from and to the south-west and south Wales for a significant period. One can imagine the irritation and anger that could result. I am grateful to the hon. Member for New Forest for accepting that this is an important point.

I am concerned also about possible linkages between the new expressway and traffic coming from south Wales and the south-west. The hon. Member for New Forest said that the Bill's promoters were open minded. It will be galling if we are left with a service from south Wales to Heathrow that involves getting off at Reading, getting on a bus and, if one is lucky, reaching one of the Heathrow terminals 45 minutes later, then spending a considerable time running round the four terminals. It also takes a lot of time to get out of Heathrow before one can set on one's way towards Reading to catch the mainline service.

On balance, I am inclined not to oppose the carry-over motion because of the comments by the hon. Member for New Forest. We give due notice, however, that we will raise the issue of the connection between the railway service from south Wales to Heathrow and Paddington and the ways in which the benefits of a major, new communications infrastructure can be tied to the Principality's requirements. We feel that we are a long way from the channel tunnel; we are determined not to be a long way from London or Heathrow.

7.45 pm

Mr. Robert Adley (Christchurch): I should like on behalf of the whole House, I hope, to thank my hon. and neighbouring Friend the Member for New Forest (Sir P. McNair-Wilson). Over the years, he has taken immense trouble with railway Bills and he is always courteous, diligent and thorough. We are grateful to him yet again, and we are grateful for his attempts to answer questions.

We have a problem. This procedural motion involves a group that is partly financed by a nationalised industry, which presumably accounts for the presence of the Minister on the Front Bench. We shall all try to keep within order, but it is difficult to decide whether to support this motion without assurances from my hon. Friend the Member for New Forest or my hon. Friend the Minister on some points.

I have to declare an interest as the author of "Tunnel Vision" which the *Hansard* reporters could not seem to see, so I shall hold it up for them. It was published by the Conservative Political Centre and was purchased by certain Labour Members. A long time ago, the book foresaw many of the points that we are discussing. I declare an interest also as author of a recently published book "Out of Steam", which also attends to questions of railway investment criteria.

My hon. Friend the Member for New Forest asks us to support the Bill. Paragraph (4) of the preamble states:

> "In order to provide improved services and facilities for passengers travelling to or from Heathrow".

I submit that, before the Bill completes its passage, the words "from central London" should be inserted. Preferably—I strongly echo the words of the hon. Member

for Merthyr Tydfil and Rhymney (Mr. Rowlands)—the Bill should provide what is proposed in paragraph (4). Unless the Bill is amended, a great opportunity will be lost.

A west-facing link must be a vital feature of the Bill for south Wales, the west country and the south-west. Of course we accept the assurances given by my hon. Friend the Member for New Forest, but surely the time when the Bill is being promoted is the time for the promoters to say that they will acquire the necessary land. We are talking about 200 or 300 yd of land on which to build west-facing tracks and that land should be reserved now. I have not yet heard an assurance from my hon. Friend on that point.

Sir Patrick McNair-Wilson: As I said, this is not a Second Reading debate, but I should like to make the point that the promoters want to ensure that the link between the capital and the airport is preserved as a premium rail route. If we are to have stopping trains or any alterations to that basic principle, obviously different objectives will have to be considered. I have already assured the House that those objectives are being considered. Finally, I should emphasise that it will probably be as quick to go to Paddington and get on to the dedicated line as it would be to have stopping trains on what is intended to be a fast premium service.

Mr. Adley: I am grateful to my hon. Friend, but I should point out to him that people who are travelling —whether to Baghdad or to Bangkok—with lots of luggage will not take kindly to finding themselves whizzing past Heathrow at 125 mph on a high speed train from Swansea, watching the airport disappear behind them, getting off at Paddington and taking all their luggage from platform A to platform B, only to go back on themselves.

Following on from the point made by my hon. Friend the Member for Windsor and Maidenhead (Sir A. Glyn), I suspect that unless a determined decision is made at the outset of the Bill's proceedings both to provide and utilise modern technology and to provide for the acquisition of the necessary extra land—I shall touch on that in a moment—the Bill will face considerable difficulties as we proceed.

This is not a hybrid Bill, but it is the result of a hybrid promotion: it is being promoted partly by a recently privatised company and partly by a state-owned company. Sooner or later—and before we proceed much further with the Bill—someone will have to recognise that a public transport opportunity will be missed unless the matter is dealt with properly. We need a transport policy that recognises opportunities. We need the electrification of the Great Western main line— thank goodness Brunel built it to the 7 ft gauge, otherwise we should not now have enough land to do what the promoters envisage in the Bill —not just from Paddington to Heathrow but from the proposed Heathrow junction to Reading and Oxford and to Banbury and Coventry. We need the line to be connected with the electrified rail network throughout the country.

I must point out to my hon. Friend the Member for New Forest that people like through trains. They do not like having to change, especially if they are travelling with a lot of luggage. To build a new piece of railway line at a cost of many tens of millions of pounds and not to capitalise on the opportunities being created is a dereliction of duty.

Have the promoters considered the use of modern technology for powered slip coaches? The hon. Member for Ealing, Southall (Mr. Bidwell) will remember that the Great Western used to slip coaches in steam days. In those days, one could not do what one can now do with electric and diesel power, which is to slip a self-powered unit. Can my hon. Friend tell me whether that has already been considered, or whether it will be borne in mind when the promoters consider the west-facing link?

Sir Patrick McNair-Wilson: I am not competent, Madam Deputy Speaker, to answer questions about advanced technology on the railways in this debate: it is not a Second Reading debate. My only concern is that we should move to the point at which the interesting arguments deployed by my hon. Friend can be given a proper opportunity to be discussed—namely, a Second Reading debate in the next Session.

Madam Deputy Speaker: Perhaps I should again draw the attention of the House to the fact that we are not discussing the Bill. We are discussing the motion on the Order Paper, which deals with the question whether we should suspend proceedings on the Bill. We are talking not about the Bill but about a suspension motion and it would make my job a little easier if hon. Members would relate their remarks to that from time to time.

Mr. Adley: I shall relate my remarks to that from time to time, Madam Deputy Speaker.

The present Bill is a private Bill, but it will be funded in part by the nationalised railway industry. We cannot simply disregard the Bill's national transport implications. I shall endeavour not to incur your wrath, Madam Deputy Speaker, and I do not have a great deal more to say, but the point is that this is a private Bill based on the use and exploitation of a public asset—the Great Western railway main line.

On that basis, the promoters must be made aware that they cannot just take advantage of the opportunities of financial reward; they must be made to be responsible for the public interest in their use of a priceless national asset. That is why I ask my hon. Friend the Member for New Forest—or perhaps the Minister can answer this question —whether the promoters or the Department have made any sort of cost-benefit analysis not only of what is in the Bill but of the aspects that the promoters might reasonably have assumed hon. Members would raise at this stage in the debate.

My hon. Friend the Minister may not know this yet, but a number of us have had a wasted year. We have been discussing with British Rail the future of the Waterloo-Salisbury-Exeter line. We were promised a cost-benefit analysis and then, at the eleventh hour, British Rail had to admit that it had been told by the Department of Transport not to go ahead with such an analysis. How on earth can the Department of Transport forbid a nationalised railway industry to undertake a cost-benefit analysis? For this Bill, such an analysis is essential.

The Minister for Public Transport (Mr. Roger Freeman): Although it is not directly relevant to the motion, Madam Deputy Speaker, I must tell my hon. Friend that he has been misled. At no stage did the Department of Transport suggest to British Rail that a cost-benefit analysis should not be performed.

Mr. Adley: When my colleagues and I come to see the Minister, we shall pursue the matter. Certainly, that was the clear impression that we received from British Rail in the course of our meetings with it.

We are being asked to approve a carry-over motion for half a Bill. Where else but in Britain could it seriously be proposed to build a rail link from the nation's major airport facing in one direction only? The proposed new construction comprises a spur from the Great Western main line into Heathrow. The spur faces eastbound only. The Heathrow Express Railway Bill, welcome in itself, highlights dramatically everything that is wrong with transport planning in this country.

Passengers from the west country and south Wales—from Bristol, Cardiff, Swansea, Gloucester, Swindon—who wish to use the Heathrow link will have to travel into Paddington passing the new link-line; then transfer themselves and their luggage from platform X to platform Y at Paddington; then travel back on themselves to Heathrow. Leaving aside the time wasted and the aggravation of whizzing past one's destination and continuing in the wrong direction, the inevitable result of this situation is that large numbers of potential rail travellers to Heathrow from the west country will still go by coach and car, thus failing to ease congestion and pollution.

The obvious common sense of building a westbound spur into Heathrow has escaped planners of the new line, or, more likely, has failed to attract them as commercially worth while. No questions are asked about the perceived national interest, the obvious regional advantages or simple transport logistics.

Can anyone imagine the Department of Transport proposing a new motorway link road which faced in one direction only? To ask the question is to answer it. This highlights only too well the fundamental difference in road and rail planning in this country. For roads, money is no object. The taxpayer pays and that is the end of the story. For railway development, whether publicly or privately funded, no such rules apply. If it is not commercially viable, it is not built.

When British Rail announced its intention to build a high-speed link from the channel tunnel to central London, the nation demanded—quite properly—that full environmental protection be given to those who might be adversely affected. The Government so instructed British Rail: but they have failed to provide funds for the environmental protection. Somehow British Rail—alone amongst western European railways—is expected simultaneously to behave like a commercial organisation and a national environmental benefactor.

Contrast that with the saga of the Winchester by-pass. Quite appropriately, again, the Department demands sensible environmental protection: the taxpayer pays; no questions asked; end of story. Unless and until the same investment criteria are applied by the Department of Transport and the Treasury to road and rail investment, Britain's railway developments will be based on the foundation of Victorian engineering by our forebears, whilst our industrial competitors in Europe are busy building new railways as well as improving their existing infrastructure. I hope that my hon. Friend the Member for New Forest will pass my thoughts on to the promoters in full and that he will be able to assure me that, before we proceed any further with the Bill, these matters will be raised with the Department of Transport——

Sir Patrick McNair-Wilson: The points that my hon. Friend has raised are exactly the points that should be raised in a Second Reading debate. I very much hope that the House will allow the Bill to be carried over so that that debate can take place and so that my hon. Friend can deploy his interesting arguments.

Mr. Harry Greenway: I shall have considerable doubts about supporting the carry-over motion unless proper attention is paid to the environmental aspects of the Bill to which my hon. Friend has referred. In my constituency, we need safeguards to prevent children from getting on to the line because they can do so all too easily—*[Interruption.]* Well, this is fundamental to my attitude and to whether I vote for the carry-over motion——

Madam Deputy Speaker: Order. I am sure that it is, but I must advise the hon. Gentleman that it is not fundamental to the——

Mr. Greenway *rose*——

Madam Deputy Speaker: Order. It is not fundamental to the carry-over motion. I am sure that the hon. Gentleman will seek to speak in the debate and I shall wish to call him so that he can speak to the motion.

Mr. Greenway: On a point of order, Madam Deputy Speaker. How can one decide whether to support the carry-over motion without making the fundamental points that had been put before one by one's constituents in support of the ultimate Bill?

Madam Deputy Speaker: Order. If we should reach Second Reading, that is when the hon. Gentleman should put his points. He is now anticipating a Second Reading debate in which he will be able to determine how he will vote on the Bill.

Mr. Adley: May I conclude my speech, Madam Deputy Speaker? I do so by saying that, in view of my long, close and happy relationship with my neighbour, my hon. Friend the Member for New Forest, I shall support the carry-over motion because he has assured me that my points will be taken into account. The Minister has also listened to all the debate. I therefore hope that, before the Bill receives its Second Reading, those of us who support it but who wish to see it amended will be able to seek a meeting with my hon. Friend the Minister to pursue some of these points, preferably on an all-party basis.

8 pm

Mr. Peter Snape (West Bromwich, East): The debate has been interesting, whether in or out of order. The fact that so many hon. Members of all parties have expressed their legitimate concerns about the progress of the Bill shows that, if and when we reach Second Reading, the hon. Member for New Forest (Sir P. McNair-Wilson), who moved the motion with his customary diligence and courtesy, will face considerable cross-examination. I have no wish to arouse your ire, Madam Deputy Speaker, by transgressing the rules because, were I to do so, I should suffer in a way in which other hon. Members would not, because you would have ample opportunities to tell me so in West Bromwich, as well as in the House.

I should like to give my party's attitude to the motion and, if we have a Second Reading debate, to present our views on the Bill as a whole. The way in which the Bill is being promoted is indicative of the lack of any transport

policy under this Government and of the illogical thinking of many Conservative Members. Over the past 11 years, the Government have continually said that British Rail must divest itself of what Conservative Members term its "superfluous activities". Those aspects of the railway network that were built up by the former private railway companies and run by British Rail since 1948, such as the shipping and hotel services, have been removed from British Rail during the past decade because the Conservative party has said that British Rail should concentrate on running the railway system.

Nevertheless, Conservative Members are here presumably prepared to support a Bill that is promoted jointly by the former British Airports Authority—now BAA plc—and British Rail. The Bill has little to do with operating an airport, but everything to do with running a railway. If the British Airports Authority—or whatever it calls itself these days—can build a railway, surely a railway system can be involved in the ancillary services from which it has profited and which have been seen as a necessary adjunct to that system for more than 100 years. To say the least, it is illogical for the Conservative party to support the carry-over motion, given the way in which the Government have behaved towards British Rail and some of its activities during the past 11 years.

The most worrying aspect of the provisions is that, if the forecasts of the hon. Member for New Forest prove accurate, 6 million people will be using the mainline station in London which is probably the least suitable to carry that additional burden. When I suggested to the hon. Member for Westminster, North (Sir J. Wheeler) who, alas, is no longer in his place, that that state of affairs should worry Westminster city council and himself, he replied that it was a matter for Second Reading. However, he also referred to the east-west crossrail which, if it is ever built, will have a substantial impact and will relieve Paddington station of that additional burden.

I realise that the Minister of State has not been at the Department of Transport very long and that he seems to have been shunted into this branch line, but I must advise him that some of the Department's pronouncements are difficult to believe. Earlier this year we had an announcement from British Rail about the modernisation of the railway line to Glasgow, but we are now told that that will not happen because of the economic situation. Furthermore, the Secretary of State and the Minister of State were very much aware of the fears of some of my hon. Friends—and, to be fair, of some Conservative Members—about the additional burden that would be placed on Paddington station if the motion were adopted.

Miraculously, at the Conservative party conference—a strange forum to make such an announcement—and in a vain attempt to produce the standing ovation which I always thought was customary on such occasions, although obviously I was wrong, the Secretary of State produced the east-west crossrail out of his top hat at an estimated cost of £1·5 billion but said nothing about the source of the funding. When the present Secretary of State produces such a white rabbit from his top hat before that particular forum, I think that it is a job for a good vet because I am not sure whether the animal is genuine. Both Siegfried and Tristan from "All Creatures Great and Small" would have an interesting time examining that white rabbit. The Minister of State owes it to the House to tell us whether the funding for the east-west crossrail will be forthcoming because the Opposition's attitude to the motion may well depend on that central point.

Mr. Freeman: I do not wish to detain the House later if I catch your eye, Madam Deputy Speaker. The east-west crossrail will be funded in the conventional way by the Department of Transport by way of grant, in just the same way as the Jubilee line will be financed. Turning to the west-coast main line, I must advise the hon. Gentleman that he should not believe what he reads in the newspapers. That project has not been cancelled. As I understand it, it is still very much in British Rail's plans.

Mr. Snape: If I said that it had been cancelled, I was wrong. I thought that I said that it had been delayed or postponed. We now read that British Rail is talking about an additional year of delay before bringing forward those plans.

Let us concentrate on the Bill——

Mr. Andrew F. Bennett (Denton and Reddish): I was wondering whether my hon. Friend could pursue this a little more quickly. Shall we be able to get from Glasgow to London quicker before we can get from Paddington to Heathrow that little bit quicker?

Mr. Snape: I have no doubt that, having heard that comment, the Minister of State will reply suitably to it if he succeeds in catching your eye, Madam Deputy Speaker.

The real fears expressed by hon. Members of all parties about the motion and the logical conclusion of its acceptance should be considered carefully both by the promoters and by the Department of Transport. It is not just a question of BAA plc and British Rail dividing the £235 million cost in the way in which they have outlined with 80 per cent. being met by BAA plc and, as I understand it, 20 per cent. by British Rail. In an ideal world, the Department of Transport would say that this should be a joint partnership. If the Minister of State would like to take the weight of speaking for the nation on his undoubtedly broad shoulders, he should say, "We, the nation, must be involved in a project of this size." It does not make sense merely to connect the nearest London terminal station to Heathrow airport. We must do far more than that and ensure that if and when the new rail link is built it becomes an integral part of our overall railway system. Such a piecemeal, begging-bowl approach to these matters bedevils our transport industry and amply illustrates what is wrong with the Government's lack of a transport policy.

Mr. Bob Cryer (Bradford, South): Is it not also nonsensical that an important railway development should apparently depend on British Rail being able to flog off some land to obtain the revenue to inject into the project? It might find itself in the same position as it was in at King's Cross. The land that it proposed to sell was suddenly declared to belong to a hospital and had to be returned to that hospital instead of being used for development land—a classic example of depending on the vagaries of property development for important projects.

Mr. Snape: Exactly. The overall economic situation, grim as it is, also has an impact on the amount of cash that British Rail can raise from the sale of its land. This is the only nation on earth that would approach projects of this size and complexity in this way. It is nonsensical that

[Mr. Snape]

British Rail should have to flog off parcels of land to find the money to invest in a railway line which should have been built decades ago.

Mr. Adley: Will the hon. Gentleman come to the point about the west-facing link? In case I did not make myself clear, does he agree that if the same had been done by road, it would have been announced when the M4 was being built that there would be a link from the M4 to central London but that the traffic coming in by road would have to go right into central London, round Hyde Park corner and back out again?

Mr. Snape: That amply illustrates the nonsensical approach that the Government always adopt.

I should not want the House to think that I am being too hostile to the British Airports Authority. Without its contribution, the link would never be built under the present Government because British Rail would have great difficulty proving that there would be a proper return on the capital. No doubt it would have to parcel up even more tracts of land throughout the country to finance the link, assuming that the Secretary of State or the Minister of State gave it permission to spend its own money.

To return to the point made by the hon. Member for Christchurch (Mr. Adley) and by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), a similar situation arose with the Manchester airport rail link. That is being built by BR, although it can only afford to build a north-facing junction. It has supposedly reserved enough land to be able, when it has parcelled off and sold another piece of land, to build a south-facing junction some time in the future. Those are the economics of bedlam and the railways of the madhouse.

Mr. Andrew F. Bennett: Does my hon. Friend accept that at least the promoters of the Manchester Bill had the honesty to include in that Bill the north and south links? Although it is sad that the south link is not being built at the same time, at least the parliamentary powers exist to build it and it can be lobbied for. The sad thing about this Bill is that there is no sign of a west link in it. All the signs are that the promoters are determined not to have one.

Mr. Snape: That is probably right. Looking at the scheme from the promoters' narrow angle, I do not believe that they want a west link. They want their own dedicated train service running every 15 minutes between Paddington and Heathrow. They would regard the addition of trains from the west country as an intrusion on their private railway. That is what is wrong with the system. Even if land is reserved for a west-facing junction, there is no guarantee that under the present 80-20 system of ownership the junction would ever be laid. Given the habitual incompetence of much of British Rail's senior management, they would miss an opportunity like that if they were given the chance.

It is hard to imagine the BAA seeking additional trains from the west country because the authority would regard them as trespassing on its private piece of railway. The BAA also says that because the new station at Heathrow is under ground it will be unsuitable for the diesel trains —HSTs or diesel multiple units—which now operate on the former Great Western main line. As the hon. Member for Christchurch would tell us, that is an argument for electrification, but so far as I am aware the Government have no plans to electrify the Great Western main line. So unless common sense prevails and there is a change of heart by the Government we shall be stuck with a private piece of railway—*[Interruption.]* I wish the Minister would persuade some of the people who sit in the civil servants' Box, and who have been giving him doubtful advice, not to shake their heads when an Opposition Member is speaking. After all, it is their advice on which successive Ministers have relied for so many years, which explains why our transport network is in such a mess.

I hope that before the House accepts this motion it will look again at some of the points that have been raised. Perhaps we should reconsider the signalling system in and out of Paddington—a point mentioned by my hon. Friend the Member for Merthyr Tydfil and Rhymney—which I believe is still controlled from an old oak signal box dating from the late 1960s. I do not know whether that system can be improved to cater for these additional trains without impinging on the existing mainline service from Paddington. If the experience of Birmingham is anything to go by, it cannot, because we have enormous problems with additional capacity into Birmingham New Street station, where the signalling system dates from the 1960s. With its habitual short-sightedness, British Rail senior management ripped up every additional piece of track that it could, so life is extremely difficult now that capacity needs to be increased in the way that many of us had warned that it would.

There are still many unanswered questions. Although the hon. Member for New Forest has done his best to answer them, hon. Members on both sides need more reassurance. If this is to be a small private railway run purely for the benefit of Heathrow airport, it will not have the support of the Opposition or, I suspect, of many Conservative Members.

8.17 pm

The Minister for Public Transport (Mr. Roger Freeman): I apologise to the hon. Member for West Bromwich, East (Mr. Snape) for any apparent discourtesy by officials—it was not meant. From my knowledge of officials in the Department of Transport, I can say that they would serve any Government of any party fully and faithfully, and I assure him that their views about the facts are in no way intended to be discourteous.

The Government support the procedural motion because we support the principle of the Bill: a new, fast, electrified line from the nation's capital to the nation's major airport. As my hon. Friend the Member for New Forest (Sir P. McNair-Wilson) rightly pointed out, prospects of connections beyond, once the east-west crossrail is completed—we hope by the end of the decade, although British Rail cannot yet have fully thought through the details—open up, for instance, between the airport and other places in the nation's capital and further afield. That is an exciting prospect, made possible by the announcement on the crossrail.

Mr. Cryer: As the Government have no plans to electrify the former Great Western main line out of Paddington, does the Minister envisage a dedicated track to Heathrow as the sole electrified track out of Paddington? Does not that militate against any use of the Heathrow railway by other traffic?

Mr. Freeman: I do not want to stray into secondary issues. Of course, an electrified track coming off the main line to Heathrow would preclude—although this is not for me to say—a diesel service coming from the west country, for reasons of railway safety. That is a matter of common sense, although it is not for discussion in this debate. As the hon. Gentleman has rightly said, all points west of the junction with the main line would have to be electrified to provide a west-facing service. The line to Reading will be electrified on the east-west crossrail. However, no submission or decision has been made by British Rail about the electrification of the whole of the Great Western line.

Mr. Adley: Is the Minister saying that the east-west crossrail rail will have full overhead electrification to Reading? If that is the case, it is extremely welcome news which I must have missed.

Mr. Freeman: Planning permission for an east-west crossrail has to come before the House if that procedure is adopted. That is the principle behind the proposal. I should be happy to meet hon. Members to understand more fully some of the points that have been made. They are not directly germane to the motion or the principle of the Bill.

I note the pressure for stops on the line, especially in Ealing, and the arguments for a west-facing service. I also note what hon. Members have said about the implications for the existing service at Paddington station. Those are all important matters and I give an undertaking to my hon. Friend the Member for Christchurch (Mr. Adley) and to other hon. Members that at any time from tomorrow onwards I should be happy to meet them to understand their concerns more fully. In the meantime, the Government support the motion because we support the principle of the Bill.

Mr. Patrick Ground (Feltham and Heston): The Minister mentioned links in other directions. Will he include in his undertaking a willingness to discuss the possibility of keeping open links to the south by constructing the tunnels under the airport, because the points that he has made apply in the same way to links to the south as to links in other directions?

Mr. Freeman: I note what my hon. and learned Friend says. The Department of Transport does not run the railways. This is a private Bill and it is for British Rail to make investment proposals to the Government. If my hon. and learned Friend cares to join my hon. Friend the Member for Christchurch in a meeting with me or cares to see me separately, I should be glad to listen to his arguments.

8.21 pm

Mr. Andrew F. Bennett (Denton and Reddish): Did the Minister say that the cross-London link will be electrified from Reading? If that is the case, the west link is much more feasible. The Minister is nodding, from which I take it that the line will be electrified from Reading to the centre of London.

I oppose the carry-over motion because it is a totally inappropriate way for us to proceed in this matter. It is clear from the debate that we are concerned about three major areas. One is a national transport policy, the second relates to environmental issues for people close to the proposed link, and the third is about how well petitioners can be represented.

It is inappropriate for us to deal with transport policy by way of a private Bill which can always be narrowed as it goes through Parliament. However, it can never be widened. The perfectly reasonable proposals about the west link could not possibly be introduced to the Bill at any stage because the promoters would have had to give notice to local people and it is possible that petitions would have been raised. Such a procedure enables us to discuss only a narrow part of transport policy.

We should throw out the Bill. We have already spent a long time on it, but the Government should start again. Instead of using a private Bill, the Government should present their own measure which would give us an opportunity to discuss all the transport implications in the same way as the House is able to scrutinise public Bills. That is much more satisfactory than the way in which we scrutinise private Bills.

Mr. Snape: I realise that my hon. Friend's objections to the Bill are procedural rather than on the details of the Bill. However, I urge him to bear in mind that, although this system of legislation is inadequate, it at least enables the House to debate railways projects. There is no such procedure for road projects, which is why we never debate them.

Mr. Bennett: I am not arguing for a procedure that would allow us to debate only road projects. I want a procedure that will enable us to debate our whole transport policy. We do not have an opportunity to debate a whole series of transport matters.

What is the relationship between the Bill's proposals and the whole question of the channel tunnel? I am mystified about what British Rail will do. Will it advertise to encourage people to go to Paris by taking the train from Paddington to Heathrow and then flying, or will it encourage people to go all the way by rail? The British Airports Authority wants to promote a rapid link to Heathrow because it wants to encourage more people to fly. I am baffled by British Rail's proposals.

We should have a proper debate about how far we want to encourage more people to fly to Europe or more people to travel by train when the channel tunnel is completed. We could debate the environmental issues and the implications for Kent and for those who live around the airport. The Bill also raises the whole question of the regional airports versus Heathrow. The north-west faced great difficulties about getting the money for a small rail link from the centre of Manchester to Manchester airport. That link should have been built years ago. However, we see the ease with which money can be raised to improve a link through the centre of London and out to Heathrow. We should be able to explore the whole of that argument.

We should question whether everyone should have to travel into London and then out to Heathrow or Gatwick rather than having direct links to those airports. Hon. Members have spoken about the west link. A west link would be attractive for people from the north of England because from Reading northwards the old Great Western line to Coventry would form an attractive link to the north-west. It is much more attractive to come from Manchester to Heathrow via Reading and to have a direct

[Mr. Bennett]

link into the airport from the west than to have to get out at Euston and struggle through central London and all its crowds.

Mr. Adley: That is precisely why I have been pleading for some years for the linking of the channel tunnel line and the proposed line through to Reading, Oxford, Banbury and, through Leamington, to Coventry. We have not touched on a matter that the promoters must consider because it is relevant to the Bill. It is whether passengers would prefer to save perhaps five minutes by transporting their own luggage from A to B or whether they would prefer through services if they were available. In any discussion on transport policy linking rail and air, that aspect of any proposal must be fully considered.

Mr. Bennett: I accept that. I would argue strongly for a link from Reading northwards. It would be attractive for people on the west side of Britain to have a major service down the west side to Reading which then made its way to the channel tunnel, avoiding London. A link from Reading to Heathrow would also be attractive. Many people who live north of Reading would find it better to go northwards to Manchester, which has a much more convenient airport, than to try to struggle round the four terminals at Heathrow. There are strong arguments for developing a policy that encourages much more use of regional airports.

A major problem of the private Bill procedure is that it does not give us a proper opportunity to explore what should be our national transport policy. For example, the hon. Member for Christchurch (Mr. Adley) asked whether people want through journeys, or to change. What about the convenience of changing on one platform rather than having to struggle from one platform to another—a factor with considerable implications for people with luggage?

If this were a public Bill, amendments could be tabled and issues could be debated at some length in Committee. I suspect that there would be a great deal of interest in debating and making proposals for an effective integrated public transport system. While the private Bill procedure gives us the occasional three-hour debate—when we press some of the procedural points, we get slightly more debates—it is not a satisfactory way in which to proceed.

There are also the environmental issues. The private Bill procedure is not satisfactory for those who live along the proposed routes. I appreciate that in this case the promoters have put much of the section to Heathrow underground, and removed the objections of some of the people who live close to the route and who would suffer environmental problems. However, those living along the existing sections of railway will suffer from the considerable increase in the frequency of trains. There are far better ways for them to put forward their objections than to have to come to a Private Bill Committee in the House of Commons.

It is increasingly onerous on hon. Members to have to sit in a semi-judicial role. Furthermore, I wonder whether any hon. Member can honestly say that he has no interest in a Bill such as this. The theory behind the Bill procedure is that four hon. Members, who are supposed to be neutral and disinterested, and who will listen to the case being put forward by the promoters and the objectors, are picked to serve on the Committees examining the Bills. I suspect that most hon. Members have suffered from the frustrations of trying to get out to Heathrow and would, for their own convenience, prefer to cut the journey time considerably. Many hon. Members use Heathrow almost weekly, so the House will have to look carefully to find those who could fairly serve on the Committee and have no interest in the matter. Furthermore, we do not best serve our constituents by being tied up in a Private Bill Committee with such narrow terms of reference for the long hours that some of our colleagues have suffered when dealing with private Bills such as the Kings Cross Railways Bill and the Channel Tunnel Bill and one or two other such Bills.

If the House were to refuse this and other carry-over motions, it would encourage the Government to reform the private Bill procedure. We have had a consultation document on this, and the responses to the Government were in by 28 September. I hope that the Minister will at least have a word with the Leader of the House and suggest that there are many attractions in finding time in the next Session to legislate to reform the private Bill procedure. It is likely that the Session after that will be the first of a new Parliament. I suspect that reform of private business would not be the first priority in such a Session. When the Labour party forms the new Government, there will be fierce competition for the first Bill, and I suspect that Tory Members who hope that they will form the next Government will not want legislation dealing with reform of private Bills to be introduced in the first Session of their new Parliament. Therefore, the next Session of Parliament, in which business appears to be rather light, gives us the most reasonable chance of getting through such reforms.

We must tell people outside what is happening. Several Bills dealing with transport are under discussion and people have a right to know whether such Bills will be taken through under the present archaic procedure, or under a new and improved set of rules. For example, in what way will the proposal for a cross-London link, which we have discussed today, be dealt with? We must sort out our procedures, and if the House stopped routinely passing carry-over motions and insisted that promoters got Bills through in one Session, or if the Government looked for some other way to promote such measures, that would be a major spur to sorting out these procedures.

8.35 pm

Mr. Terry Dicks (Hayes and Harlington): I am the constituency Member for the Heathrow end of the proposed railway and I declare an interest as a shareholder in the British Airports Authority. My hon. Friend the Member for New Forest (Sir P. McNair-Wilson) said that the cost of amending the route was £25 million when, as I pointed out to him, it was £12 million which was put in by the BAA. The hon. Member for Ealing, Southall (Mr. Bidwell)—I nearly called him my hon. Friend because we both sit on the Select Committee on Transport—also suffered from a slight misunderstanding. He said that his constituents were concerned about the rising of the line on the flyover, but the flyover comes out at Hayes. I think that the hon. Gentleman was remembering the days when he lived in this part of Hayes, and I hope that he does not mind my correcting what he said.

We have to look at several factors before deciding whether to agree to the carry-over motion. The first is consultation. When this issue first raised its head in the summer of 1988, what consultation there was was bad.

Since then, and since this was brought most forcibly to the attention of the sponsors by me and others, the consultation, especially that between the BAA and me, as the local Member of Parliament, has improved substantially. I am glad to place that on record.

I still believe that the route chosen is the wrong one. I feel that it should come in from Southall direct to the terminals. However, again as a result of the debates in the other place, the promoters of the Bill amended the proposal in a way that most reasonable people would feel is acceptable, and they are to be congratulated. However, many of my constituents are more concerned about the way in which the railway line will lift off past their homes —in some instances past their bedrooms—rather than being pleased that the line in going under the M4, as that has little effect on the way that they live or on their environment.

The amount involved now is over £200 million and, on the projected figures, 6 per cent. of the 39 million passengers using Heathrow will use the link. However, there will soon be a planning application for terminal 5, which, if approved, will increase the number of passengers to 50 million. What will be the effect on the comfort and perhaps even the safety of the link of another 1 million passengers—7 million rather than 6 million? Before we decide to agree to the carry-over motion, will my hon. Friend the Member for New Forest say how this potential increase in rail use is covered by the Bill?

I share the view of my hon. Friend the Member for Christchurch (Mr. Adley) that we must have a better rail link from London to Heathrow. The motorway and other surface access to Heathrow is appalling with four terminals, and the only way to improve surface access is to make sure not just that we have a link but that we have one that meets the needs of my constituents as well as the financial aspirations of British Rail and BAA.

My local authority of Hillingdon has never been and is not now opposed to the principle of a fast rail link. However, some questions need to be answered. As I have already said, the construction will cause a great deal of concern to my constituents. The area is renowned for the amount of hazardous waste beneath the surface. Unfortunately, it has methane gas deposits, so great care must be taken. I hope that my hon. Friend the Minister will give an assurance that all possible measures will be taken to minimise the impact of dealing with hazardous infill—for example, it may have to be moved and deep piling may be necessary.

Although the proposals are welcome to many people in my area, it must be remembered that my constituents will have to cope with the noise of additional trains at night and early in the morning. I wonder whether the Bill's promoters have considered every possibility for minimising the noise from additional trains.

Sir Patrick McNair-Wilson: I have already said that 15 petitions have been lodged against the Bill, some of which relate to my hon. Friend's concerns. If the carry-over motion is passed, that will provide an opportunity for the important points raised by my hon. Friend to be given an appropriate airing in Committee.

Mr. Dicks: I am aware of the requirement that we speak within the rules of the carry-over motion. However, if my hon. Friend can clarify certain aspects of the proposal tonight, some of the petitioners might modify their objections by the time the Bill reaches Committee.

I understand the comments from south Wales Members about trains not stopping to pick up passengers along the line into London, even though Heathrow is just around the corner from some of the stations.

I am in a dilemma, because some of my constituents do not want the rail link, while my local authority wants it, but believes that there is a better route. At this stage, I am not sure which way I shall vote. From a democratic viewpoint, I suppose that a Second Reading would give hon. Members the opportunity to air their views in a much deeper and more meaningful way than is possible on a narrow carry-over motion. Perhaps, on balance, there is a case for allowing the Bill to proceed to Second Reading. I shall have to make a decision on that before the vote.

8.42 pm

Mr. Rhodri Morgan (Cardiff, West): Like other hon. Members, I am in a dilemma. I am not opposed to the principle of a fast rail link from London to Britain's major airport. London has been referred to as the nation's capital, and it is certainly one of the nation's capitals. I am disinclined to support the motion, and my reasons for that are related to what a carry-over motion is all about and to the rights of ordinary Members of Parliament with an interest in the matter. I have taken an interest in this Bill since it was first mooted and eventually made its first tentative steps into the private Bill procedure in another place.

We must seriously consider our rights in relation both to the private Bill procedure and to carry-over motions. Most of us understand the private Bill procedure to confer on Members of Parliament the right to express views to the promoters. The promoters then have a fairly clear idea what they need to do to satisfy the objections from all parts of the House. If they want their Bill to go through quickly, they try to meet those objections. If they do not mind struggling through a carry-over motion, Second Reading in the next Session and a Committee stage opposed by 25 petitioners, the procedure will take a great deal longer but they may eventually get the Bill in the form in which it was originally tabled. That is their choice, and it is the traditional way in which we conduct our private Bill procedure. It is the balance that Parliament has struck between the rights of the promoters to bring a private Bill before Parliament, with petitioners able to object to it, and our rights as Back-Bench Members of Parliament.

I listened carefully to what the hon. Member for New Forest (Sir P. McNair-Wilson) said when he attempted to satisfy some of the objections from Opposition Members and, in particular, from Conservative Members, in the hope that those who are minded to vote against the Bill or who are extremely worried about it might have their minds changed by the end of the debate. I wish to explore the exact nature of the assurances that he gave to his hon. Friends the Members for Christchurch (Mr. Adley), for Hayes and Harlington (Mr. Dicks) and others. I wish to clarify exactly what he said.

I should not like to think that the hon. Gentleman was giving oral promises which might fall into the Sam Goldwyn category of not being worth the paper on which they are written. The hon. Gentleman said that the promoters were fairly open-minded about making some

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provision for travel from the west into Heathrow which would take advantage of the investment that the British Airports Authority and British Rail are willing to make. He said that he wanted to make that point at this stage in the hope of achieving some cross-party—east and west of Heathrow—backing.

Sir Patrick McNair-Wilson: I made it clear that the Bill seeks to provide a basic, dedicated service between the capital and Heathrow. However, the promoters have said that at some time in the future, after that is set in place, they will consider the options available—some of which were referred to by my hon. Friend the Minister—when the east-west crosslink has been built. Much is said about what happens in continental Europe. Charles de Gaulle airport has a dedicated line which does not go past the airport, and does not pick up people from Reims, Vervins or anywhere else. That is a normal procedure. British Rail is right to build a basic system first and then consider the options to which the hon. Gentleman referred.

Mr. Morgan: If I understand the hon. Gentleman correctly, he is withdrawing all the assurances that he gave about having an understanding with the sponsors that, if we pass the carry-over motion and give the Bill a Second Reading, at some stage in the proceedings the sponsors will be willing to spend some money on making provision for westward travel. Is the hon. Gentleman saying that, if we pass the carry-over motion and if the sponsors manage successfully to negotiate the other shoals and rapids of the parliamentary procedure, perhaps at some later stage there could be some provision for futher expenditure, wholly unconnected with the matter before us tonight, which might provide the wider link to south Wales and, as mentioned by my hon. Friend the Member for Denton and Reddish (Mr. Bennett), to Birmingham and points north-west via a link from Didcot? The hon. Gentleman cannot have it both ways.

Sir Patrick McNair-Wilson: I am not trying to have it both ways. If the hon. Gentleman reads what I said in *Hansard* he will find that, both in my opening remarks and now, I am saying that we are seeking power in the Bill to build a basic link between the two points. However, British Rail has said that in future it will look at the sort of extensions to which the hon. Gentleman has referred.

As the former Chairman of the Joint Select Committee on Private Bill Procedure, I am well aware of the current system's defects. The Committee's unanimous report is currently being considered by both parts of the House. As the hon. Member for Denton and Reddish (Mr. Bennett) pointed out, that led to a consultation document which ended on 28 September. There is nothing sacrosanct about the private Bill procedure. I should like to see it altered for railway building, but I am anxious that the Bill should go forward for a Second Reading when the important points to which the hon. Member for Cardiff, West (Mr. Morgan) has referred can be properly discussed. He can have the proper assurances on such an occasion, but I am afraid that tonight is not the right occasion for such assurances to be given.

Mr. Morgan: It is important that the House should be crystal clear about what the hon. Gentleman is now saying. Is he saying that the Bill's promoters are open-minded about amending it during its passage through the House with regard to both the Westminster end and the people who represent constituencies immediately west of Heathrow or around Heathrow or elsewhere? Or are they merely open-minded about doing something entirely different at a later stage? Of course they will be open-minded about introducing an entirely different Bill at an entirely different time, possibly with an entirely different public/private sector joint venture. But I think that the hon. Gentleman is saying that their minds are closed to any alterations to the Bill.

Sir Patrick McNair-Wilson: I made the point earlier that in the Opposed Private Bill Committee in the other place a substantial change was made to the route that the link will take. It was to have gone on a viaduct above the M4, but it is now going in a tunnel under it. The hon. Gentleman's point can be argued in Committee, if such takes place, when the Bill returns in the next Session. The assurances for which he is asking must be given by the promoters. I am making the point that they are listening to what he is saying and that the purpose of the Bill, as at present drafted, is to build the basic link.

Mr. Morgan: I am grateful for the gracious way in which the hon. Gentleman has risen every time I have challenged him. I do not wish to put too heavy a burden on him as though he were the promoter—he has simply introduced the Bill today for the purposes of the carry-over motion—but it is our right as Members of Parliament on a carry-over motion that is important.

The hon. Gentleman said that in the other place the promoters showed themselves flexible enough to put more of the line in a tunnel and therefore we should be reasonably satisfied that they will listen to any points that are made, but this carry-over motion is one of the ways in which to bring a bit of heavy muscle to bear on the promoters so that they give us some indication of the kind that they have not shown so far during the Commons stages of the Bill. They have done so in respect of altering the route from Paddington to Heathrow, but not in respect of the linkages between the line and the rest of the public railway system. That is the critical point. Are they willing to consider putting one or more stops on the line, as distinct from altering the route or putting sections of it in a tunnel? That is the sort of thing that Back Benchers would like to know at this stage.

Madam Deputy Speaker: Order. I remind the House that this a procedural motion. The hon. Gentleman is anticipating a Second Reading debate, when these matters can be debated.

Mr. Rowlands: On a point of order, Madam Deputy Speaker. After an earlier exchange between myself and the hon. Member for New Forest (Sir P. McNair-Wilson), I believed that this was an open-minded debate and that when it came to Second Reading and subsequent stages the promoters would be genuinely open-minded and at least consider making provision in the Bill for stopovers and connections with the west, particularly with south Wales. It now appears that that is not quite so, and that affects the way in which I shall vote on the motion. Therefore, I hope that you, Madam Deputy Speaker, will consider that a legitimate point to raise in the debate.

Madam Deputy Speaker: That is not a point of order for me. The hon. Gentleman seems to be repeating a speech that he made earlier.

Mr. Morgan: I am confining myself as best I can to the motion, but in my inexperience you, Madam Deputy Speaker, may have to correct me and I shall be happy to accept such a correction.

I am concerned about the kind of undertaking that can be given in a debate on a carry-over motion to show not the good behaviour of the promoters but their flexibility, which the sponsor has been at pains to emphasise in his opening speech and in his interventions in response to me and to other hon. Members.

There are three major ways, apart from the buffers at Paddington station, of linking the dedicated enclave line contained in this private Bill with the public railway system. Can some sort of nod or wink be given at this stage as to whether any of those are up for grabs if we agree to the carry-over motion and the Bill reaches Second Reading and Committee stage? Those three ways have been partly referred to by the hon. Member for Christchurch (Mr. Adley) and my hon. Friend the Member for West Bromwich, East (Mr. Snape).

Mr. Adley: I accept the assurance given by my hon. Friend the Member for New Forest (Sir P. McNair-Wilson) and I gratefully accept the Minister's offer of a meeting to ensure proper ministerial influence. I hope that on that basis the hon. Gentleman will be inclined to join me in the Lobby tonight in support of the motion.

Mr. Morgan: I shall be happy to do that. Earlier today the Welsh parliamentary group met the Minister in Marsham street when the matter that we are discussing was touched on. Like the hon. Gentleman, I accept the assurances that have been given, but I want to know what they mean. Basically, we are seeking to discover what a carry-over motion can achieve for ordinary hon. Members.

I was dealing with the three major ways of linking the line to the public railway system and whether we can discuss those tonight by way of a sponsor's undertaking on behalf of the promoters or whether we simply have to accept an open-ended assurance that they may be dealt with at another time.

We in south Wales would like a stop on the line as far west as possible—somewhere between West Drayton and Hayes, I think, but my knowledge of the local geography is limited. Members for the Ealing area have already mentioned that they would like a more commuter-oriented stop closer into London—seven miles east of Farringdon. We would like some mention of that from the sponsor tonight. If we give the Bill's supporters the carry-over motion tonight, are they prepared at a later stage to talk about stops, or have they completely shut that out of their minds? Would they rather drop the whole Bill? Do they think that stops would wreck the economics of the line?

Another idea has been mentioned three or four times today, so I am sure that you, Madam Deputy Speaker, will not mind if I mention it a fifth or sixth time. That is the question of a westward-pointing junction just slightly west of Heathrow, which would join up on the stub line down into Heathrow with the eastward-facing junction coming out in the Hayes area. They would join up to enable people from Slough and points west as far as Reading, Bristol, south Wales—and, indeed, Oxford and Birmingham—to enter London from that route.

A third idea is what I think that the sponsor has talked about. It has also been tangentially referred to by the local Member of Parliament, the hon. Member for Hayes and Harlington (Mr. Dicks), with whom I had the honour of serving on the Dartford-Thurrock Crossing Bill for some sins that I must have committed during the summer of 1987, although I have still not found out what they were. They pointed out that if, and only if, terminal 5 is built at Heathrow—and that would convert this matter into a totally different type of undertaking—a westward link would come out underneath terminal 5 of the new railway link that is to go underneath terminals 1, 2, 3 and 4, thereby offering a nice little carrot to the House of Commons to remember in future what we spoke about in the original Heathrow Express Railway Bill back in the summer of 1990. It is almost as if they are saying, "We are willing to do that for you now, but only if you give us permission for terminal 5." That would not convert tonight's proceedings into an ability to obtain an undertaking that they are willing to consider a westward link; it would mean that, if they come back with an entirely different scheme to expand Heathrow massively to a capacity for a throughput of up to 60 million or 70 million passengers a year, as was mentioned by the hon. Member for Hayes and Harlington——

Mr. Dicks: I did mention 50 million, but the 60 million or 70 million referred to by the hon. Gentleman is going too far. Nor was I suggesting that the promoters—especially British Airways—would use this as a form of blackmail to get terminal 5; I was merely referring to the transport implications for both road and rail of a fifth terminal.

Mr. Morgan: I mentioned 60 million or 70 million, as opposed to the 50 million mentioned by the hon. Gentleman, because I am not the local Member of Parliament and therefore would not encounter the frightful constituency implications that no doubt would affect him. I am not merely repeating the hon. Gentleman's point about terminal 5; I am amplifying it, because it is entirely relevant to the carry-over motion.

I have been exercising my rights as an ordinary Member of Parliament to object to a private Bill. I have put my name down; other objectors have had to withdraw because they are now on the Government Front Bench. I have done that for many months. The objectors have had meetings with the two promoters of the Bill. The hon. Member for Hayes and Harlington has exercised his right, as a local Member of Parliament, and I have exercised mine as a south Wales Member of Parliament. The promoters have told us that if there is a fifth terminal it will be possible to exercise the third way of connecting up to the railway system somewhere west of Slough. A big loop would then come in from Reading, dive down to terminal 5 and through to terminals 4, 3, 2 and 1, and back up on the line that we are discussing tonight.

What is being said is, "Give us the ham tonight, and then, if you give us the eggs at a later stage, we will have a 'ham and eggs' of the westward link." That is what hon. Members on both sides of the House are asking for tonight —both those who want commuter assistance because they represent constituencies near Heathrow involving huge

[Mr. Morgan]

work forces, and others who have a regional point of view to put but cannot put it properly under the private Bill procedure unless they exercise their muscle power as Back Benchers in relation to carry-over motions.

Procedural though they be, such motions give us the right to try to put the squeeze on the promoters of private Bills. Otherwise they ignore us completely, as we have been ignored regionally in attempting to exercise our rights. That is why tonight's procedural motion provides an extremely welcome opportunity for us to see whether, by expressing our views forcefully tonight, we can obtain some type of undertaking that the promoters are listening to people who say that "private enclave" railways are not a good investment for this country, but that new investment on the railways that is linked to the public railway system is a good investment for many reasons relating to the environment, global warming, traffic exhaust fumes and surface access transport to the most important single mode of transport in this country.

I am still disinclined to vote for the carry-over motion, simply because of the procedural point that has already been referred to by the hon. Member for New Forest—when he was talking as the past joint Chairman of the Joint Committee on Private Bill Procedure and not as a sponsor of the Bill. That Committee made a recommendation that carry-over motions should not be acceded to by the House unless the promoters could demonstrate that they had not been dilatory. I think that I am summarising the views about the dilatory clause in the recommendations. In the narrow procedural context, we must ask ourselves whether the promoters have been dilatory and whether they have dealt properly with the objectors who have made their views known.

Sir Patrick McNair-Wilson: The promoters have been extremely attentive in dealing with the objections put to them—some would argue that in the other place a great measure of success was achieved by the objectors. Tonight, we are asking only that the Bill be given an opportunity to progress in the next Session, so that the promoters can be equally thoughtful and forthcoming in response to views of the kind that the hon. Gentleman is expressing.

If the motion is lost, the link will be lost. Those who would vote it down must understand that it will be a long time before such a project can be re-established. Who knows when? I urge those who have doubts to allow the Bill to proceed in the next Session, so that all the valid arguments deployed today by the hon. Gentleman and others can be fully considered. To kill the motion now will be effectively to kill the Bill, with great damage to those who need the link to London airport.

Mr. Morgan: That was a very effective winding-up speech by way of an intervention. In accepting the point that I made when quoting the hon. Gentleman's report, as Chairman of the Committee, that carry-over motions should not be available to promoters unless they can prove that they have not been dilatory, I presume that the hon. Gentleman accepts also that that ruling does not apply to any proceedings in another place, but only to the extent that the promoters have been dilatory after a Bill has left the Lords and it comes before this House. Our only concern is whether Members of this House and their objections have been dealt with in a reasonable manner. I am not suggesting that our arguments should immediately be conceded—that would be nonsense—but have the promoters made any attempt to meet the many points that have been made?

The promoters know, for example, that all Members of Parliament representing constituencies in south Wales have fears about the future of Paddington station, and believe that the people of south Wales are again being treated like second-class citizens. If rail congestion in the Paddington area gets much worse during the construction of the link, we may be compelled to have Welsh parliamentary questions in Reading town hall because that will be the only place where we can foregather.

Our fears are reinforced when we hear that not only the 10 miles on our main line—although we have no ministerial access to it—is to be electrified, but that something more is to happen, according to the statement made by the Secretary of State for Transport at last week's Tory conference in Bournemouth. The Secretary of State appears to believe that announcements about major new investment projects are in the nature of a travel competition, in which the first prize is a week's holiday in Bournemouth and the second prize a week's holiday in Bournemouth, spent in deafening silence at that conference.

The Secretary of State makes such announcements thinking that everyone will be very pleased. That new project has not yet come before this House, which is a sad reflection on the right of Members of Parliament to debate such matters. In any event, we understand that the line is now to be electrified as far as Reading. However, places to the north of Reading and elsewhere, where the rest of us live—such as Didcot, Oxford, Birmingham and even Scotland, where access could be provided via the west coast main line, though the Scots may have views about the desirability of using Heathrow anyway—are treated as back numbers. They are expected to find ways of compensating for that disadvantage through regional policy, simply because investment decisions are oriented entirely to south-east England.

No wonder we often have to debate regional policy, when private Bills and carry-over motions pass through this House as though they have no regional or wider implications, and when the only point considered to be of importance is whether objectors to the land being taken, and so on, can be squared when the Bill reaches the Committee.

The debate tonight is important because of its wider implications for electrification and the links between the proposed railway and the present public rail system.

The private Bill procedure has many problems.

Mr. Peter Hardy (Wentworth): One argument that my hon. Friend may like to consider in support of the carry-over motion is that it will allow us the opportunity to study the fare structure used on the link as well as that used elsewhere by British Rail. My hon. Friend is familiar with many aspects of European life. A few days ago, I travelled between Paris and Brest on a superb train, part of the way it was the TGV, and the fare was two-thirds what it would be here. My hon. Friend will be aware that French railway investment is proceeding apace. I welcome the proposed investment in the Bill, but I hope that it will not be accompanied by a fares policy which is outrageously at variance with the policy across the channel.

Mr. Morgan: The financing of the line should be fully considered at Second Reading, if the Bill gets that far. The use of the private Bill procedure by a consortium which is both private and public has financial implications. British Airports Authority was privatised recently but the money that it will use to fund the express line comes from taxes forgone on duty-free goods at Heathrow. British Airports Authority have a tax-free concession from all of us here tonight and from the 60 million people who live in this country. As people do not pay tax on the goods that they buy there, we all have to pay more tax. The British Airports Authority sells franchises for sale of duty-free goods, for example, to Hills duty-free shops which put 50 per cent. of the price back on to the duty-free goods. Payment for such franchises are made to the British Airports Authority which then has free capital to invest in projects such as the one we are discussing tonight. However, we shall not be able to discuss the financing of the link tonight, as the money used has been called private money. It is not private, it is our money—the taxpayer's money—because it is a result of taxes forgone on goods: VAT, purchase tax and other taxes on goods sold——

Madam Deputy Speaker: Order. The hon. Member is going a long way off the rails from the carry-over motion. He is an experienced parliamentarian and debater and I am well aware of that, but I should like him to return to the motion on the Order Paper now.

Mr. Morgan: I do not want to cross swords with you, Madam Deputy Speaker. Even before I became a Member of Parliament I was warned not to do so. I was told that you had been a Tiller girl and the emphasis was on the Attila. Therefore, I shall definitely not quarrel with you tonight.

Dr. Norman A. Godman (Greenock and Port Glasgow): My hon. Friend mentioned Scotland. Everyone in Scotland to whom I have spoken about the link is in favour of it. All those people who travel from Inverness, Edinburgh and Glasgow to Heathrow hate the dreadful journey from Heathrow into central London on the Piccadilly line. However, they have serious reservations about diverting money from the Glasgow to Euston run for the construction of the express link. I have met no one in Scotland who objects to the express link—they support it wholeheartedly.

Mr. Morgan: I entirely agree that there is universal support for the line but people want it to be linked to the rail system. They are surprised at the dilatoriness with which the promoters of the Bill have considered how to join the express link with the present railway system.

I am still inclined to oppose the carry-over motion. The sponsor's threats that successful opposition to the carry-over motion would kill the chance of getting a link from central London——

Mr. Andrew F. Bennett: Does my hon. Friend accept that if the Bill falls today it will put considerable pressure on the Government to sort out the private Bill procedure and they could consider bringing forward their own legislation? The promoters would be able to reintroduce the Bill in November and, provided that they had been able to satisfy all the petitioners, the Bill would go through the House as an unopposed private Bill. Such Bills can move through both Houses extremely quickly. That is one of the arguments for getting petitions sorted out before the promoter starts the parliamentary procedure. Therefore, that threat is not serious and if the promoters were willing to meet the wishes of the objectors, a Bill could go through Parliament quickly.

Mr. Morgan: I was about to make that point to the sponsor of the Bill. I am sure that he did not mean to threaten the House when he said that if the House exercised its constitutional right to refuse the carry-over motion because it believed that the promoters had been dilatory, that would be the end of the Heathrow Express Railway Bill. That is what I think that he said, but I am sure that he did not mean it. If it were a threat, it would be accepted in the way that all threats are accepted. It would show that the promoters had adopted a poor attitude and that they were prepared to cut off their nose to spite their face.

The House has to consider whether to exercise its right to refuse the carry-over motion. It would be open to the promoters to reintroduce the Bill in the next Session. Similarly, recommittal occasionally takes place because of changed circumstances. If the House refuses to agree to the carry-over motion, that will not be the end of the story. The promoters believe that the Bill is a gold mine, so they will reintroduce it in the next Session of Parliament. We want to be part of that gold mine; we do not want to be second-class citizens. Between 6 million and 7 million people live in the London area; they need a first-class service. In addition, between 6 million and 7 million people live to the west of Heathrow. They, too, want a first-class service to Heathrow, but they do not want to lose the almost first-class service to Paddington that they now enjoy. For that reason, I intend to oppose the carry-over motion.

Question put:—

The House divided: Ayes 155, Noes 10.

Division No. 321] **[8.16 pm**

AYES

Adley, Robert	Davis, David *(Boothferry)*
Alexander, Richard	Devlin, Tim
Amess, David	Dixon, Don
Arbuthnot, James	Dorrell, Stephen
Ashby, David	Dover, Den
Ashdown, Rt Hon Paddy	Dunn, Bob
Baker, Rt Hon K. *(Mole Valley)*	Durant, Tony
Baker, Nicholas *(Dorset N)*	Fallon, Michael
Beaumont-Dark, Anthony	Favell, Tony
Bennett, Nicholas *(Pembroke)*	Fenner, Dame Peggy
Bevan, David Gilroy	Fishburn, John Dudley
Blackburn, Dr John G.	Flynn, Paul
Boswell, Tim	Fookes, Dame Janet
Bowden, A *(Brighton K'pto'n)*	Forsyth, Michael *(Stirling)*
Bowis, John	Freeman, Roger
Brazier, Julian	French, Douglas
Buchanan-Smith, Rt Hon Alick	Gale, Roger
Burns, Simon	Garel-Jones, Tristan
Butler, Chris	Gill, Christopher
Campbell, Menzies *(Fife NE)*	Glyn, Dr Sir Alan
Carlisle, Kenneth *(Lincoln)*	Godman, Dr Norman A.
Carrington, Matthew	Goodlad, Alastair
Chapman, Sydney	Goodson-Wickes, Dr Charles
Chope, Christopher	Gorst, John
Clark, Sir W. *(Croydon S)*	Griffiths, Peter *(Portsmouth N)*
Clarke, Rt Hon K. *(Rushcliffe)*	Grist, Ian
Conway, Derek	Ground, Patrick
Cook, Robin *(Livingston)*	Hague, William
Coombs, Simon *(Swindon)*	Hamilton, Neil *(Tatton)*
Currie, Mrs Edwina	Hanley, Jeremy
Curry, David	Hardy, Peter
Dalyell, Tam	Harris, David
Davies, Q. *(Stamf'd & Spald'g)*	Hayhoe, Rt Hon Sir Barney

Haynes, Frank
Heathcoat-Amory, David
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lord, Michael
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
Maclean, David
Malins, Humfrey
Mans, Keith
Martin, David *(Portsmouth S)*
Mayhew, Rt Hon Sir Patrick
Michael, Alun
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Moss, Malcolm
Murphy, Paul
Needham, Richard
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Powell, Ray *(Ogmore)*
Price, Sir David
Riddick, Graham
Roberts, Sir Wyn *(Conwy)*
Ryder, Richard
Sackville, Hon Tom
Scott, Rt Hon Nicholas
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smyth, Rev Martin *(Belfast S)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Summerson, Hugo
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Trimble, David
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Wallace, James
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Wheeler, Sir John
Widdecombe, Ann
Winterton, Nicholas
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Sir Patrick McNair-Wilson and
Mr. Jack Aspinwall.

NOES

Barnes, Harry *(Derbyshire NE)*
Callaghan, Jim
Cryer, Bob
Dicks, Terry
Eastham, Ken
Illsley, Eric
Morgan, Rhodri
Parry, Robert
Skinner, Dennis
Williams, Alan W. *(Carm'then)*

Tellers for the Noes:
Mr. Andrew F. Bennett and
Mr. Ron Davies.

Question accordingly agreed to.

Resolved,

That the Promoters of the Heathrow Express Railway Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be deemed to have been read the first and shall be ordered to be read a second time;

That the Petitions against the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.

Cardiff Bay Barrage Bill [*Lords*]

Motion made, and Question proposed,

That the promoters of the Cardiff Bay Barrage Bill [*Lords*] shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as have been made by the Committee in the present Session, and shall report the Bill as amended in the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Second Deputy Chairman of Ways and Means.]*

9.28 pm

Mr. Alun Michael (Cardiff, South and Penarth): I shall be brief in asking the House to agree to the carry-over motion, but, with the leave of the House, I shall be happy to respond to points made in the debate if that is helpful.

Mine is a simple plea: do not dash the hopes of my constituents for a better future, for a better environment and for homes and jobs by voting against a motion that simply allows for full debate in the new Session. I hope that even opponents of the Bill will support the carry-over motion and welcome, as I do, the prospect of proper and full debate on Report.

I have been asking myself whether there are any reasons of any weight for refusing a carry-over. Frankly, there are not. There are, of course, important issues for us to debate on Report, and I shall refer briefly to two. First, there has been a great deal of argument about groundwater. There has also been a great deal of avoidable confusion and some disinformation, but groundwater is undoubtedly a matter of concern. I took the matter seriously from the beginning. When I found that the arguments were becoming technical and esoteric, I demanded the right to appoint my own independent expert to review all the evidence progressively, in order not to have to choose between the corporate view of the development corporation and its advisers on the one hand and the committed opponents of the Bill on the other. These matters will be debated further on Report, but let me give a succinct summary of the position today.

I remind hon. Members that impoundment is not to a level greater than the current position. The level of impounded water will be between the present high water level and the present low water level. I would certainly not support the building of the barrage if the evidence suggested that my constituents were under serious threat. If serious doubts about safety were to arise now or in the future, I should cease to support the Bill—so would South Glamorgan county council, Cardiff city council and others involved in the promotion of the Bill. But that is certainly not the case to date.

There is a continuing debate about detail, but that must not be allowed to obscure the fact that all available evidence continues to provide a reassurance that the original conclusions remain valid, that, combined with generous safety margins, they provide the basis for confidence in the future and that the selection of plus-4 to 4·5 m ordnance datum for the impounded level is reasonable and sensible. Details will rightly be the subject of debate on Report and of public debate when the additional studies are completed, but there are no grounds for general doubt which would justify refusing further consideration of the Bill.

Mr. Rhodri Morgan (Cardiff, West): Is my hon. Friend saying that at this stage, in discussing safety, he takes no account of the urban swamp hypothesis which was put forward by Dr. John Miles in Committee and which it appears the Select Committee accepted?

Mr. Michael: I am aware of the evidence provided by Dr. John Miles and others and I have taken account of it. The conclusions which have been reached and which are supported by the evidence to date and the generous safety margins provide the basis for confidence in the future. The selection of plus-4 m to 4·5 m OD for the impounded level is reasonable and sensible. I have taken account of the evidence given to the Committee. I have taken independent advice and I state that with confidence. Were the position to change, it would be a different matter, but that is the position now.

The second major issue that has been debated, and which is of considerable interest to some of my colleagues, is wildlife. I can understand their concern, taken in the context of a general threat to estuaries, but, as I have pointed out frequently to colleagues and the Royal Society for the Protection of Birds, they are attacking the wrong case in opposing developments in Cardiff, because here their case is weak. However, that, too, can be debated on Report. We can also talk then about the artificial lagoon which is a major and significant attempt to reconcile development with conservation—indeed, it is a landmark in attempting to do so.

Mr. Ron Davies (Caerphilly): My hon. Friend said that the case of those who are concerned about conservation is weak. Surely he has read the examination in the Committee of the witnesses brought by the promoters of the Bill and the petitioners against it. There was general agreement that there would be considerable destruction of wildlife in the bay area and that we would be in breach of our obligations to protect a site of special scientific interest which is protected under the Ramsar convention and which is entitled to protection under the European directive on wild birds. There was consensus in the Committee. How can my hon. Friend say that the case is weak?

Mr. Michael: I know of my hon. Friend's great interest in these matters but, with respect, I think that he stretches the evidence given in Committee and the strength of the case made by the RSPB and those interested in wildlife. A number of issues need to be discussed, but, as I was about to say, I maintain that there are significant positive aspects in the attempts that are being made to reconcile

[Mr. Michael]

development and conservation and that the barrage will bring positive effects in encouraging wildlife and a living environment in Cardiff bay. It will be appropriate for us to discuss those aspects on Report and when we have the conclusions of the Select Committee before us. Those two questions have been debated in the past, and I submit that in no sense are they matters on which to base opposition to the carry-over motion, which is the only motion before the House tonight.

The Bill's opponents have advanced further arguments. They say that they do not like the private Bill procedure. I agree. It is an antiquated procedure which requires amendment. The procedure has been diabolically unfair to the promoters, to me and to my constituents, so I share the concern about it.

People have said that they do not like development corporations. By and large, I agree with them, but in this case the development corporation is working in partnership with local elected representatives.

Other issues, such as the removal of the tip in my constituency, have been brought into the debate and a proposal to provide two new schools for the most deprived area in Cardiff even came under threat recently. I submit, however, that none of these matters provides any ground whatever for the refusal of the carry-over motion.

The supporters of the Bill are also involved with a number of other important issues, such as how to preserve existing jobs, how to bring good-quality new jobs to the area, how to provide affordable housing and housing for rent and how to balance the existing communities with the new communities that are to be created.

I remind the House that the whole development area is in my constituency and that, while groundwater may affect constituencies other than mine and new jobs will help other constituencies, most of the matters that I have listed affect my constituency and my constituency alone. However, for the purposes of tonight's debate, the important thing to remember is that they are not relevant to the Bill. Even if one has persuaded oneself that they are relevant to the Bill, one must nevertheless accept that they do not represent the slightest ground for rejecting the carry-over motion. I hope that even the Bill's opponents will accept that and will not indulge in spoiling tactics.

So far I have concentrated on the defensive arguments but there are many positive arguments in favour of the Bill. The hon. Member for Cardiff North (Mr. Jones) and I have sought to provide as much information as possible to hon. Members about the Bill's positive benefits, and I shall not take the time of the House by expanding on that information. The arguments against it can be fully explored on Report and we should set aside those issues which do not, in any way, justify a refusal of the carry-over motion. The positive arguments are far more important. The Bill will make possible the creation of a quality waterside environment. That potential has been proved by the development that has already taken place at Bute east dock, where we see fishermen and cormorants and where there is Dragon boat racing at the weekend. Local people make use of the place. They talk there and enjoy the environment. The same water quality will pertain in Cardiff bay once we have impoundment.

I was involved in the economic development of Cardiff for 16 years as a councillor before I came to this place. I was involved in the redevelopment of the central area of Cardiff, which is now acknowledged throughout the world to have been a success. I have been involved in trying to help small firms and businesses. The present development of south Cardiff and the bay area—the fact that people are coming into that area—is built on faith in the Bill's success and on the record of success that we have achieved in recent years.

This is my first opportunity to place a certain matter on record, albeit that it involves a slight diversion from the motion. In the latter part of the Committee stage, we heard comments about the Labour councillors who supported the development of south Cardiff and the barrage and, in particular, the three who were elected by ballot of their peers to be members of the Cardiff Bay development corporation board. I refer to the leader of South Glamorgan county council, Councillor Lord Brooks, to Councillor Paddy Kitson, who represents the most deprived area of the city, and to the late Councillor John Reynolds, the then leader of Cardiff city council. Between them, they provided more than 100 years' service to the city and the Labour movement of the area. I am sure that the remarks about a master-servant relationship to the board came from ignorance rather than malice, but it is sad that those remarks were made when Councillor John Reynolds had unfortunately passed away.

John Reynolds was a kind and gentle man; a lion in defence of the defenceless and when fighting for the future of the city that he loved and in the service of which he destroyed his own health. He had the toughness of a true friend, the courage to withstand and forgive the pettiness of others and, above all, an absolute integrity which made him a giant in the Labour movement of Cardiff in a way in which the author of the minority report clearly did not understand or appreciate. I ask the House to understand the way in which the Bill was supported by John Reynolds and the others who represent their fellow councillors on the board and the fact that the Bill has not commanded uncritical support from the late Councillor John Reynolds, myself, or the councillors of the city and county who represent the area. It has commanded the critical, careful and genuine support of elected representatives who are determined to do their best to achieve a real future for their constituents.

Therefore, I return to my basic and simple plea to the House—do not dash the hopes of my constituents for a better future, a better environment, for homes and for jobs by voting down the Bill on a motion which, I remind the House, simply allows the Bill to be carried forward for a full debate on Report in the new Session when any hon. Member can have an opportunity fully to discuss the issues raised in this important Bill.

9.41 pm

Mr. Ron Davies (Caerphilly): I remind my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) that we all have that opportunity now, which is why some of us are choosing to exercise our right to object to the carry-over motion. We are objecting in principle to the Bill. It has already been examined by the House and our questions have not been answered. We know that it has been considered in Committee where many of its fundamental flaws were exposed. We feel that it is now time for the Bill to be stopped and to proceed no further. That is why we shall oppose it.

I was surprised that my hon. Friend used the term "spoiling tactics" to describe our opposition to the Bill——

Mr. Michael: My hon. Friend should not be surprised.

Mr. Davies: Apparently my hon. Friend wants to intervene and I am happy for him to do so. If he reserves for himself the right to promote the Bill in the House, he must recognise that others of us have the right to oppose the Bill. If he is suggesting that the House should approve a carry-over motion, he must recognise that others are equally entitled to oppose that. He is not doing his case any good to describe our principled and fundamental oppposition to the Bill as "spoiling tactics". We have made our root and branch opposition to the Bill clear throughout.

I should like to put on the record the fact that if we are unsuccessful in halting the Bill's progress tonight, it will not be the end of the matter. The Bill will return for its consideration motion and we shall oppose it again. We shall then table many many amendments. My hon. Friend the Member for Cardiff, South and Penarth will have to detain the House night after night and he will find that the coalition that has been constructed to get the Bill this far will come increasingly under pressure.

Many of us knew Councillor John Reynolds and, regardless of our views on the Bill and on the way in which he voted in his role as a representative in Cardiff, all of us deeply mourn his passing and associate ourselves entirely with my hon. Friend's comments. There is no dispute between us on that.

I have referred to the coalition that is supporting the Bill. It is as well to clear up this matter now because the carry-over motion will not be determined only by the dozen or so hon. Members who are present now, although those of us who are present shall listen to the debate and consider the options and the consequences and the future of the Bill. But when it comes, the vote will not be cast by people in favour of the Bill. It will be cast by the coalition that I have mentioned, consisting in part of Tory Members who will ensure that the Government's will prevails. The payroll vote is on call tonight. A moment ago the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food was here; he has absolutely no interest in Wales, Cardiff or the barrage——

Mr. Peter Hardy (Wentworth): Or in agriculture.

Mr. Davies: I was coming to that—to judge by his speeches it is true.

We know that the payroll vote has been put on standby and will be wheeled out to try to obtain a majority.

The coalition also consists of Parliamentary Private Secretaries. I see the hon. Member for Battersea (Mr. Bowis) in his place—

Mr. John Bowis (Battersea): I am the hon. Gentleman's Member of Parliament.

Mr. Davies: The hon. Gentleman is not my Member of Parliament. He represents the constituency in which I temporarily reside. He will be pleased to know that I put up a poster in the window at every election urging my neighbours to put him out of a job. As it seems that he will play a crucial role in tonight's proceedings, I can assure him that I will put up two posters at the next election urging my neighbours to put him out of a job.

Mr. Morgan: As further evidence of the extent to which the Government are committing their prestige to this apparently private Bill, the White Paper on the environment published by the Government less than a month ago states, in the section on Wales, that

"the Cardiff Bay Development Corporation was established in 1987 to secure the physical, social and economic regeneration of the South Cardiff area, including the former docklands."

That is a bipartisan statement which presents no problem to any of us. The document continues:

"The aim is to introduce new housing, employment and a better environment to the area".

We have no quarrel with that either. It goes on:

"The strategy includes a proposal to construct a barrage across the estuary of the Taff and Ely as a key feature".

We have no doubt that the Government support what should be considered a private Bill on which they should be neutral.

Mr. Davies: My hon. Friend is exactly right, as he invariably is in these matters. That is why the Whips Office and the Parliamentary Private Secretaries are conniving at producing an artificial majority to ensure the Bill's progress.

Another element in the coalition is represented by the hon. Member for Newark (Mr. Alexander), who I know takes a keen interest in environmental matters. But I also know that he has been on what we call a freebie. I am sure that he will correct me if I am wrong—I do not want to cast aspersions that I cannot justify—but I believe that he has been entertained at public expense down in Cardiff, where he was persuaded, no doubt, by the force of the arguments that he heard. I am sure that the five-course arguments and the brandy and cigars did not influence him at all. The fact is that he and many other Members have been entertained at public expense and we shall see tonight when the voting lists are prepared that those Members have stayed behind to cast their votes.

If this happened in local government, and people were influenced in any way when casting their votes, they would be prosecuted. All Conservative Members were party to the legislation that placed obligations on local councillors to declare their interests so as to ensure that their votes are not influenced by financial considerations, and to exclude themselves voluntarily from those considerations. That is a fairly seedy coalition.

My hon. Friend the Member for Cardiff, South and Penarth pleaded with us not to dash the hopes of his constituents for a better future and a better environment. Unfortunately, no one knows whether he is speaking on behalf of the majority of his constituents, because that has not been tested.

Mr. Michael: It is generally accepted in the House that hon. Members know their own constituents. I am quite confident about the matter and it has been tested at the ballot box because anti-barrage candidates stood in recent elections and were thoroughly trounced. I spend a good deal of time in my constituency and I have the pulse of the opinion there. My hon. Friend might bear in mind, as he considers the views of those who are more and more remote from the area that will be directly affected by the Bill, that it has the support of four of the five Members in the south Glamorgan area.

Mr. Davies: My hon. Friend asserts that his case is correct, but he has not introduced any evidence to

[Mr. Davies]

substantiate it. I am not persuaded by such assertions. He spoke about anti-barrage candidates who have been beaten by Labour candidates. He is not so naive as to think that in local elections people vote on single issues. The fact that more than 400 people were prepared to vote for anti-barrage candidates is significant. I am debating on my hon. Friend's ground and it is not an area that I want to enter. However, I know that many Labour party members in his constituency have considerable doubts about the measure. Of course, at election time they will vote Labour because that is their primary commitment and loyalty. We would not expect them to vote anything other than Labour. I urge anti-barrage candidates not to stand.

Mr. Morgan: Will my hon. Friend give way?

Mr. Davies: I should like to develop my argument a little further before giving way.

We do not know whether my hon. Friend the Member for Cardiff, South and Penarth speaks for all his constituents. However, we do know that a considerable body of opinion is opposed to this measure. Some people oppose it for reasons related to the environment. I am in that category. Some are opposed to it because they think that their homes are jeopardised, and some feel that such public expenditure cannot be justified. My hon. Friend should recognise that an influential organisation in Cardiff is opposed to the measure. I think that all hon. Members have received a submission from an organisation called Cardiff Residents Against the Barrage. The residents ask, "Can it be defended?"

Mr. Michael: Not all of them say that.

Mr. Davies: If my hon. Friend feels in any way slighted by his constituents, with whom he apparently enjoys such a close relationship, I shall remedy that because as soon as I have concluded this point I shall pass the leaflet to him. For the sake of other hon. Members who might not have received it, I shall read it. It states:

"Can it be defended if a parliamentary private Bill has to be carried over into a third Session?"

That is almost unprecedented and we know that the proceduralists in the House have produced reports expressing great concern at a single carry-over motion. However, we are now talking about a second carry-over motion and the Bill having to go into a third Session of Parliament. The Bill has been considerably damaged and we shall have to wait for action by a Minister if it proceeds. The residents say:

"Can the Bill be defended if the Commons Select Committee was unconvinced by the promoters' technical case to the extent that the final decision has been left to the Secretary of State for Wales?"

That statement is incontrovertible. The Committee examined the Bill in great detail and at great length. *[Interruption.]* My hon. Friend the Member for Cardiff, South and Penarth makes noises.

Mr. Michael: Will my hon. Friend give way?

Mr. Davies: I shall give way in a moment. The Committee considered the technical case and concluded that it was fundamentally flawed. It sent the promoters away, told them to carry out a further 12 months study, and said that they would have to present the findings to the then Secretary of State for Wales for a judgment about whether the scheme should proceed. I am sure that my hon. Friend agrees that that is hardly an overwhelming endorsement of the scheme.

Mr. Michael: It is ludicrous for people to argue that additional work should be subject to independent scrutiny and public discussion, and then to use the fact that it is subject to independent scrutiny as a reason for suggesting that there is weakness in the previous case. The openness of scrutiny is its strength. My hon. Friend might be a little more objective about the information that he uses, rather than taking what has been circulated by an organisation that does not take advantage of objective scrutiny in the information that it puts out, which is often not 100 per cent. accurate.

Mr. Davies: I assure my hon. Friend that, when I come to the letter that he sent to Members of Parliament, I will be objective, as I shall be when I come to the glossy publication produced by the promoters. In the meantime, the fact remains that the Select Committee that examined the Bill rejected the technical evidence presented on behalf of the promoters and was not satisfied. In other words, it believed that the barrage will cause considerable flooding in Cardiff. That is incontrovertible.

The residents who object say in their leaflet:

"Can the Bill be defended if the Select Committee could only reach a majority decision and still insists on major amendments?"

We know that the Chairman of the Committee expressed considerable doubt, and that at least one member of the Committee was so concerned about the evidence presented that he felt that the Bill should have been rejected, and that all the members of the Committee were so concerned that they collectively agreed considerable amendments. Even then, they decided that they would abrogate the responsibility of taking the decision and put it off for the Secretary of State to decide. We are now asked to be party to the Bill proceeding.

The residents continue:

"Can the Bill be defended if the objections of the majority of the 70-plus petitioners against the Bill have still not been satisfied?"

That case stands by itself. They continue:

"Can the Bill be defended if local polls show that most local residents are opposed to it, even though they have been given no chance to vote properly on the issue?"

Why does not the Cardiff Bay development corporation undertake, with the Cardiff city council and South Glamorgan county council, a referendum in the city of Cardiff? All the evidence could be given and residents could cast a vote on it. If that happened, we should have some evidence on which to base our claims that residents are for or against the barrage. If my hon. Friend the Member for Cardiff, South and Penarth acknowledges that residents who vote against it at election time are being given the chance to vote on the issue, why does he not now ask the CBDC to organise a referendum? I guarantee that if he accepts to be bound by the results of the referendum, and to withdraw the Bill if the vote is against it, I will agree to be bound by the results of the referendum and will withdraw my objection if the vote is for it. There cannot be anything fairer than that. It is important that residents be carried along. My hon. Friend will know that I have other objections, but I will make that pledge. My hon. Friend can intervene now if he wants. He does not want to take that opportunity, so perhaps we shall come back to it later.

The residents continue:

"Can the Bill be defended if one of he local MPs—one who is affected by many of these matters—and many local councillors are totally opposed to it?

Can the Bill be defended if it is vigorously opposed on environmental grounds by the NCC and the RSPB?

Can the Bill be defended if at least 12,000 inner-city homes"—

with people who have already been affected by the horror of flooding—

"will be affected by the damage compensation provisions of the Bill?

Can the Bill be defended if even the promoters acknowledge that some 1,700 properties will suffer some degree of ground water related damage if the barrage is built, and others fear it will be more?

Should you not find out more now about this controversial Bill and why the Cardiff Bay barrage should not be built?" That is the view of local residents, not the view of Members of Parliament or those who have a particular interest and are pushing one case or the other. The individuals who are directly affected say that they do not want the carry-over motion to succeed.

Mr. Michael: It is the view of those who published the leaflet, not the view of residents within the area.

Mr. Davies: I offered my hon. Friend the opportunity to determine public opinion on the matter. I could not be fairer than that——

BUSINESS OF THE HOUSE

Motion made, and Question put,

That, at this day's sitting, the Motion relating to the Cardiff Bay Barrage Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Wood.]*

The House divided: Ayes 169, Noes 13.

Division No. 322] **[10.00 pm**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyes, Roland
Buchanan-Smith, Rt Hon Alick
Burns, Simon
Butcher, John
Butler, Chris
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Chalker, Rt Hon Mrs Lynda
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Curry, David
Dalyell, Tam
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Eastham, Ken
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Flynn, Paul
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hargreaves, A. *(B'ham H'll Gr')*
Hayhoe, Rt Hon Sir Barney
Haynes, Frank
Heathcoat-Amory, David
Hind, Kenneth
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
McFall, John
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Patrick
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Morrison, Rt Hon P *(Chester)*
Murphy, Paul
Needham, Richard
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Pawsey, James
Portillo, Michael
Powell, Ray *(Ogmore)*
Price, Sir David
Renton, Rt Hon Tim
Riddick, Graham
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Trippier, David
Trotter, Neville
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Wardell, Gareth *(Gower)*
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Timothy Kirkhope and
Mr. Sydney Chapman.

NOES

Barnes, Harry *(Derbyshire NE)*
Bennett, A. F. *(D'nt'n & R'dish)*
Cryer, Bob
Griffiths, Win *(Bridgend)*
Hardy, Peter
Illsley, Eric
McWilliam, John
Morgan, Rhodri
Nellist, Dave
Pike, Peter L.
Sillars, Jim
Skinner, Dennis
Williams, Alan W. *(Carm'then)*

Tellers for the Noes:
Mr. Ron Davies and
Mr. Ted Rowlands.

Question accordingly agreed to.

Cardiff Bay Barrage Bill *[Lords]*

Question again proposed.

10.13 pm

Mr. Ron Davies: I seem to have a technical problem: I do not seem to have my notes. My hon. Friend the Member for Cardiff, West (Mr. Morgan) is expressing his condolences, but I was not prepared to leave them on my seat while my hon. Friend the Member for Newport, West (Mr. Flynn) was guarding them. I am not suggesting for a moment that he would have taken them away, but there is a possibility that he might have reordered them.

Mr. Paul Flynn (Newport, West): I assure my hon. Friend that I do not have the slightest interest in reading his notes, having heard the identical speech for the fourth time.

Mr. Davies: I must correct my hon. Friend, because this is only the third time that I have made this speech. The first was on Second Reading, and the second was on the carry-over motion.

As you know, Mr. Deputy Speaker, a considerable number of right hon. and hon. Members voted on the 10 o'clock motion, and we must place it on record that the House has decided that the debate should proceed. Therefore, I hope that no artificial device will be deployed later in an attempt to short-circuit the debate.

My hon. Friend the Member for Cardiff, South and Penarth has just returned from the Lobby, having voted with more than 160 other right hon. and hon. Members to continue the debate. I hope that you, Mr. Deputy Speaker —out of respect for those of us who opposed the motion and who did not want the debate to continue until a late hour, but who will honour the decision—will not permit a closure motion later. I trust that my hon. Friend the Member for Cardiff, South and Penarth will be consistent and will ensure that there is a full debate. I sincerely hope that he will not attempt to move a closure.

Mr. Michael: The whole gist of my argument was that we should have a full and proper debate on the Committee's report. My hon. Friend surely accepts that the rules of the House exist to protect all right hon. and hon. Members and are there for them to use. My hon. Friend uses them enthusiastically, so I am sure that he would not want to deny to others that same right.

Mr. Davies: We must all exercise our rights, as well as observe the rules of the House in the way that is intended. I was merely pointing out that the House had been given a clear demonstration that right hon. and hon. Members want to continue the debate. My hon. Friend the Member for Cardiff, South and Penarth said that it is important that we should thrash out the matters in question, so I hope that he will not seek now artifically to restrict the debate.

When moving the original carry-over motion, my hon. Friend said that we should endorse the development that has already occurred and not oppose any further development of the bay. I must make it abundantly clear yet again that we are not opposed to the development of Cardiff bay. My hon. Friend the Member for Cardiff, South and Penarth is rolling his eyes and tutting. He should not do so, but ought to take at face value the points that I and many other hon. Members want to put to him.

The Royal Society for the Protection of Birds is among the bodies that want to see Cardiff bay developed. It devised, at considerable trouble and expense, an alternative scheme, which it presented to the Select Committee, development corporation, local authorities and Members of Parliament. The RSPB made it clear to us all that it is not opposed to the development of the bay. All that is in question is whether the barrage is a necessary prerequisite or will facilitate that development. There is considerable doubt about that. My hon. Friend must accept the considerable body of evidence presented to the Select Committee, suggesting that the development could proceed without the barrage.

My hon. Friend the Member for Cardiff, South and Penarth should accept also that the development that has already been undertaken even before the barrage has been approved by Parliament is of a kind that he applauds and wants, and it can continue regardless of whether or not the barrage is built.

Mr. Michael *indicated dissent.*

Mr. Davies: My hon. Friend should not shake his head. The proof of my argument is that which has already been built; the evidence has been presented to the Select Committee. The considerable development that has already occurred is proof positive that such work can progress without the barrage. He must accept that that is a considerable body of evidence.

Mr. Michael: It is not.

Mr. Davies: If my hon. Friend does not accept that, he must agree that there is evidence to that effect.

My hon. Friend also mentioned that there would be an improvement to the environment. He said that there would be a better future and a better environment. He knows that it is principally due to my concern about damage to the environment that I oppose the Bill. I hope that he understands that, because my views are sincerely held and are endorsed by hundreds of thousands of people in this country. My hon. Friend is right to say that those people are not directly affected as they do not live in Cardiff, but that does not invalidate their right to an opinion on whether the barrage is environmentally damaging. They have a right to an opinion because the environment of Cardiff bay is part of our common heritage in Britain.

I maintain that, although I live in my constituency of Caerphilly, I have as much right to express my anxiety about damage to the environment in Cardiff as anyone who lives there. People who live in Sandy in Bedfordshire, for example—the home of the Royal Society for the Protection of Birds—have an equally valid right to express their concern about the environment, because it does not belong to the people of Cardiff, but is part of our national natural heritage.

In some circumstances my hon. Friend the Member for Cardiff, South and Penarth argues the case for conservation internationally. I am sure that he will say that the persecution of cetaceans is wrong. I believe that he has made representations to the Norwegian Government about the persecution of some species of whale. He is entitled to do so, as whales are part of our international heritage, and as a Member of Parliament he has an international responsibility to discharge.

I know that my hon. Friend will join me in condemning the destruction of herds of African elephants for their

ivory. He nods in agreement. He accepts that such herds are part of our international heritage, and that the Governments and peoples of the countries where elephants are being destroyed have a responsibility to the international community to protect them.

The environment in Cardiff bay is of national and international importance in exactly the same way. Nationally, it is important because it has been declared such as a site of special scientific interest. Internationally, the site is important because the birds that use it are not restricted to Britain but include migrants. As a result, the bay has been awarded protection through our international obligations under Ramsar. The site is also covered by the European directive on the conservation of wild birds.

I am sure that my hon. Friend the Member for Cardiff, South and Penarth does not deny that national Governments have a right to sign the Ramsar convention. The importance of the sites covered by Ramsar is international.

I hope that my hon. Friend will accept that we all have a responsibility for the environment in Cardiff. He cannot keep the right to destroy that environment to himself or to the people of Cardiff.

If it could be proved that there was an overwhelming need for the destruction of the environment there and for the development of the barrage to proceed he would have a case. Then we would be able to weigh up the relative benefits and importance of conservation areas against the economic benefits that would result from a development that was contingent on the destruction of the SSSI. If that were the case, my hon. Friend would have a strong point, but the economic case for the development has not been proved. That is why my hon. Friend must address the site of special scientific interest question: why is he prepared to support the destruction of part of our priceless natural heritage for an unproven and unquantifiable economic benefit?

Mr. Michael: I understand the philosophy that underlies what my hon. Friend says: that we have a mutual responsibility for the worldwide environment. However, the Taff-Ely SSSI is a site of national, not international, importance for wild birds. As part of the Severn estuary area, it constitutes a potential, but not an actual, protection area. I believe that the economic case has been made, that we have a responsibility to balance the economic and the environmental arguments, that in this specific location the environmental argument has none of the strength that my hon. Friend has sought to give to it and that it is certainly not comparable with other examples that he gave of sites of international importance.

Mr. Davies *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. I must remind the hon. Gentleman that we are dealing with a carry-over motion. I am sure that he will relate his remarks to the motion.

Mr. Davies: I shall do so precisely, Mr. Deputy Speaker. It is precisely because conservation has not been dealt with properly, either by the promoters or in Committee, that I oppose the carry-over motion. The SSSI question was not addressed, either by the developers or in Committee. The Committee took a lot of evidence. It agreed that some of the operations would be very damaging and that there would be a considerable loss of wildlife. However, the question of how the destruction of that priceless asset could be justified was not answered. My hon. Friend may say that that SSSI is more or less important than other SSSIs. I accept that there must be a gradation—that SSSIs may be of greater or lesser importance—but my hon. Friend has not answered certain questions.

First, why is the destruction of this SSSI justified? Why must it be destroyed, in the absence of overwhelming economic evidence? Secondly, and more crucially, if we allowed this SSSI, which deserves international protection, to be destroyed, how on earth could we deny the development of other SSSIs? My hon. Friend has not grasped the point that the destruction of one SSSI would lead to the destruction of the whole system. It would invalidate the protection that is offered to all the other SSSIs.

Mr. Michael: That does not follow.

Mr. Davies: My hon. Friend says that that does not follow. In what circumstances, therefore, would he oppose the development of other SSSIs?

Mr. Michael: I shall have to refrain from intervening so often, even though my hon. Friend is so provocative. However, he has just said that there must be a gradation and that one must consider whether a balance can be struck. My hon. Friend answered his own question; I do not need to do it for him. He has given no credence to the positive efforts that have been made to provide a lagoon alternative. It is a unique example of promoters seeking to provide positive conservation. He must surely concede that during the discussions undertakings were given to protect wildlife. Therefore, the carry-over motion should be agreed to so that these matters can be debated fully on Report.

Mr. Davies *rose*——

Mr. Deputy Speaker: Order. Again, I must remind the hon. Member for Caerphilly (Mr. Davies) that too many detailed arguments cannot be advanced on a carry-over motion. Of course he wishes to illustrate why he opposes the carry-over motion, but during the debate on a motion of this kind all the details cannot be gone through.

Mr. Davies: I accept that entirely, Mr. Deputy Speaker, and I shall try to comply with your strictures. My hon. Friend made two points that are worthy of comment. I accept that there is an alternative. That was considered in Committee. I shall deal with the alternative later, since it is relevant to the carry-over motion.

As to the principle involved in designating SSSIs, of course I said that there must be a gradation. My view, however, is that if a site is accorded protection under British legislation it should be protected. The answer to the conundrum that my hon. Friend has posed is that all SSSIs should be protected from damaging operations.

Mr. Gareth Wardell (Gower): In my constituency there is the wonderful bay of Broughton, where the Nature Conservancy Council has designated a site of special scientific interest. A local farmer is concerned about the rate at which land is being eroded by the sea. I know that my hon. Friend is a former geographer and a specialist in these matters. He is interested in wave-cut platforms and various other marine features. The farmer to whom I have referred is concerned that the sea is taking away his land

[Mr. Gareth Wardell]

at a remarkable rate, but the SSSI has been designated with a view to assisting the sea to erode the land even faster so that it will be possible to observe the glacial till that will become exposed. I am sure that my hon. Friend will agree that in certain circumstances, even when an SSSI has been designated, there may be a strong case for downgrading the designation. As I have said, I am aware of his expertise in these matters.

Mr. Davies *rose*——

Mr. Deputy Speaker: Order. I am sure that in responding to the intervention of the hon. Member for Gower (Mr. Wardell) the hon. Member for Caerphilly (Mr. Davies) will stay within the rules of order.

Mr. Davies: My hon. Friend the Member for Gower (Mr. Wardell) has raised a fascinating topic for consideration, and it is one of which I am aware. The answer is not to allow development that will destroy the SSSI. If my hon. Friend feels that the area to which he has referred should not have been so designated, there must be case for the removal of the protected status. If that is removed, the development will take place. No one has attempted to argue, however, that the Cardiff bay site should not be designated. Everyone recognises that the site is of immense importance, but there are still those who wish to destroy it. That is the nub of the argument, and that is why Broughton is different from Cardiff.

When these matters were discussed on Second Reading —obviously we cannot repeat the Second Reading debate this evening—the director general of the Royal Society for the Protection of Birds was quoted. You will be pleased to know, Mr. Deputy Speaker, that the quote summarises the argument. By using the director's words rather than my own, I am sure that I can deal with the issue more quickly.

The director said:

"Cardiff Bay is one of Wales' most prestigious natural assets, holding between 5-8,000 birds each winter, including dunlin, redshank, shelduck, teal and knot. Many of these birds travel thousands of miles from as far away as Iceland, Greenland and Siberia to winter on Cardiff's ice-free bay. The birds depend on this bay for their survival. We have an international responsibility to protect it."—[*Official Report*, 19 December 1989; Vol. 164, c. 305.]

I do not know who the chairman of the development corporation thinks he is when he sets himself up to be a greater expert on these matters than the director general of the RSPB, who has made it clear that the development is unacceptable.

We must recognise the importance of the site and prevent the acceptance of the carry-over motion at this juncture. If we defeat the motion, the House will be making a statement that it is committed to conservation.

The importance of the site was recognised by the South Glamorgan county council. My hon. Friend the Member for Gower has said that in 1979 the county council, in the preparation of its structure plan, which was subsequently approved, recognised the site as a conservation area. That was its future design for the bay. There was no objection to the classification and no attempt to remove it, until someone had the idea of constructing a barrage.

When I referred to the petitioners' objections, my hon. Friend the Member for Cardiff, South and Penarth invited me to refer the promoters' literature. The letter that he sent asking us to support the motion—I am sure that he will not mind my referring to it, because it is an open letter—says:

"The Bill has the support of the Wales TUC and many individual organisations and trade unions in Wales and the locality. While there are still some opponents, it is clear that the Barrage will benefit Cardiff and South Wales substantially more than other schemes."

Not only are there still some opponents, but their number has been growing. He should have said, "It is true that there are more opponents than there were", but instead he said

"there are still some opponents".

He also said,

"It is clear that the barrage will benefit Cardiff."

I urge my hon. Friend to think again, because that has not been proved. He is arguing that we should destroy a priceless asset for an unquantifiable benefit. He does not appear to realise that, which is a source of some distress to me.

The letter continues:

"There is to be an innovative new feeding ground for the displaced wading birds while the new cleaner environment will attract birds which have not hitherto been seen in the neighbourhood."

He argues that as a benefit of the development and attempts to persuade us to vote for the carry-over motion on that basis. The lake was the subject of detailed consideration in Committee. The new birds that my hon. Friend refers to were the subject of a question put by the promoters to their own witness. They said, "What will these birds be?". They will be swans perhaps, mallard perhaps and a few seagulls perhaps. In conservation terms, the provision of an area of open water to facilitate swans and mallard does not constitute much compensation for the loss of an internationally important feeding ground for thousands of endangered waders.

Mr. Michael: I invite my hon. Friend to read the evidence that has been provided, including the published document commissioned by the development corporation from the Wildfowl Trust—obviously it would be inappropriate to deal with that in this debate—which deals in extenso with the matter. He is trying to denigrate an important development for an inner-city area of great dereliction.

Mr. Davies: My hon. Friend should not make such accusations. I have the evidence given by Dr. John Goss Custard from the Institute of Terrestrial Ecology, who was the expert witness called by the promoters. On day eight —it appears on page 24 of the evidence—he was asked by the promoters:

"As an ornithologist could you perhaps just indicate which sort of wildfowl are likely to be attracted to the impounded waters? A. I should think, given the numbers of people that are likely to be in the vicinity, rather common ones such as mute swans and mallards and birds of that kind. That would be my guess."

That is the evidence of the promoters. I leave my hon. Friend to reply to that point if he feels it appropriate.

The people who oppose the motion include all the conservation bodies that have considered the evidence submitted to the Committee. I do not want unnecessarily to delay the House, but I have the detailed questioning——

Mr. Morgan: There is another hour to go.

Mr. Davies: There is certainly another hour. My hon. Friend is trying to encourage me—but we must not unnecessarily delay the House. I shall not go into the detail of that argument, and you, Mr. Deputy Speaker, will be grateful for that.

I wish to reply briefly to some of the points made by my hon. Friend the Member for Newport, West, who has been encouraging me to turn my attention to him. He has been involved in the debate. On Second Reading, we had a difference of opinion about the conservation value of the site and what would happen to the birds. I asked the RSPB whether it would write to my hon. Friend, and I know that it did so, because I have a copy of the letter. I hope that my hon. Friend will not mind my reading it. The RSPB wrote:

"The fate of estuarine birds displaced is complex and not fully researched. Experts advising both Promoters and Petitioners against the Bill agree that a large proportion of those displaced by a barrage would not be able to 'fit in' elsewhere, or would displace other birds in turn. The availability of suitable habitat is finite; areas of international importance such as the Severn estuary, of which the Taff/Ely is a part, are to be treasured accordingly. Loss of an important part would cause an overall nett loss in the world population of species affected. The Promoters accept that some loss will have to be compensated for, by introducing a measure in the Bill to create an artificially engineered mudflat system at the Wentloog Levels. . . As to the 'adaptability' of nature"—

I hope that this point will persuade my hon. Friend the Member for Newport, West that we should stop the passage of the Bill—

"we believe that nature does not adapt, rather that some bird species take advantage of conditions artificially created by man which mimic (accidentally or by design) natural conditions. An example is the crow".

My hon. Friend the Member for Newport, West is aware of the argument. The RSPB's view is clear. In a briefing submitted to us, it said:

"What will happen to the birds? If the barrage is built and the bay flooded, the wading birds displaced will have to seek their fortunes elsewhere. Birds such as knot, dunlin and redshank will attempt to find fresh feeding grounds and many will fail. They will find that the size of the larder available in the Severn—indeed in all other estuaries within flying range —is limited. In most years, all the best alternative feeding areas are full up with other birds. Many will be excluded from feeding in these areas by competition from other birds, and will die of starvation. Some will successfully displace other birds from their feeding grounds. Those birds in turn will die.

This phenomenon will not take place instantaneously, so no spectacular heap of birds will accumulate. Over a short period of time, birds will disperse elsewhere—some may travel well away from Cardiff in search of food. They will die in ones and twos, many crawling into a secluded place to expire. Imagine the public outcry if honourable members sanctioned the mass destruction of 5,000 birds by, say, shooting or poison. There would be a heap of bodies for the popular press to feast upon. There would be a scandal of major proportions. Elected representatives, be they councillors or members of this House, would not get re-elected because of the outcry. What is being proposed in this Bill by South Glamorgan County Council and the Cardiff Bay Development Corporation, aided and abetted by the Welsh Office, will have the same effect on birds as buckshot or poison."

Mr. Gary Waller (Keighley): The hon. Gentleman wholly misrepresents the balance of the evidence given to the Committee. I do not believe that even those people who appeared on behalf of those who objected to the Bill suggested a scenario along those lines. How many of the books published by the RSPB or any other body concerned with birds suggest that Cardiff bay is a location to which those interested in seeing birds should go?

Mr. Deputy Speaker: Order. If the hon. Member for Caerphilly (Mr. Davies) is going to comment on that intervention, I am sure that he will relate his remarks to the carry-over motion.

Mr. Davies: I do not particularly want to get involved in that matter. I assure the hon. Member for Keighley (Mr. Waller) that I shall write to him, giving a full answer.

Mr. Morgan: Will my hon. Friend give way?

Mr. Davies: Having suggested that it would be inappropriate for me to reply to the intervention of the hon. Member for Keighley, I am sure that you, Mr. Deputy Speaker, would rule that it was similarly inappropriate for me to give way to my hon. Friend the Member for Cardiff, West—at least if he wants to develop the same argument.

Mr. Morgan: I wanted to point out what was wrong with the argument.

Mr. Davies: I hope that my hon. Friend will be making an intervention—albeit perhaps a brief one—later in the debate.

My final point concerns the promoters' case as outlined in the glossy book that they have handed out. They refer to "the living environment", and say that considerable improvements will result from the development. There is a lovely photograph of high tide in the bay, but there is precious little substance to the text, which reads:

"An exciting new development in practical conservation will be the new 55 acre feeding ground for overwintering birds at Wentloog some 3·5 miles east of the bay. This will be partial compensation for the loss of the mudflats to be covered by the lake. The Severn Estuary has 39,000 more acres of . . . designated inter-tidal area, including the River Rhymney, which the Corporation will protect and enhance as a particularly important feeding ground."

The promoters appear to be making two points. First, they are implying that, because there are a further 39,000 acres, it is all right to destroy those affected by the Bill. I reject that argument. If they can destroy one part of the bay, they can come back next year and say, "There are still 39,000 acres; let us have another 1,000." Who will we be to stop them if we have not said no at this stage?

Secondly, the promoters claim that an exciting new development in practical conservation is to take place. My hon. Friend the Member for Cardiff, South and Penarth has invited us to consider that in deciding whether we should allow the Bill to proceed. Less than 1 acre is being provided for every 10 acres being destroyed. I do not think that that is a particularly good bargain. I do not regard it as an exciting new development in practical conservation to destroy 500 acres of protected wildlife habitat and to provide 50 acres as compensation.

Even if one accepts, as I do, incidentally, that the development corporation is trying to offer compensation —perhaps it realises the damage that it is wreaking and feels that it must do something—one must accept that what is being proposed is not very satisfactory. The site will be an area scooped out of the shore of the Severn. There will be no natural drainage, so it will be impossible to recreate the habitats that are to be destroyed. We are not talking about an area that will be flooded once or twice a day, enriching the bed that provides the invertebrate food that attracts the birds; there will not be any. The promoters will not be creating the environment that has been lost.

[Mr. Davies]

Moreover—and this is worse—the site is adjacent to a large refuse tip, which presents two further problems. First, there will be a considerable amount of leaching out of the refuse tip and that will pollute the lagoon. Even if we assume that that will not happen—although why we should assume that, I do not know—we know for sure that thousands and thousands of gulls feed on that tip. Those gulls will prevent the lagoon from becoming a refuge for the secretive, sensitive wading birds for which it has been provided. As the gulls feed, they fly up and roost on the water. If dunlin and redshank were attracted, they would certainly be driven off by the gulls.

Mr. Gareth Wardell: Perhaps my hon. Friend can help me over the management of gulls on waste disposal sites. Are not there ways of preventing gulls from reaching the sites, including the use of falcons?

Mr. Deputy Speaker: Order. I hope that the hon. Member for Caerphilly (Mr. Davies) will help me by referring rather more closely to the carry-over motion.

Mr. Davies: I hope that the development corporation will not get the idea that falcons will help them to attract wading birds. I am sure that they would get rid of gulls but I am afraid that the redshank, the dunlin and the knot would go with them. They are not usually very happy to be overflown by sparrowhawks and goshawks, which are the predators that prey on most birds, although peregrines might do the job as well.

Let us get back to the point. We will have a scoop taken out of the shore, which is supposed to be attractive to those birds, next to a refuse tip that has thousands of gulls and where leaching comes into the water. In addition, many high-voltage electricity cables pass overhead. I do not know whether the development corporation is proposing to relocate them, but one can imagine the carnage that could be created. I am sure that while the redshanks are still in Cardiff my hon. Friend the Member for Cardiff, South and Penarth will have taken the opportunity to have a look at them and that he will have noticed their formations as they take off into flight. High-voltage overhead cables will not do their formation dancing much good. That is another problem, and another reason why I do not think that the barrage is a good idea. We should not accept it.

In addition, the barrage is an experiment. Why on earth should we be prepared to accept the destruction of something that we know is good and valuable for something which is unquantified and unproven? The new lagoon will have to be maintained—at what cost and for how long we do not know. Presumably, the public will have to pay in the short term. We do not know what is going to happen, but we do know that the conditions that are necessary to provide feeding opportunities for waders will be destroyed in that maintenance process. One cannot bring in bulldozers and dredgers to dredge the mud—although it will have to be done to prevent the site silting up—and still maintain the area as a quiet, peaceful, settled refuge for wildlife. When my hon. Friend the Member for Cardiff, South and Penarth says that an alternative is being provided, we must stop for a moment and look at what is being presented.

There are many arguments. I do not think that the development corporation has understood the deep-rooted objections of environmentalists or the problems associated with groundwater in Cardiff. I know that that matter concerns my hon. Friend the Member for Cardiff, West and that he will seek to comment on it in a moment or two. In addition, local people are concerned about their local circumstances—about their homes, livelihoods and immediate environment. In conjunction with them, hundreds of thousands of other people are concerned at the destruction of the environment which belongs to us. Those two views represent an overwhelming coalition opposed to the barrage. That overwhelming case is why I oppose the barrage and why I hope that the carry-over motion will not be carried and that we shall put a stop to this sorry saga once and for all.

10.52 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I rise to make the case against the carry-over motion because, like my hon. Friend the Member for Caerphilly (Mr. Davies), as I oppose the Bill, I must therefore oppose the carry-over motion.

My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) made an eloquent and moving speech which we shall take fully into account. He referred to a most distinguished member of the city council, Councillor John Reynolds. John Reynolds and I fought as candidates for the nomination for the Cardiff, North seat in 1966. I was successful and entered the House a couple of weeks later. Such was the quality of Councillor John Reynolds then—as it remained throughout his life—that, despite the vivid disappointment of that occasion, he never gave less than unstinting support; in every sense, he backed me throughout my time as the hon. Member for Cardiff, North while he continued as a Cardiff councillor. Like my hon. Friend, I wish to pay him that tribute.

A distinguished socialist once said that socialism is the language of priorities. If it is, we must oppose this Bill on public expenditure grounds. I first raised this matter in the debate on the carry-over motion on 14 November last year. I was never called to order during my speech, because the financial consequences of Bills for public expenditure are fundamental to the nature of parliamentary accountability. My case this evening is that, in the context of the Welsh Office budget and the needs of the Principality, I and many other Welsh Members oppose the level of expenditure that the Bill—and, it seems, Welsh Office Ministers and the Chancellor—would endorse.

I make no apology for raising this issue again. It has been my role in debates on this Bill to discuss its implications for public expenditure. We must establish what have been, what are and what will be the public expenditure consequences of the Bill before deciding whether to carry it over.

I am sorry to chide my hon. Friend the Member for Cardiff, South and Penarth, as I did in the debate in November last year and on Second Reading. He made an eloquent speech about the character of the Bill and its impact on his part of the city, but, as a major supporter of the Bill, he never said a single word about its public expenditure consequences. That might not be his function here, but it is certainly the function of the Minister. On the two previous occasions when this Bill was debated, the Minister confined himself to some rather modest and

peripheral remarks, but tonight we hope for a rather deeper analysis from him of the implications for Welsh Office expenditure.

Mr. Michael: I am sure that my hon. Friend will not chide me for welcoming investment in my constituency which will bring benefit to my constituents in terms of the local economy and jobs. I am sure he would do the same if investment came to his constituency.

I mentioned earlier the background information with which I have supplied my hon. Friends, although that is more a matter for discussion on Report.

Mr. Rowlands: Of course I do not chide my hon. Friend for his efforts on behalf of his constituents. But the Bill that he brings to the House has enormous implications for Welsh public expenditure. Huge amounts of public expenditure should not be discussed on Report. They are to do with mainstream, fundamental parliamentary accountability and they should be discussed root and branch in a debate on whether to allow the Bill to carry over. My hon. Friend the Member for Cardiff, South and Penarth and I have had this exchange once before, but I maintain that this is not a matter for Report stage. This is a fundamental matter; if the Bill is not carried over it goes back to the start. My arguments are not about Report but about the very nature of the Bill and its public expenditure consequences.

I hope that I am not being too presumptuous when I say that I have taken a lead in expressing a concern that is shared by other hon. Members in that I have drawn to the attention of hon. Members the public expenditure aspects of the Bill. I shall attempt to identify the public expenditure related to the Bill. The front of the Bill shows two figures. Paragraph 3 states:

"The expenditure on construction of the proposed works is estimated at £82,230,000. The expenditure on the acquisition of lands and easements for the works is estimated at £2,550,000."

I shall return to those figures.

It is strange that exactly the same amounts were shown in the original Bill. I understand the procedural problems involved in amending a financial memorandum. Are those two amounts still valid? Have they been updated? We should bear in mind that they are only one aspect of the financial consequences of the Bill. I hope that the Minister will give us that information. That is not the responsibility of my hon. Friend the Member for Cardiff, South and Penarth. It is the responsibility of the Minister, because I assume that the financial memorandum must be endorsed by the Treasury.

Mr. Morgan: The truth, if the Minister were willing to state it, is that the face of the Bill should show that expenditure will be whatever it costs eventually to build the barrage. The amount does not matter to the Welsh Office so long as it saves the face of the last Secretary of State for Wales but one.

Mr. Rowlands: I am trying to be as objective as possible. Let us examine the matter stage by stage and figure by figure. I should not go as far as my hon. Friend, although there is some substantiation for his point in *Hansard*. In the debate on 19 December last year, the figures given did not even remotely represent the total public expenditure consequences of carrying out the scheme. On that date, the Minister said that £31·5 million would be available this year. He said:

"over the next three years, Government funding would total £100 million, bringing the total amount given, or announced, to date to some £150 million."—[*Official Report*, 19 December 1989; Vol. 164, c. 308.]

Over and above the financial memorandum on the face of the original Bill, there was a straightforward admission that there was a formal commitment. It was not prospective but committed money to the tune of £150 million over three years.

Mr. Michael: I should like to clarify a constituency point that I am sure my hon. Friend will understand. As my hon. Friend rightly says, the Minister must answer for the Welsh Office. In the financial requirements, things that will happen anyway have to be counted in and included on the face of the Bill. For example, roads have to be included because that is how definition of these matters goes. The provision of alternative sites for wading birds, water quality and dredging are also included, as are matters such as sewer diversification and modification, which will cost £13·8 million. All these projects will go ahead anyway, but the requirements of the legislative process are such that they have to be included in the figures used in the Bill, although they are essential for bringing new life to this derelict part of south Cardiff, with which my hon. Friend is familiar. I am sure that he will accept that we should be looking at those aspects that are dependent on the barrage, which is the subject of the Bill before us, rather than at other aspects which, by accident of legal requirement, have to be included in it, or at the other work of the development corporation that is not dependent on the Bill.

Mr. Rowlands: I am grateful to my hon. Friend for that information. We have had this discussion on previous occasions, and I understand that included in the broad total is expenditure that would be necessary anyway, and that it would be best to identify the two. Let us identify the two, and then we can unravel the figures, and let us not say that the total cost of the barrage is anything like that given in the Bill.

I shall first develop my point, although I am happy to give way to my hon. Friend at each and every stage because I am in the process of being educated, as I hope that I shall educate my hon. Friend. We also need educating by the Minister.

One of the most amazing things ever said by the Minister came in the debate last December. Having announced that £150 million would be allocated, he then said something that I would love him to say about the valleys initiative, or about any other project that any hon. Member representing a Welsh constituency advocated. He said:

"Beyond that, we will ensure that sufficient funding will be made available to enable the corporation to carry through its task."—[*Official Report*, 19 December 1989; Vol. 164, c. 308.]

That simple statement means that the Cardiff Bay development corporation will be given by the Welsh Office whatever funds it requires to finish its task.

I wish that this or any previous Secretary of State had made such a statement about the needs of Merthyr Tydfil and Rhymney, so that if the costs of a project there escalate, or the whole thing goes awry, or the financial assumptions behind it are wrong—as the barrage scheme is heavily involved in property, the environment now and the future environment lead to some doubts about the financial forecasts of the scheme—the Welsh Office will fund the task of the corporation. That is an enormous

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commitment, and its open-ended character must be of concern to any hon. Member representing a Welsh constituency, because we are fighting for the same money.

We have all been in this game long enough to know that Chancellors are right when they say that there is not a bottomless pit, that there are priorities in, and competing demands for, public expenditure. We all have to make difficult and often odious choices. As a Member representing a traditional community, I have every reason to say that we would love to be told, "Beyond that, we will ensure that sufficient funding will be made available to enable Merthyr Tydfil and Rhymney to carry through its tasks." I should love to have such a commitment from Welsh Office Ministers. Because it has been given once, we are concerned that it might be given again—but it all has to come from one budget. We spend that budget in a gentlemanly and comradely fashion, having competed for it in our different ways. It is a matter of great concern and I shall not support the motion.

Even if I considered that statement to have been an aberration, or simply that it required qualification, I should wish us to consider the current public expenditure commitment compared with the commitment when we last discussed the issue. I first raised the question of expenditure on various items during our debate on a carry-over motion on 14 November last. I suspect that the original cost of about £82 million was to cover the capital infrastructure costs of the barrage. What is the figure now?

Mr. Michael: I wish to help my hon. Friend, so that we do not spend too much time on questions that can easily be answered. The £83·27 million includes the barrage structure, the locks, the refuge harbour, the fish passes and the sluices—and roads and services. That is my point: it includes elements that would be required anyway.

Mr. Rowlands: That is a compendium of elements. I was given a document today. I have not had time to go through it, and no doubt my hon. Friend can educate me as we proceed. The document is entitled, "Cardiff bay barrage—planning update and economic appraisal statement." I am sure that the Minister has it to hand. It is dated 5 January 1990. It is a revised review of the public expenditure consequences.

From appendix 1, table 2, it appears that the barrage infrastructure cost—not including roads or all the other elements mentioned by my hon. Friend—total £125·5 million. That is not £82 million. Is that correct?

Mr. Michael: The figure does not include the other elements.

Mr. Rowlands: It does not?

Mr. Michael: No.

Mr. Rowlands: Below that figure comes a whole host of industrial costs such as demolition and clearance, service diversions and so on. I totted up those figures and they came to £148 million—that is, additional to the £125·5 million. I shall come to the bottom figure in a moment.

On improved access, the review shows that the PDR-Butetown link plus other road schemes, car parking and a light rapid transport system will cost £152 million. We all agree that the PDR-Butetown link is essential, and it is currently on the books at £95·9 million. What was the figure when we last debated the issue? There has been a substantial increase.

Mr. Morgan: When the Cardiff Bay development corporation was established, the estimated cost of the PDR-Butetown link was £50 million, but its outturn cost is now estimated to be £126 million. The Minister is shaking his head. Perhaps he wishes to correct me. I was supplied with that figure by the department within the county council that will have the responsibility of commissioning the building of the road.

The additional £76 million has been caused entirely by the CBDC asking the county council, in 1987, not to proceed but to wait until there had been various design changes. That additional £76 million must be loaded on to the costs of the interference of the CBDC. That would not have happened if the CBDC had not been established to build the barrage.

Mr. Deputy Speaker: Order. The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) is dealing with the finances in considerable detail. I hope that he will link it to the carry-over motion.

Mr. Rowlands: I most certainly will. When I come to the bottom figure even your jaw might drop, Mr. Deputy Speaker. If we carry the motion over, we will endorse a public expenditure consequence of the Bill even greater than that which we were asked to endorse at the end of last year. I am seeking information on the limits and extremities of the Bill so that I may come to a conclusion on it, although my objections to it are pretty fundamental anyway.

According to the revised document, the barrage infrastructure cost is £125 million; industrial relocations, demolition and land reclamation I crudely totted up at about £148 million; improved access and the road schemes, £152 million; environmental improvements such as landscaping, water features, and so on, £96 million; and other projects, £25 million. The sum total of that list is £547·29 million.

When we debated the matter on 19 December, the Minister admitted:

> "The total cost to the development corporation is estimated. . .to be some £402 million."—[*Official Report*, 19 December; Vol. 164, c. 309.]

Is the £402 million equivalent to the present figure of £547 million? If not, what should be deducted from the £547 million? That figure of £402 million, not the £82 million on the face of the Bill, is the total public expenditure Welsh Office consequence of the Bill.

Mr. Michael: No.

Mr. Rowlands: It is. My hon. Friend is getting het up. We can deduct from that the Butetown link and the rest, but we are now talking about more than £400 million gross. Am I reading the appendices correctly when I say that the £402 million figure is now £547 million?

Mr. Michael: I simply make the point that my hon. Friend is including figures that have nothing to do with the Bill even under the definition which draws in things such as the roads, because the development is in south Cardiff, as well as the elements which are on the face of the Bill, many of which, as I explained earlier, would have to take

place anyway. There is an element of confusion, although I accept entirely that my hon. Friend is an earnest seeker after truth in these matters.

Mr. Rowlands: I am an earnest seeker after truth. The £547 million figures comes from the "Cardiff bay barrage —planning update and economic appraisal statement", not from Cardiff or South Glamorgan. Therefore, any hon. Member would have to conclude that the £547 million relates to the barrage and its financial consequences. It is not every bit of expenditure in South Glamorgan or in the city of Cardiff; it is related, in one form or another, to the cost of the Cardiff bay barrage and its consequences. Half that amount would probably be essential in another development.

I am not arguing about that. I am simply saying that, whereas at the end of last year we had a figure of a little more than £400 million, we now have a figure of about £547 million. To save time, will the Minister say whether the previous figure of £402 million equates with the present figure of £547 million? Are they comparable figures or is there anything substantially different in them? Well, I hope that the Minister will allow us to intervene on his speech so that that point can be cleared up.

Mr. Bob Cryer (Bradford, South): It seems to me that, if the carry-over motion were approved tonight, that approval would in a sense endorse all the financial confusion. If my hon. Friend is saying that all this financial information must be clarified before we proceed any further with the Bill, that, surely, is a strong argument for opposing the motion.

Mr. Rowlands: My hon. Friend has made very forcefully a point that I made in regard to the last carry-over motion—and we lost that vote, although I do not think that we lost the argument.

I feel that, given the public expenditure consequences of private Bills of this size—especially when they involve Welsh Office collusion to such an extent, and an open-ended cheque book too—we have a right to argue our case. Although I am a passionate supporter of public expenditure, I also accept that it is all about priorities: the money must come from somewhere, and in this instance it will come from other budgets which are of vital concern to other parts of the Principality.

One of my fundamental criticisms of private Bill procedure is that, when—after a Committee has spent weeks considering the issues—one of us asks a simple question about the likely cost, as any hon. Member might do on the Floor of the House, the most that we get is some vague statement. I quoted a marvellous one on 14 November, which said that the cost might be between £75 million and £125 million. That is the order of the evidence given by—on that occasion—the chairman of the Cardiff Bay development corporation.

Even those of us who, like me, are passionate supporters of public expenditure are supposed to be vigilant in that regard. I really do not feel that we can pass the motion without much more clarification than has so far been provided—and, in any event, the public expenditure consequences of the Bill are bound to be enormous.

Expanding on the third point that I raised, I accept that I am treading on less firm ground: here I must deal with city expenditure. My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) can speak about Cardiff much more effectively than I can; I have been speaking about the needs and budgetary priorities of Wales as a whole. My hon. Friend is right to fight for his patch, but I am fighting with equal vigour to ensure that his fight does not cause an unwelcome ripple effect in communities such as mine.

This scheme is, in effect, an enormous plan to build houses—very high-class ones, in many instances—that is, in the main, supposedly led by private enterprise. I do not think it improper of me to ask how it can be described as a private-enterprise-led scheme when it will require about £550 million of public money—and not in the form of a loan or a guarantee, but in the form of public grant from the Welsh Office budget. We are encountering some curious semantics when huge slugs of public money are described as "private enterprise".

Following the pre-empting of significant amounts of Welsh Office money, the benefit to the city council will be non-existent. It is for the electors to decide whether they wish to carry the burden. However, I feel that I should point out that after all that public money has been invested, the result will be an operational loss per annum.

Earlier, my hon. Friend told me that I had got my figures wrong. I accepted that, and went away with my tail between my legs. Originally, I was told that the figure was only £400,000 per annum, and that it was modest by comparison with the cost of running Cardiff's parks, and so on. How sanguine should we be in the light of the revised economic appraisal? As at January, the net operating costs are now said to be not £400,000 but £1·3 million. Am I interpreting table 3 in appendix I correctly? It seems to me that it relates to the same figures that were the subject of our earlier argument, when my hon. Friend the Member for Cardiff, South and Penarth sought to educate me.

The forecast revenue has increased from £470 million to only £480 million, but the costs have risen to £1·8 million, and the net operating costs—which I suppose to mean the net annual operating deficit—are now set at £1·35 million.

Mr. Michael: My hon. Friend is placing a fair interpretation on the figures. The corporation will bear the cost during its lifetime, and the successor body—which we assume will be the local authority—will not have to burden the community charge, or the successor to it that I hope will be in place by then, because the corporation's assets will then be available. The intention is to create sufficient revenue to fund the cost. That is why I made the comparison with the £3 million needed for Cardiff's parks. I assure my hon. Friend that aspect has been carefully considered by my colleagues on Cardiff city council.

Mr. Rowlands: My hon. Friend offers a different argument from that which he produced when we last debated the matter, when he told me that the annual cost would be a mere £400,000. At least he is now admitting that, in the course of just nine months, that figure has increased to £1·3 million. I am glad to have that valid comparison made clear.

My hon. Friend says that after the corporation is wound up its assets will be handed over to the successor body and will produce sufficient revenue to cover the operating costs. Those assets will have been created from the enormous grant made by the Welsh Office, and we must assume that, at the end of it all, there will be a substantial potential profit. I ask the Minister, as I have

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before, whether the Welsh Office will be able to claw back any portion of the £400 million originally mentioned, or the £550 million now suggested, that it is to make available?

If some of the profits are to return to the Welsh Office, at least a proportion of them could be recycled to the benefit of Merthr Tydfil and Rhymney and other parts of the Principality. Can the Minister say whether any part of the Welsh Office's £550 million commitment to the development corporation will be returned not to the city's coffers—because it is not local but Welsh money, provided by taxpayers nationally—but to the Welsh Office?

I have previously begged the Minister to answer that fundamental question, and I hope that he will do so on this occasion. In terms of public expenditure, besides all the environmental arguments, I cannot support a carry-over motion for the Bill when the public expenditure consequences will not merely have such great significance for parts of Cardiff, but could be to the considerable detriment and loss of the rest of the Principality, and to the communities which I represent.

11.29 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Ian Grist): I join the hon. Members for Cardiff, South and Penarth (Mr. Michael) and for Merthyr Tydfil and Rhymney (Mr. Rowlands) in paying tribute to the work of councillors who serve on the corporation in Cardiff, and especially the late Councillor John Reynolds, who was a political opponent. I remember him standing for Cardiff, North. He was a thoroughly principled man, and a true friend of Cardiff.

It may be helpful if I give the House a brief indication of the Government's position on the Bill and the amendments made by the Committee. The House will know from previous debates that the Government have a substantial interest in the objectives of the Bill.

We have carefully considered the detailed and wide-ranging evidence on all aspects of a barrage across the estuaries of the Taff and Ely, and concluded that the economic case is very strong, even taking into account the environmental considerations. The Government believe therefore that the construction of a barrage and the substantial economic, recreational and other benefits arising from it are the key to the redevelopment of the Cardiff bay area. This imaginative and high-quality redevelopment will transform not just our capital city, but the wider economy of south Wales and the image of Wales as a whole. I am glad to say that this view was not seriously challenged by the majority of the Committee.

We are pleased that the Committee, having considered all the evidence, has recommended that the Bill should be allowed to proceed subject to a number of amendments and undertakings, mainly relating to groundwater. It is right that the Committee should reflect the genuine concerns expressed during its lengthy and detailed examination of the evidence and, for our part, the Government would not wish to differ from their recommendations.

As this is the first opportunity to debate the Bill since it emerged from Committee, the House may also find it helpful if I say briefly how my right hon. Friend the Secretary of State proposes to fulfil the undertakings that he gave to the Committee in respect of his consideration of further work on groundwater.

My right hon. Friend has appointed Mr. Roy Stoner, director of the Institute of Irrigation Studies at Southampton university, as an independent expert to assist him in fulfilling the undertaking. Mr. Stoner is an eminent specialist in groundwater and related matters and has considerable personal experience on such projects world-wide. His appointment should command the support of all parties.

Mr. Morgan: Would the Minister spell that name please?

Mr. Grist: S-T-O-N-E-R, as it is pronounced.

The independent adviser's first task will be to confirm, by the end of this month, whether the terms of reference for the further studies by Hydrotechnica are adequate.

Once the report on the further groundwater studies and the development corporation's response have been submitted to the Secretary of State, there will be a three-month period during which written representations on the contents of those documents may be made to the Secretary of State by interested parties. The independent adviser will then advise my right hon. Friend on whether the terms of reference have been met, on the soundness of the assumptions, working methods and conclusions, on written representations and the adequacy of information on the various criteria. I expect my right hon. Friend to be able to announce his decision on public funding and the final position of the protected property line, taking into account all of these factors, early in 1992.

Mr. Morgan: Can the Minister say whether the Dr. Stoner to whom he refers has any familiarity with Cardiff? The reason why I ask is that there has been a wide separation in the professional advice received as between geologists, engineers and other experts who are from or work in Cardiff, virtually all of whom are against the barrage, as they think it unsafe, and those experts who have been commissioned but have no familiarity with the area in question, all of whom turn out to be in favour of the barrage. Will the Minister reflect on that and say whether Dr. Stoner has any working familiarity with the groundwater particularities of Cardiff?

Mr. Grist: To be perfectly frank, I cannot answer the hon. Gentleman. If he has any grounds for doubting the technical competence and the expertise of Mr. Stoner I am sure that he will let us know. I do not believe, however, that the hon. Gentleman will find that that is so. Mr. Stoner is a world-wide expert on these matters.

As the House is aware, the Government have already made available, or announced, very significant levels of funding for the corporation—more than £150 million to date. If my right hon. Friend is satisfied that the economic, technical and safety criteria in respect of the further work on groundwater have been met, we intend to honour our long-standing commitment that the cost of the barrage will be met by the development corporation, with the assistance of grant-in-aid from the Welsh Office.

I must point out to the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) that the most recent economic appraisal of the barrage strategy estimates its overall public sector costs to be £335 million at

mid-1989-90 prices. The two main elements of the strategy are the construction of the barrage itself and the construction of the Butetown link section of the PDR.

The Government have already made plain their commitment to provide funding for the barrage through grant-in-aid, subject now to the satisfactory completion of further work on groundwater, to which I referred earlier. The corporation will also be generating income from the disposal of assets and will be drawing in money from the private sector, all of which will go towards the funding of its barrage strategy.

The hon. Member for Merthyr Tydfil and Rhymney should not have overlooked in his peroration the fact that the valleys programme has led to the expenditure of some £500 million in three years. I do not think that he expects the Welsh Office to receive a refund of that money. That is part of the investment in the future wellbeing of Wales, and that is precisely what the barrage strategy is also designed to achieve.

Mr. Rowlands: The hon. Gentleman is racing through his figures. He referred to the figure of £335 million. Is he saying that the figure of £402 million that he gave to us in December is now £335 million? Are we comparing like with like?

Mr. Grist: I think that the hon. Gentleman will agree that that is a fairly gratifying drop in the amount of public sector money, due to the introduction of private sector finance. He ought to welcome the injection of finance by the development corporation if he is so mindful of public finance.

Mr. Rowlands: Table 2 in the appendix to the economic appraisal published in January quoted a gross figure of £547 million. What proportion of that figure is Welsh Office funded?

Mr. Grist: I think that the hon. Gentleman is looking at an outturn figure. The outturn figure for the barrage is estimated at £147·7 million.

Mr. Rowlands: The document entitled "Cardiff bay barrage—planning update and economic appraisal statement" dated 15 January 1990 gives, in table 2 of appendix 1, a summary of individual project investments. The barrage figure is £125 million. The rest comes to a grand total of £547 million. What proportion of the £547 million will be Welsh Office funded?

Mr. Grist: The hon. Gentleman cites a figure that I do not have before me. I have given him the figures that I have, which relate to the motion before the House. We estimate that the barrage strategy itself, at 1989 prices, will be £335 million. There would clearly be funding from many other sources. The leverage with a barrage is twice that which would be available without it. That is a measure of the importance of the barrage for the regeneration of south Cardiff and the area around Cardiff.

Therefore, I believe that the Bill as amended in Committee, where it was given detailed examination, should be allowed to proceed so that it can be further considered. As the hon. Member for Cardiff, South and Penarth (Mr. Michael) said, these matters could then be thrashed out in much greater detail.

11.40 pm

Mr. Win Griffiths (Bridgend): In opposing the carry-over motion, I shall refer at a little length to the document provided for us by the Cardiff Bay development corporation and the South Glamorgan county council, which we found in yesterday's post. It is part of the preparation for the debate. In a well-presented folder there are set out the arguments why we should be prepared to support the motion and allow the debate to continue on the Bill. Unfortunately, from the point of view of the promoters, having read the brochure produced by the development corporation and the county council, I have not been persuaded to change my view about the need for a barrage to be constructed to ensure a successful development of the Cardiff bay area.

The debate on the need for a carry-over motion to enable us further to consider the Bill is closely related to the type of development which needs to take place in Cardiff, and I am still of the view that there can be successful redevelopment of the bay area without the barrage being built. I remain convinced, therefore, that I should oppose the carry-over motion.

I shall refer briefly to the cogent arguments advanced by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on the public expenditure considerations of the barrage. Perhaps I should remind him that it was that incomparable popular singer, Shirley Bassey, who made a great name for herself with a song, among others, entitled "Hey Big Spender". Shirley Bassey comes from Tiger bay, which is part of the area that will be the beneficiary of all the public expenditure. It is—*[Interruption.]* I hear from sounds off that Shirley Bassey came from Splott. That may be the precise area from which she came, but everyone in the world associates her with Tiger bay first, second and third. We are entering into some procedural, academic and semantic niceties by referring to Splott, but it will benefit from the redevelopment of the south Cardiff area.

Mr. Flynn: I do not wish to bring about a feeling of deja vu by repeating my previous performances when considering this Bill—other hon. Members have not shown the same restraint—but to suggest that Splott and Tiger bay are really one and the same place is an affront. It is as dangerous as saying that Upper Cwmtwrch and Lower Cwmtwrch are one and the same place. Shirley Bassey hails from the splendid Portmanmoor road, and she would be greatly insulted if it were suggested that she came from Tiger bay, which is a different part of Cardiff altogether.

Mr. Griffiths: I should hate to go into all the arguments. I am sure that you will agree, Madam Deputy Speaker, that according to popular mythology, which is important, Shirley Bassey hails from Tiger bay.

As a student at Cardiff university I lived in Habershon street, which is not far from Portmanmoor road, and can therefore attest to the need to redevelop the area. However, the question is whether the barrage is essential to the prosperous and successful redevelopment of Cardiff. I believe that it is not essential.

Some of the arguments advanced in the brochure, ignoring the economic case, given even more reason to oppose the motion. Once again, my hon. Friend the Member for Merthyr Tydfil and Rhymney did us a good service in revealing much of the associated cost of the development and mentioned a figure of about £500

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million. The Minister, who for the time being at least has an interest in Cardiff as he is the hon. Member for Cardiff, Central, said that the figure is now about £335 million. Even if we accept that figure, it is much more than the £125·55 million quoted in the brochure, which attempts to outline the reasons why the barrage should be allowed.

Mr. Grist: The hon. Gentleman is probably muddling the figure of £335 million with the figure of £125·55 million for the barrage. The figure of £335 million includes the PDR expenditure.

Mr. Griffiths: I am grateful to the Minister for pointing that out, but the barrage is the contentious part of the total scheme for the redevelopment of south Cardiff. We doubt whether all the additional expenditure will be worthwhile for the Welsh economy. No doubt there will be spin offs for the economy of south Wales in the redevelopment of south Cardiff, but we are saying that the money provided for the barrage could be better spent in other parts of south Wales.

I want to draw the House's attention to two pages in the brochure, one entitled "Prevention of Flooding" and the other "Bay Water Quality". The section on prevention of flooding states:

"There will be a lower risk of flooding in Cardiff when the Barrage is built."

Good.

"The Barrage will keep out the very high tides, and at high tide the Barrage will provide adequate storage for river flood waters until low tide allows the sluices to be opened and the water drained off."

Good.

"Co-operation between the Development Corporation and all public bodies concerned with flood prevention is built into the Bill."

Good.

"As the flood protection authority (the National Rivers Authority) says, 'the Barrage will not reduce the level of protection provided by existing flood defences and may create a worthwhile improvement.'"

Good.

If we accept the word of the National Rivers Authority, the building of the barrage will help prevent flooding in south Cardiff. I certainly hope that that will be so, and it is good that that hope is buttressed by the authority and scientific knowledge of the National Rivers Authority.

Mr. Morgan: That view is totally contradicted by the Cardiff Bay development corporation's consultants, Wallace Evans and Partners. In their May 1988 report, they wrote:

"The results demonstrate that draining down the impounded bay before the arrival of a peak flood does not produce any real benefit for the high discharge event. This is because the bulk of the flood volume around the peak is far greater than the storage volume being made available."

Mr. Griffiths: I thank my hon. Friend for pointing that out. I was aware of the dispute about the evidence, but at least we had the authoritative statement by the National Rivers Authority that the barrage would be helpful in preventing flooding.

Mr. Michael: The NRA's authoritative statement is useful, but the evidence to the Committee and elsewhere shows that this is not a matter of dispute. It has been investigated and cleared out of the way, and hon. Members can have full confidence about it.

Mr. Griffiths: Once again, I thank my hon. Friend for trying to enlighten me. I accept that a dispute still exists, but for the sake of my argument I am happy to accept the NRA's statement about the prevention of flooding.

The page entitled "Bay Water Quality" states:

"The new freshwater lake will be fed by the Taff and Ely rivers and water will flow out through the Barrage. While not tidal, a continuous management programme will see to the removal of debris and algae that may accumulate on the shores and on the surface of the lake."

Good.

"Special equipment will keep the lake water oxygenated when river flows are very low. Today, salmon breed again in the Taff river after many years absence, a sure sign of improving water quality."

Good.

"Diversion of 14 main sewers will remove a major source of pollution. Standards set by the National Rivers Authority and effective control of industrial pollution will further improve the quality of water in the lake and thus make possible a greater range of water-related activities in the future."

Good.

"A management company, fully accountable to the Development Corporation, will manage the Barrage and the Bay and water quality in the lake. It will be funded from income generated by a property portfolio and without recourse to local authority funds."

Good.

Let us look at some of those statements. The NRA is directly quoted to substantiate the argument that the barrage will help to prevent flooding, but although reference is made to the NRA on the subject of water quality, there is no positive statement from that independent organisation that building the barrage will result in a satisfactory water environment. I believe that the NRA has ruled out the possibility of water contact sports because of the dangers for people who may fall into the water when participating in them.

Mr. Michael: Perhaps I can help my hon. Friend by saying that that applies to many other inland waters, both natural and artificial. A case in point is Roth park lake, which is greatly valued even though the water quality is not marvellous. I invite my hon. Friend to consider the water in Bute east dock, which comes from the same source as will the water behind the barrage and which is already greatly appreciated by the general public in Cardiff.

Mr. Griffiths: My hon. Friend wants to put up the best case that he can for the barrage and the lake, but, as I understand it, the water behind the barrage will be completely different in nature from that which is now held in the docks. The building of the barrage will change the whole water regime in the Cardiff bay area. That is why there is such a big difference and one cannot compare what happens in Cardiff docks at present with the state of play that will pertain after the barrage is built. I find it most disturbing that, on the issue of bay water quality, the promoters did not see fit to get the National Rivers Authority to make a positive statement about the safety of the water and the freedom from pollution and other possible dangers that could be attendant on the management of the water behind the barrage.

My other major concern about the management of the quality of the water behind the barrage would not arise so much at times of low water. One can have water oxygenation equipment and we know that, in many parts of the world, it represents an extremely successful way of

keeping the water healthy for the forms of life to be found in it. But I foresee a major difficulty arising at times when the river Taff is in spate. It is all very well to talk about the diversion of 14 main sewers but that is nothing like the number of sewers that pour into the Taff and Ely rivers at times of severe flooding, which happens very frequently in Wales during the winter months. We are famous for our rainfall. The rivers Taff and Ely readily flood, and the fact that the bay water quality leaflet makes no real mention of how to deal with water quality problems when the rivers are in flood is a major obstacle to our accepting the carry-over motion.

There is one further reason why I remain firmly convinced that we should not accept the carry-over motion —it has to do with the groundwater issue. The Minister referred to that and said that amendments had been made in Committee. He explained that further studies would be made in the light of which the Welsh Office would make a decision. Unfortunately, the end result of those studies could still be controversy. I do not think that it would be fair to place such a burden of responsibility on any Minister at the Welsh Office, especially given the high degree of commitment that the Welsh Office has to the barrage and to the present proposals for the development of Cardiff bay.

If we consider the groundwater issue, as outlined in this leaflet, which is designed to convince us that the correct thing to do would be to go along with the carry-over motion, we learn:

"The water impounded by the Barrage will raise the groundwater level in south and central Cardiff, which the Promoters have always recognised could affect some basements."

As I understand it, it took a lot of persuasion to get them to that position. Nevertheless, finally and because of the weight of the argument, they were persuaded to take account of this issue. In the beginning, however, the promoters tended to dismiss such arguments and only after seeing the weight of the evidence did they begin to accept that they would have to do something about the matter.

The leaflet also states:

"Independent experts commissioned by the Promoters say that this will not cause structural damage"—

hooray—

"cellars may become damp or at worst wet—but groundwater experts say that most properties will be unaffected."

There is a nice diagram to illustrate that point, but it does not convince me.

We are then told:

"Under the Bill there will be a comprehensive protection system for residents. The Bay management must survey properties within an agreed 'Protected Property Line' and undertake remedial action at no cost to occupiers. The protection will last for 20 years from the time of remedial work. The Development Corporation will initiate the general surveys and there will be a detailed code of practice to safeguard householders' rights.

Surveys will be undertaken over a wide area and will ensure that no property is without protection. It is estimated that only about 1,600 properties may require work and residents will have free access to an independent Complaints Administrator.

Residents outside the 'Protected Property Line' will also be fully safeguarded by the provisions of the Bill."

But why are they not dealt with in the same way as those within the protected property line?

We are then told—this might be looked on as a comfort to sustain the argument for the carry-over—that

"More computer modelling work on groundwater aspects is already underway to cover points of concern in the Petitioners' evidence. This will be reported to the Secretary of State and will be taken into account in his decision."

Yes, but that is the crux of the whole way in which the Cardiff bay barrage and the Bill intended to enable it to go ahead have been examined. We are running before we can walk. We are putting the cart before the horse.

Mr. Flynn: My hon. Friend must accept that the last time we discussed this matter he was one of the few who showed a detailed knowledge of the environmental reports that had been made. My hon. Friend is not doing himself justice tonight by quoting a weak summary of the argument when he knows that a great deal of respectable scientific work has been carried out. The collection of headings and generalisations to which he refers are untrue.

Mr. Griffiths: I am conscious, Madam Deputy Speaker, that we do not want to detain the House——

Madam Deputy Speaker (Miss Betty Boothroyd): What I am conscious of is that we are dealing with a carry-over motion to which I hope the hon. Gentleman will refer from time to time and that he will not get carried away with the general argument.

Mr. Griffiths: I have been trying to keep that at the forefront of my mind, Madam Deputy Speaker, all evening.

Madam Deputy Speaker: You could have fooled me.

Mr. Griffiths: The trouble is that interventions often cause me to go down the wrong track.

If I can be allowed to carry on with what I want to say, my answer to the very important point raised by my hon. Friend the Member for Newport, East (Mr. Flynn) is that I do not dispute the fact that a number of studies have been carried out—some are still being carried out—on the groundwater aspects of the building of the Cardiff bay barrage. I contend that it is inappropriate for us to be discussing the Cardiff Bay Barrage Bill and the carry-over motion that will enable the Bill to continue on its course through the House while the studies are incomplete.

The most important point of all is that the people who could be affected by the rising groundwater should know the results of all the surveys before we give the Bill further consideration. We can have differences of opinion about the importance or otherwise of the sites of special scientific interest, but we cannot have a difference of opinion about the fact that the barrage should not go ahead until all the studies are completed and available for our inspection. We should not allow the studies to go on and then let the Welsh Office decide once they are completed. That would place the Welsh Office in an invidious position. It has already made it clear this evening that it fully supports the barrage. If there is still contention about the effects of the groundwater after the studies are completed, it would be wrong to let the Welsh Office decide. That is why I hope that the House will reject the carry-over motion.

12.6 am

Mr. Gwilym Jones (Cardiff, North): As you have said, Madam Deputy Speaker, the hon. Member for Bridgend (Mr. Griffiths) went into detailed arguments about different parts of the Bill. Like the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), he discussed the economic case. Indeed, the hon. Member for

[Mr. Gwilym Jones]

Merthyr Tydfil and Rhymney concentrated upon it entirely. I believe that both hon. Gentlemen made the case for the motion.

Within the narrow confines of what we can properly debate on this motion we cannot resolve these detailed economic matters or some of the other points that have been mentioned. The logical outcome of passing the motion would be to allow the Bill to go forward to Report stage, when all these points can be properly dealt with, all the detail can be examined and, I hope, when all hon. Members can be satisfied, at least as far as that is possible. These matters should be discussed on Report, not in a debate on this motion.

I shall try to remain within the limits of the motion and not be called to order. I want to respond briefly to the lengthy contribution made by the hon. Member for Caerphilly (Mr. Davies). I shall not discuss the minor part of his speech dealing with the environment, because I have a healthy appreciation of his concern for environmental matters; but the major part of his speech was about the backing for the Bill. He went so far as to misrepresent the fact that seldom has there been a Bill that enjoys such overwhelming support in South Glamorgan.

Four of the five Members who represent South Glamorgan strongly support the barrage Bill. Many councillors in the Cardiff city, South Glamorgan and Vale of Glamorgan councils support the Bill. More than 80 per cent. of councillors in the area support it—a good demonstration of the support among the tiers of elected representatives in the area.

Support for the Bill is not confined to one political party. The Labour party controls South Glamorgan council, the Conservatives control the Vale of Glamorgan council and Cardiff city council is a hung council. Both major parties in Cardiff strongly support the Bill.

Mr. Morgan: I think that the hon. Gentleman may be misleading the House. If he means that Labour councillors support the project he may well be right, but he is not right if he means that the Labour party supports the project. Four of the five general management committees of the Labour party are against the barrage. *[Interruption.]* I am not sure what my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), who is sitting behind me, is trying to say. In the last 12 months those general management committees in South Glamorgan have voted against the barrage by majorities of 2:1, 3:1, 4:1 and 5:1.

Mr. Jones: I hope that I am not misleading the House. I cannot speak well about Labour party management committees, but the sotto voce comment from behind the hon. Gentleman suggested that he might well have been misleading the House. In every respect it must be true to say that all elected representatives from the major parties are in favour. Perhaps the hon. Member for Ceredigion and Pembroke, North (Mr. Howells) would like to contribute to the debate because I understand that the minor party, the Liberal party, on Cardiff city council and in South Glamorgan is very much in favour of the Bill. I urge the House to support the motion.

I appreciate the built-in frustration of debating a private Bill. That has been well covered. However, for the moment it is the only way for us to consider the matter and it has resulted in long and exhaustive consideration. In its way such a Bill is no different from other Bills. Earlier, we debated the Law Reform (Miscellaneous Provisions) (Scotland) Bill and a great raft of mainly Government amendments went through in a short time. It is naive for anyone to expect a Bill to emerge unchanged at the end of the parliamentary process. Such a Bill would be a minor one. Bills are made better by amendments.

Mr. Win Griffiths: Will the hon. Gentleman give way?

Mr. Jones: I hope to be brief but I had better give way to the hon. Gentleman.

Mr. Griffiths: I would not expect the Bill to remain unamended. One of my major points was that such a contentious issue as groundwater should be settled before the Bill is debated. That is my objection to the motion.

Mr. Jones: How can we make progress without accepting the motion? The matters that worry the hon. Gentleman can be moved forward and debated at another stage.

The Bill has been improved by the consideration that it has already had. The fact that we are discussing an exceptional measure fully justifies the basic principle of a carry-over motion. The Bill is exceptional because of what it will achieve. It will lead to the redevelopment of south Cardiff and new jobs and homes and will be a tremendous boost to our economy and to the capital city of Wales. Of course, that is already happening, because Cardiff is talked about far and wide. However, the benefits from the Bill will extend to a wider area. It would be a tragedy if the motion were defeated and the Bill were lost.

There has already been a substantial investment in the Bill of time, money and activity. Many people, such as hon. Members, the two councils, the development corporation and others have made that investment. It has not been mentioned so I shall put on record our thanks to the four members of the Select Committee who spent 26 or 27 painstaking days going through the Bill. They were my hon. Friends the Member for Cornwall, South-East (Mr. Hicks), and for Keighley (Mr. Waller) and the hon. Members for Clydesdale (Mr. Hood) and for Doncaster, North (Mr. Welsh). We owe all of them a debt of gratitude.

That Committee was quite innovative. I think that it was the first time that a Committee has taken evidence outside the House on the matter. Certainly, it must have been the first time that a Committee took evidence in song on it. It would be a tragedy if all that hard work and exceptional consideration were lost. Not least, it would be tragic in view of all that has been done to resolve the reasonable doubts in south Wales. Contrary to what was said by the hon. Member for Cardiff, West (Mr. Morgan) my impression of south Wales is that opposition to the Bill is fast receding. From what I read of the front-page headlines in South Gamorgan, opposition in the Labour party there is receding. The greatest attempts are being made to resolve all the legitimate concerns. All along, those who have wanted to promote this scheme have appreciated the concerns, and all involved have been doing all that they can to help those who are worried that they might be disadvantaged by what happens if the Bill is passed.

I noticed recently that the city council gave money to the Cardiff flood action committee, not because it agreed with the position that the committee had taken but in the

spirit of trying to help those who are worried by the Bill. That same spirit has been shown by everyone, particularly the officials of the two councils and the development corporation.

If we were to carry on with the detailed arguments, we should not achieve the real purpose of the motion. The only way to resolve the detailed arguments is to agree to the motion so that we can have further debates. Not to resolve it in that way would be the greatest tragedy for south Wales.

12.17 am

Mr. Rhodri Morgan (Cardiff, West): I wholeheartedly agree with the comments made by my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) and others about the sad passing away of Councillor John Reynolds, who was the Labour leader on Cardiff city council and who served as a member of the board of the Cardiff Bay development corporation. The very first job that I ever had was as a tutor-organiser with the south Wales district of the Workers Educational Association. I was told that my job was to go out and find more John Reynolds. He had been a booking clerk, and he went on to make a major contribution first to education and then to the public service, serving on the city council for several decades. For the two years that I was with the WEA, I tried to find more such people, before handing my job on to others who are far better known in public life and politics.

I ask the House to sink this barrage before it sinks half my consituency.

Mr. Flynn: That is a wild exaggeration.

Mr. Morgan: I feared that there might be a sedentary comment from the back row in response to that, although I am not sure what the definition of wild exaggeration might be. Anybody who thinks that that is a wild exaggeration should turn to the evidence presented to the Select Committee on this point. Earlier, we had the presence of the hon. Member for Keighley (Mr. Waller), but there are no members of the Committee present now, so I had better read the evidence of a witness expert in groundwater computer modelling, which is a way to predict what would happen after a barrage was built. This is relevant to whether we should agree to the carry-over motion.

The House will have to allow for the elision in the banter between the witness and the Chairman in these questions and answers. The Chairman asked:

"Thousands of people will suffer from groundwater problems if the model is wrong?"

Dr. Miles, the witness, said:

"Yes, and rather than enhancing Cardiff, it would turn it into a laughing stock; this is the city that turned itself into a swamp—how would that look in the papers?"

Later, the Chairman asked:

"'Urban swamp' was your own phrase. I tried to rhyme 'Miles' with 'urban swamp'"—

this is the banter—

"and I failed to come up with something, I must confess!"

Dr. Miles, having done the donkey work necessary to make an accurate prediction, within the best parameters, using the best technology in computer modelling and accurate field work when collecting the data that goes into the computer model, predicted that the barrage would present a serious danger of turning the low-lying areas of Cardiff into an urban swamp. That is the risk that I am being asked to take on behalf of my constituents.

I take the matter seriously because we are being asked to pass a carry-over motion even though the studies are not yet complete. It is obvious from the debate that this is a unique motion. We are being asked to approve, on behalf of our constituents, a pig-in-a-poke.

The technical studies were demanded by a majority of the Select Committee. One member wanted to throw it out, but the other three agreed that, procedurally, the Bill should come this far, even though they did not think that it was proper for the barrage to be built. From what the Minister said earlier, we will not know the results of the studies for another 18 months. We are being asked to continue the life of the Bill even though that is irrelevant because the actual decision will be made not by Parliament, with most unusually restricted rights for petitioners and objectors, but by the Secretary of State for Wales after he has had written representations and has consulted his new expert from the centre for irrigation studies at Southampton university.

As far as I am aware, never before have we been asked to approve a Bill that is subject to the Secretary of State having the last word. It is like the Select Committee saying that it did not really think it safe to proceed with the barrage, but it did not want to kill the Bill. We are being told, "Bear with us, take it all on trust and the Secretary of State will play a fair-minded, neutral, quasi-judicial planning role when he makes up his mind in 18 months."

Mr. Dennis Skinner (Bolsover): Is my hon. Friend aware that next year could be election year? If so, the carry-over motion means that we will be discussing the Bill in election year. What happens in an election year? The Government start Bills but do not finish them. The Prime Minister will be deciding the date of the election, she will be looking for that window of opportunity, she will be fiddling every set of statistics that she can, she will not know whether she is coming or going, the ERM will go sour, and in the middle of all that someone will say to her, "Do you know, Prime Minister, that we have not yet finished the Cardiff Bay Barrage Bill?" What is she likely to say in the middle of all that? It will be, "Stuff the Bill", or something like that. She will not come here in her carpet slippers at 10 or 12 o'clock at night to vote for the Bill. She will have other fish to fry.

I am hoping to speak in the debate about the electoral consequences of the Bill. In some circumstances, they could be helpful to the Labour party. I am looking at it from both angles. Has my hon. Friend examined it from a wider political view?

Mr. Morgan: I am grateful to my hon. Friend, who has given us yet further proof that he is not thinking of crossing the Floor.

It is quite likely that there will have been an election before the results of the further inquiries are known, yet we are being asked to pass a carry-over motion tonight.

We must consider the alternatives if the motion is refused. The promoters of the barrage could return when they have finished their studies. They could then say that they have used the best technology available and the best computer modelling experts, and then give their prediction for the level of groundwater in the affected low-lying areas

[Mr. Morgan]

of the three constituencies concerned. We will then know the price of the barrage; tonight, we are being asked to buy a pig-in-a-poke.

The groundwater issue is of concern to my constituency. Obviously, it also affects the constituency of my hon. Friend the Member for Cardiff, South and Penarth. The barrage will be in his constituency, but water does not respect parliamentary boundaries. On the other side of the River Taff, it will also affect the highly marginal constituency of the hon. Member for Cardiff, Central (Mr. Grist). In terms of residential areas, my constituency will be most affected. Roughly 40 per cent. of them fall within my constituency, 35 per cent. within the constituency of my hon. Friend the Member for Cardiff, South and Penarth and 20 per cent. within Cardiff, Central, the Under-Secretary of State's constituency. The barrage will have an effect in those areas.

If the mouths of the Taff and the Ely are impounded, the resulting lake may be in my hon. Friend's constituency, but two fingers of it will extend into my constituency and that of the Minister. But the water under the surface, residentially speaking, affects my constituency more than any other, so I am very concerned about it.

Mr. Skinner: Residentially speaking?

Mr. Morgan: I do not know whether my hon. Friend remembers his days underground.

Mr. Skinner: Yes.

Mr. Morgan: He would have been extremely conscious of water under the ground. Water beneath one's house is as important as water flooding a coal mine. I do not want my constituents to live in the equivalent of a flooded coal mine.

Since about 7.30 this evening I have been in a position to present some new evidence to the House on that very issue. It is pretty sensational because it cuts completely across the assurances given in the wonderful pop-up birthday card sent to all Members of Parliament by Cardiff Bay development corporation, at great public expense, and about as factual as one.

The information that I want to give to the House is the result of the fieldwork carried out by——

MR. MICHAEL rose in his place, and claimed to move, *That the Question be now put.*

Question put, *That the Question be now put:*—

The House divided: *Ayes 132, Noes 10.*

Division No. 323] **[12.26 am**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Burns, Simon
Burt, Alistair
Butcher, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Fallon, Michael
Fishburn, John Dudley
Flynn, Paul
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Derek
Freeman, Roger
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Harris, David
Haynes, Frank
Heathcoat-Amory, David
Hind, Kenneth
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hunt, David *(Wirral W)*
Jack, Michael
Jackson, Robert
Johnson Smith, Sir Geoffrey
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Lamont, Rt Hon Norman
Lang, Ian
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
McFall, John
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
Malins, Humfrey
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Morrison, Rt Hon P *(Chester)*
Murphy, Paul
Needham, Richard
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Oppenheim, Phillip
Paice, James
Parkinson, Rt Hon Cecil
Parry, Robert
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Portillo, Michael
Redwood, John
Renton, Rt Hon Tim
Roberts, Sir Wyn *(Conwy)*
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trippier, David
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Waller, Gary
Wareing, Robert N.
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Gwilym Jones and
Mr. Ray Powell.

NOES

Barnes, Harry *(Derbyshire NE)*
Bennett, A. F. *(D'nt'n & R'dish)*
Corbyn, Jeremy
Cryer, Bob
Davies, Ron *(Caerphilly)*
Morgan, Rhodri
Nellist, Dave
Pike, Peter L.
Skinner, Dennis
Williams, Alan W. *(Carm'then)*

Tellers for the Noes:
Mr. Ted Rowlands and
Mr. Win Griffiths.

Question accordingly agreed to.

Question put accordingly—

The House divided: Ayes 132, Noes 10.

Division No. 324] **[at 12.40 am**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Burns, Simon
Burt, Alistair
Butcher, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clarke, Tom *(Monklands W)*

Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Fallon, Michael
Fishburn, John Dudley
Flynn, Paul
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Derek
Freeman, Roger
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Harris, David
Haynes, Frank
Heathcoat-Amory, David
Hind, Kenneth
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Hunt, David *(Wirral W)*
Jack, Michael
Jackson, Robert
Johnson Smith, Sir Geoffrey
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Lamont, Rt Hon Norman
Lang, Ian
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
McFall, John
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
Malins, Humfrey
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Morrison, Rt Hon P *(Chester)*
Murphy, Paul
Needham, Richard
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Oppenheim, Phillip
Paice, James
Parkinson, Rt Hon Cecil
Parry, Robert
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Portillo, Michael
Powell, Ray *(Ogmore)*
Redwood, John
Renton, Rt Hon Tim
Roberts, Sir Wyn *(Conwy)*
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tredinnick, David
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Waller, Gary
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Gwilym Jones, and
Mr. Derek Conway.

NOES

Barnes, Harry *(Derbyshire NE)*
Bennett, A. F. *(D'nt'n & R'dish)*
Corbyn, Jeremy
Cryer, Bob
Davies, Ron *(Caerphilly)*
Morgan, Rhodri
Nellist, Dave
Pike, Peter L.
Skinner, Dennis
Williams, Alan W. *(Carm'then)*

Tellers for the Noes:
Mr. Ted Rowlands and
Mr. Win Griffiths.

Question accordingly agreed to.

Ordered,

That the Promoters of the Cardiff Bay Barrage Bill *[Lords]* shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That, if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as have been made by the Committee in the present Session, and shall report the Bill as amended in the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.

PROCEDURE

Motion made,

That this House agrees with the recommendations contained in the First Report of the Select Committee on Procedure of this Session (House of Commons Paper No. 379).—*[Mr. Nicholas Baker.]*

Hon. Members: Object.

QUESTIONS TO MEMBERS, ETC.

Motion made,

That with effect from the beginning of the next Session of Parliament Standing Order No. 17 (Questions to Members) and Standing Order No. 18 (Notices of motions, amendments and questions) be repealed and the following Standing Orders be made—

Time for taking questions

(1)—Questions shall be taken on Monday, Tuesday, Wednesday and Thursday, after private business has been disposed of.

(2) No question shall be taken after half-past three o'clock, except questions which have not appeared on the paper but which are in Mr. Speaker's opinion of an urgent character and relate either to matters of public importance or to the arrangement of business.

(3) Any questions tabled for written answer on a day on which the House does not sit by reason of the continuance of a previous sitting shall be deemed to be questions for written answer on the next sitting day and shall appear on the Order Paper for that day.

Notices of questions, motions and amendments

(1)—Notices of questions shall be given by Members in writing to the Table Office.

(2) A notice of a question, or of an amendment to a motion standing on the Order Paper for which no day has been fixed or of the addition of a name in support of such a motion or amendment, which is given after half-past ten o'clock in the evening shall be treated for all purposes as if it were a notice handed in after the rising of the House.

(3) A Member shall indicate on the notice of any question whether it is for oral, written or priority written answer.

(4) Where a Member has indicated that a question is for priority written answer the Minister shall cause an answer to be given to the Member on the date for which notice has been given, provided that the requirement of notice shall be the same for such questions as that prescribed in this order for questions for oral answer.

(5) Notice of a question for oral answer may not be given on a day earlier than ten sitting days before the day for answer, provided that, where that earliest day would otherwise fall on a Friday, the earliest day on which such notice may be given will instead be the previous sitting day.

(6) Notice of any question for oral answer must appear at latest on the notice paper circulated two days (excluding Saturday and Sunday) before that on which an answer is desired.

(7) When it is proposed that the House shall adjourn for a period of less than four days, any day during that period (other than a Saturday or Sunday) shall be counted as a sitting day for the purpose of calculating the period in paragraph (5) of this order.

(8) When notice shall have been given of a Motion for the adjournment of the House for more than three days Mr. Speaker may cause to have printed and circulated with the Vote a memorandum superseding the provisions of paragraphs (5) and (6) of this order and instead setting out the earliest day on which notice of questions for oral answer may be given for each of the first ten sitting days after that adjournment, provided that each such day shall as far as practicable fall on the same day of the week as that on which the question is to be answered and shall not be fewer than fourteen days before the day for answer; and also setting out the latest day for notice of questions for oral answer on each of the first two sitting days following that adjournment provided that each such day shall not be fewer than two days (excluding Saturday and Sunday) before the day for answer. —*[Mr. Nicholas Baker.]*

Hon. Members: Object.

Portsmouth Naval Base

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

12.51 am

Mr. David Martin (Portsmouth, South): The debate arises from the present and latest consideration within the Ministry of Defence of the future of the fleet maintenance and repair organisation in Portsmouth dockyard, which is crucial to the future of the dockyard. It follows upon a letter which I received in September from my hon. Friend the Under-Secretary of State for Defence Procurement, who is making tonight his first appearance at the Government Dispatch Box since taking up his ministerial duties in July, and whom I welcome wholeheartedly.

With about half of all naval personnel and their families living in Portsmouth, or within its immediate area, the considerations generated by the debate cannot be confined merely to the naval base. Its future has profound implications for the future scope and effectiveness of the Royal Navy itself. We must never forget that the Royal Navy is the world's third largest as an effective fighting force, and I want it to remain so.

The people of Portsmouth—above all, the debate is about people—have grown used over the centuries to cuts in times of peace and to expansion in war. There is a deep understanding of such necessities. These are timely considerations in the present Gulf crisis. In the euphoria of the aftermath of events in the Soviet Union and eastern Europe, there was much talk of a peace dividend, of making huge cuts in our armed forces, including a drastic reduction of ships in the Royal Navy. I did not share that judgment, and to his everlasting credit nor did my right hon. Friend the Secretary of State for Defence. I asked him during the most recent defence questions on 17 July whether he agreed with me

"that it would be criminal folly to reduce our defences, including nuclear weapons, to a lower level than any eventuality, however unforeseeable, might demand?"—*[Official Report,* 17 July 1990; Vol. 176, c. 847.]

My right hon. Friend's reply, and subsequent remarks in the "options for change" statement a week later, were encouraging.

The events of 2 August and subsequently in the Gulf wholly vindicate such an approach. Many of our ships are serving in the Gulf and more are likely to be needed. Thank goodness for the Royal Navy and for Portsmouth dockyard and those who serve it so well. The present investigation into the future management of the FMRO identifies several options, depending on several assumptions. I have not the time to explore them all. No one expects the present arrangements to continue indefinitely. Change is expected, and positive change will be welcome.

Before dealing with the options, I want to underline the importance of my hon. Friend reaching a swift decision. An interim report is sought from the consultants by 14 December, with a final report in February 1991. I suspect that the December report will be the vital one on which irrevocable decisions will be made. Apart from docking and essential maintenance work, the type 42 refit stream is being kept employed on HMS Nottingham, with a planned finish in August 1991. At that time, the FMRO was expecting HMS Manchester, but Plymouth's needs appear to be winning that order.

Portsmouth will suffer grievously from indecision and I urge my hon. Friend not to permit it. Whatever the

structure of management, we need a continuous programme of work to keep the strengths of the FMRO together and the morale and confidence of its work force assured.

The options include privatisation and the introduction of commercial arrangements similar to Plymouth. However, the option I wish to be adopted, which I wish to concentrate on as the positive option, is the introduction of a defence support agency with a trading fund. That would assume a core programme of docking and essential defects on ships based at Portsmouth. Such an option keeps military control and the prized integration of service and civilian personnel which I referred to in my maiden speech almost exactly three years ago and which has been working so effectively since 1984. That integration also provides the best safeguard against industrial action.

Such an option would, in addition, give an undisputed yardstick for comparing costs so that the FMRO can compete fairly in the marketplace through tendering for naval refits or any other suitable work such as cross channel ferry maintenance and repair, rather than risking it going to French yards. Had such a structure been in place last year, we probably would not have lost the type 42 HMS Southampton repair and refit, which was a great blow at the time. Such a structure would keep in being the apprenticeships, of which there are 125 at present and 32 a year, which provide vital opportunities for young people in the work force.

The alternative to that option, which is the worst and most unacceptable of all, is a bollards and fenders option —in effect, closing down the existing FMRO, selling off the greater part of the dockyard and using what is left as a parking lot for ships, with all necessary work being contracted for and usually to be carried out at a great distance from Portsmouth.

To pursue such an option, or any other tantamount to it, would be foolhardy in the extreme for several reasons. Of the three dockyards—Portsmouth, Plymouth and Rosyth—Portsmouth is the most sensible in which to concentrate work on ships. It would be wise to increase the number of ships based there, and there is space. The policies of harmony, Slimtrain and others have for many years led to the highest concentration of people, ships with home base and training bases in Portsmouth and its area. Apart from the naval base, including HMS Nelson and Gunwharf—I press as strongly as possible for the special clearance diving unit to remain there—there is Collingwood, Whale island, which is soon to have the addition of Phoenix, Sultan, Dryad and Mercury, which is being transferred to Collingwood.

That is why I referred earlier to approximately half of all royal naval personnel and families living in Portsmouth or near to it. To reverse such policies would lead to excessive separation and the loss of good men and women, would risk personal morale and would have a serious effect on recruitment. It would be incomprehensible to many serving in the Royal Navy, let alone the people of the city of Portsmouth.

The city, as my hon. Friend is well aware, has coped magnificently with previous large reductions in the work force, which is reliant on the dockyard. A heritage area has grown up around HMS Victory and the royal naval museum, which comprises the Mary Rose and Warrior. Massive new investment is planned there. A thriving ferry port has increased in strength and importance, but to pursue any option that neuters the naval base, the core of the royal naval presence in Portsmouth, would be to sacrifice centuries of the closest and most fruitful relationship between the city and the Royal Navy, to the damage of both.

This brings me to the third and final strand of the debate. It concerns Navy days. Practically everybody in the United Kingdom is aware of Portsmouth's Navy days. For many visitors in late August, that is why they come to Portsmouth. They and those who live in the area produced an attendance of about 70,000 at Navy days this year. Navy days began in Portsmouth and are a veritable showcase of the Royal Navy. They make a sizeable profit every year, even after allowing for the greatly increased costs of security arrangements. This year, the net profit was £106,000, which was shared between various naval charities, chief among them the King George V Fund for Sailors. By contrast, Plymouth-Devonport attracted merely 23,000 visitors to its Navy days and made a net profit of £15,000.

It is rumoured that we are to lose our annual Navy days, to alternate them with Plymouth. I cannot understand why successful Portsmouth should suffer for the deficiencies of Plymouth as a magnet; nor can my constituents. It is not just a question of having an aircraft carrier to inspect. Portsmouth has many other related attractions. It is highly successful; it is not remote; and it is central, with an enormous catchment area.

Annual Navy days are a vital catalyst of interest in naval affairs by the public which has contributed to the special affection in which the Royal Navy is held. Portsmouth is inextricably linked with that feeling. The contribution of our Navy days to recruitment over the years should never be underestimated. This unique throwing open of the gates should be retained every year. There is no sense, operationally or financially, in jettisoning such a successful and profitable—particularly for charities—annual occasion.

I should like to draw together the strands of the matters that I have raised. The presence of the Royal Navy in Portsmouth and the surrounding area, with its core at the naval base, is above all about people who are proud of its service and traditions. Napoleons, Kaisers, Hitlers, Galtieris and Husseins are always popping up in one guise or another. That is understood in Portsmouth as nowhere else in Britain in greater measure.

In Portsmouth, generation after generation of citizens and families have crammed the ancient battlements, crowded the shores or massed at the entrance to one of the greatest harbours in the world to mingle their tears, cheers, enthusiasm and profound respect in seeing off or welcoming home the men who do their duty in fighting our battles, in risking life and well-being for the preservation of our freedoms. That is the very lifeblood and spirit of Portsmouth. It will never be dated, and it will never be redundant.

1.2 am

The Under-Secretary of State for Defence Procurement (Mr. Kenneth Carlisle): I am delighted to be able to reply to the debate initiated by my hon. Friend the Member for Portsmouth, South (Mr. Martin), partly because he has been kind enough to give me the opportunity to make my debut at the Dispatch Box but chiefly because it gives me the opportunity to discuss Her Majesty's naval base at Portsmouth.

[Mr. Kenneth Carlisle]

My hon. Friend is a staunch fighter for his constituency. In my short time at the Ministry of Defence, he has already made known to me several times his concern about Portsmouth. I know that I shall become used to his vigour in the months ahead. I sense from his speech his pride for his town and his determination to protect it. As he advised me, Portsmouth has a long and distinguished naval history. As long ago as the reign of King Henry VII, the first real dry dock and yard were built just outside the town. Henry VII built up a fleet in the face of the threat from France and chose Portsmouth for his dockyard and naval base. This progress was consolidated over the next 150 years and, by the end of the 17th century, Portsmouth was recognised as the chief naval centre of England. Its distinguished naval tradition continued for the next two centuries and capital warships were built there until the end of the first world war.

More recently, the Falklands war in 1982 saw the same degree of dedication from Portsmouth that we had learnt to expect in previous wars. HMS Hermes sailed for the South Atlantic on 5 April 1982 from Portsmouth and became the flagship of the task force, which was to grow into the largest fleet to sail from the shores of Britain since world war 2. Portsmouth also converted more ships taken up from trade than any other yard—21 in all. Again, Portsmouith met the challenge with its traditional spirit.

My hon. Friend represents a constituency with a unique and proud naval tradition, but he knows that history shows that the needs of the armed forces change over time. For example, the defence review of 1981 identified the need to reorganise defence efforts to obtain the best return from the defence budget. As a result, the role of Portsmouth dockyard was changed in March 1984 when it became the fleet maintenance and repair organisation, or FMRO as it is habitually known.

My hon. Friend has raised a number of important points and I should now like to deal more specifically with them. As the declaration at the London NATO summit in July recognised, Europe has entered a new and more promising era to which the alliance must and will adapt. As my hon. Friend knows, in the light of these developments, the United Kingdom, along with its major NATO allies, has been conducting a thorough review of the way in which our armed forces might be restructured in the mid 1990s.

My right hon. Friend the Secretary of State for Defence announced the broad thrust of the proposals that we had under consideration for our own armed forces in his announcement to the House on "Options for Change" on 25 July. My hon. Friend said that he understood the need for that statement, and expressed his general support for it.

In announcing the proposals for changes in our force structures, the Secretary of State also made it clear that we would be looking for substantial savings in the support area. As I am sure my hon. Friend would agree, if we are to achieve our aim of strong and reliable forces but at a lower level and at an affordable cost, we must carry out the most rigorous and wide-ranging examination of all our activities and resources in the support area to ensure that we are providing that support in the most effective and cheapest way. However, as my hon. Friend knows, many complex and inter-related factors impinge on the way forward and require proper evaluation. It is still far too early for any decisions to have been reached as a result of this continuing work.

In parallel with and as an input to our work on "Options for Change", as my hon. Friend knows, we are undertaking a study looking into the future of the FMRO. The study has a long pedigree. I do not want to burden the House with a lengthy account, but I think that it is important to record the background against which we find ourselves needing to review our ship refitting capacity generally, and the Portsmouth capacity in particular.

Since the introduction of commercial management at Devonport and Rosyth in 1987, there has been a steady decline in the core programme of refits allocated to those yards. The decline has been faster and to a lower level than expected before vesting day when the term contracts were negotiated with Devonport Management Limited, or DML and Babcock Thorn Limited, or BTL. Devonport, with a higher proportion of surface ship work, has seen a particularly sharp drop in load. More than 4,000 jobs have been shed by DML since vesting day in an attempt to keep productivity ahead of the declining load and compete for new business.

Equally, I acknowledge that Portsmouth endured a major reduction earlier in the 1980s when civilian jobs declined from 7,000 to under 3,000. Since then, however, the FMRO workload has been kept fairly constant while the load elsewhere has declined. The aim of the study is to examine the role of the FMRO in the light of the reduction in the overall fleet repair and maintenance task, given the need to secure value for money. As my hon. Friend knows, the study will be undertaken by external consultants.

I want to stress that no decisions have yet been taken on the future workload at Portsmouth. The consultants will be invited to recommend separate arrangements for each of three different workload scenarios. One is broadly the status quo; another is the status quo less the few refits currently in Portsmouth's programme, leaving the intermediate dockings, other routine maintenance periods and unprogrammed work intact; and the last is to leave only berthing facilities, with the ships docking elsewhere for deep repair or refitting.

It is necessary to study this wide range of workload alternatives so that the future of the FMRO can be better determined within the context of our wider work in the fleet support area on "Options for Change". The smaller fleet envisaged for the mid-1990s implies significant rationalisation of shore support. The FMRO study will therefore form a useful input into that broader study of our naval bases, dockyards and other support facilities. We hope to be in a position to make that input by the turn of the year. I understand what my hon. Friend said about speedy decisions and the need to avoid uncertainty as far as possible.

My hon. Friend also mentioned his wish for a defence support agency. As one of the alternatives, the study will also have to consider whether that status would be suitable for the FMRO.

I should like to follow my predecessors in paying tribute to the dedication and skill of the work force in the FMRO, both service and civilian, who have a record of which to be proud, not least in recent weeks as they have helped prepare the ships deployed to the Gulf on operation Granby. As I have said, this is service in the great tradition of Portsmouth, and we pay tribute to that, as my hon. Friend did so proudly.

My hon. Friend referred to the effects on the morale of the naval community of any decision to diminish or abandon the naval presence at Portsmouth. I understand that concern. As part of the continuing work on "Options for Change", and as part of the FMRO study, we shall take carefully into account issues related to morale. I regard that as particularly important. It is, however, as I have already emphasised, too early to make announcements since this work remains to be completed. The interests of the Portsmouth naval community, service and civilian, will of course be given careful weight before any decisions are taken. Of course, I understand the worries that any review creates, but we should be negligent if we did not look carefully at all the options before us.

My hon. Friend also expressed concern about the future of Portsmouth Navy days. He may find it helpful if I explain the current position. As he is certainly aware, Navy days are currently held each year at Portsmouth, Plymouth, Rosyth and Portland. We have, however, initiated a review of the present arrangements. Pending the outcome of the review, it is intended to introduce interim revised arrangements for Navy days in 1991. Under these revised arrangements, Rosyth and Portland would continue to host Navy days as at present, but major Navy days would alternate between Plymouth and Portsmouth every year. It is planned to hold that event in Plymouth in 1991. I know that that may well be a disappointment to my hon. Friend.

The principal reason behind the change is to concentrate assets at one major port each year so as to make more efficient use of available resources, and to ensure the best possible show for the public. It is far better to have one really good show than two shows with less panache and zest. I am sure my hon. Friend will understand that we need to strike an appropriate balance between the many competing demands on the fleet's ships and personnel. No decision on future arrangements beyond 1991 will be taken until after the review. I assure my hon. Friend, however, that we shall take full account of the popularity and value of Navy days at Portsmouth and at the other venues when reaching a decision.

I recognise and have taken note of the concerns expressed by my hon. Friend on behalf of Portsmouth naval base and its naval and civilian personnel. I assure him that we are very much alive to those concerns and that they will be given their due weight as we go forward with our examination of the infrastructure needed to support the fleet in the changing circumstances that have come upon us.

I said at the beginning of my speech that my hon. Friend is a doughty campaigner for Portsmouth. I respect his efforts and I welcome the opportunity to work closely with him over the months ahead. I certainly look forward very much to my forthcoming visit to Portsmouth.

Question put and agreed to.

Adjourned accordingly at sixteen minutes past One o'clock.

House of Commons

Thursday 18 October 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

REDBRIDGE LONDON BOROUGH COUNCIL BILL
(By Order)

Order read for resuming adjourned debate on Question proposed [15 October],

That the Lords amendment be now considered.

Debate further adjourned till Wednesday 24 October at Seven o'clock.

TEES AND HARTLEPOOL PORT AUTHORITY BILL
(By Order)

Order for Third Reading read.

To be read the Third time on Monday 22 October at Seven o'clock.

BRITISH RAILWAYS (NO. 2) BILL *(By Order)*

Order for consideration, as amended, read.

To be considered on Thursday 25 October.

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [26 February],

That the Bill be now considered.

Debate further adjourned till Thursday 25 October.

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

Order for consideration, as amended, read.

To be considered on Thursday 25 October.

SHARD BRIDGE BILL *(By Order)*

Considered; to be read the Third time.

Mr. Speaker: As the remaining private Bills set down for Second Reading have blocking motions, with the leave of the House I shall put them together.

VALE OF GLAMORGAN (BARRY HARBOUR) BILL
[Lords] (By Order)

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL
(By Order)

SOUTHAMPTON RAPID TRANSIT BILL *[Lords]*
(By Order)

KILLINGHOLME GENERATING STATIONS (ANCILLARY POWERS) BILL *[Lords] (By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 25 October.

BRITISH RAILWAYS (NO. 2) BILL

Ordered,

That the Promoters of the British Railways (No. 2) Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

Ordered,

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

Ordered,

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

Ordered,

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time (and shall be recorded in the Journal of this House as having been so read) and, having been amended by the Committee in the present Session, shall be ordered to lie upon the Table;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

LONDON DOCKLANDS RAILWAY BILL

Ordered,

That the Promoters of the London Docklands Railway Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to that date be paid;

Ordered,

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

Ordered,

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

Ordered,

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time (and shall be recorded in the Journal of this House as having been so read) and, having been amended by the Committee in the present Session, shall be ordered to lie upon the Table;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

LONDON UNDERGROUND BILL

Motion made,

That the Promoters of the London Underground Bill shall have leave to suspend proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office not later than the day before the close of the present Session of their intention to suspend further proceedings and that all Fees due on the Bill up to date be paid;

That on the fifth day on which the House sits in the next Session the Bill shall be presented to the House;

That there shall be deposited with the Bill a declaration signed by the Agents for the Bill, stating that the Bill is the same, in every respect, as the Bill at the last stage of its proceedings in this House in the present Session;

That the Bill shall be laid upon the Table of the House by one of the Clerks in the Private Bill Office on the next meeting of the House after the day on which the Bill has been presented and, when so laid, shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

That all Petitions relating to the Bill presented in the present Session which stand referred to the Committee on the Bill shall stand referred to the Committee on the Bill in the next Session;

That no Petitioners shall be heard before the Committee on the Bill, unless their Petition has been presented within the time limited within the present Session or deposited pursuant to paragraph *(b)* of Standing Order 126 relating to Private Business;

That, in relation to the Bill, Standing Order 127 relating to Private Business shall have effect as if the words "under Standing Order 126 (Reference to committee of petitions against Bill)" were omitted;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Wednesday 24 October at Seven o'clock.

SMITH KLINE & FRENCH LABORATORIES, AUSTRALIA, AND MENLEY & JAMES, AUSTRALIA BILL [LORDS]

Ordered,

That the Promoters of the Smith Kline & French Laboratories, Australia, and Menley & James, Australia Bill [*Lords*] shall have leave to suspend further proceedings thereon in order to proceed with the Bill, if they think fit, in the next Session of Parliament, provided that the Agents for the Bill give notice to the Clerks in the Private Bill Office of their intention to suspend further proceedings not later than the day before the close of the present Session and that all Fees due on the Bill up to that date be paid;

Ordered,

That if the Bill is brought from the Lords in the next Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them, stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the present Session;

Ordered,

That as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed);

Ordered,

That no Petitions against the Bill having been presented within the time limited within the present Session, no Petitioners shall be heard before any Committee on the Bill save those who complain of any amendment as proposed in the filled up Bill or of any matters which arise during the progress of the Bill before the Committee;

Ordered,

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during the present Session;

Ordered,

That these Orders be Standing Orders of the House.—*[The Chairman of Ways and Means.]*

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Bait Breeding

1. **Mr. Canavan:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received about bait breeding.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): My Department has been in regular contact with the British Bait Breeders Association and individual bait breeders about a European Community directive on the disposal of animal waste.

Mr. Canavan: Does the Minister recall writing to me in July and admitting that the then most recent draft of the European Community proposal would, on the face of it, prohibit bait breeding and therefore reduce the opportunity of many anglers to participate in their favourite sport? Has not the overcentralisation of the Common Market reached a ridulous stage when the Eurocrats are not only attempting to dictate the value of sterling but dictating to ordinary anglers what they can or cannot use to catch fish?

Mr. Curry: I am delighted to be able to tell the hon. Gentleman that the proposed directive now provides specifically for bait breeders to continue their activities unaltered. That is proof of the success of the Government's difficult negotiations in Brussels. As the hon. Gentleman said, this proposal will be welcomed by millions of British anglers who enjoy the most popular sport in this country.

Mr. Ron Davies: Will not the proposed directive pose particular problems for the British knacker industry? Can the Minister confirm that a considerable burden will be imposed on the British livestock industry and the British slaughtering industry if the directive goes through in its present form? Can he tell us precisely what action he intends to take to safeguard fundamental and vital British interests?

Mr. Curry: The directive was discussed again just two days ago in Luxemburg. As the hon. Gentleman said, the present draft is unsatisfactory in relation to knackers. It would require the trade to cease in 1995. We have said that that is unsatisfactory and have succeeded in getting the document referred for further discussion. We will do our best to get a provision for that trade to continue. I endorse the hon. Gentleman's comments about the importance of the trade, but I do not wish to mislead him by suggesting that it will be an easy battle. The system is unique to the United Kingdom and the Republic of Ireland and it will be extremely difficult to achieve its continuation, but we are determined to fight that battle to the best of our ability.

Pesticides

2. **Dr. Marek:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the use of pesticides on agricultural land.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Maclean): The use of pesticides on land is tightly controlled under the Health and Safety at Work, etc. Act 1974 and the Food and Environment Protection Act 1985.

Dr. Marek: Does the Parliamentary Secretary accept that that glib statement is nowhere near good enough? Will he take a leaf out of the Minister's book and rely on scientific evidence, and take into careful consideration the British Medical Association's paper and its harsh criticism of the Ministry? Will he abandon his cheap jibes and admit that there is nothing wrong with natural food? Will he admit that what is required is a lessening of pesticides, especially in affected water catchment areas, and thorough consultation with everyone interested in the matter?

Mr. Maclean: There is nothing wrong with any food if it is treated properly. That applies both to natural food and to food that has been treated with pesticides. If the hon. Gentleman bothers to read the report on pesticide residues that we published a couple of weeks ago, he will see that we are among the best in Europe in having the lowest pesticide residues. On the BMA report, the House should be told—if the hon. Gentleman knows—why some of the few scientists on the committee dissociated themselves from part of the report or resigned from the committee. I note that some other members were representatives of or spokesmen for Friends of the Earth and one was one of Mr. Ron Todd's men.

Mr. Jopling: Is my hon. Friend aware that if he wants to restrict the use of pesticides on farm land, one of the quickest ways would be to make an urgent and substantial increase in environmentally sensitive areas, where the use of pesticides is restricted? At the same time, he would be doing something to help the most urgent and dramatic crisis that is hitting our upland areas, about which I hope that he will do something very soon.

Mr. Maclean: I pay tribute to my right hon. Friend for having the nous and good sense to introduce environmentally sensitive areas when he did. They are an outstanding achievement and we are committed to reviewing their success in the future. However, I must point out to my right hon. Friend that pesticide use in this country has declined since this Government came to power. We are proud of that achievement, and also of the fact that we stress optimum and best use of pesticides—not maximum use.

Mr. Hague: Does my hon. Friend agree that this country has some of the most stringent and intensive tests of pesticides and releases more data about them than most other countries do? Is not it in the best interests both of agriculture and of the environment to emphasise the need for the continued development of new pesticides which can be more selectively and effectively targeted?

Mr. Maclean: I was surprised to see that the BMA report, which I have here, calls for more information and less secrecy. Has no one told the BMA that we swept away the last vestiges of secrecy surrounding pesticide data when my right hon. Friend the Minister made his announcement a few months ago? The report also calls for regulation. Has no one told the BMA that regulation is now under some of the toughest statutory controls in the world, which were introduced in 1985?

Mr. Hardy: Will the Minister reconsider his rather intemperate reference to Friends of the Earth? Does he not accept that organisations such as Friends of the Earth and Greenpeace, while not adding to the comfort of the Government, have exposed many serious problems in the British environment?

Mr. Maclean: I should make it clear to the hon. Gentleman that I have a great deal of respect for the work of Friends of the Earth. I was merely making the point that we should not get the impression that the BMA report was produced by top academic experts. The committee contained people who were not medically qualified, but who were spokesmen for Friends of the Earth. That is perfectly legitimate, but let us not pretend that all those who produced the report were academic experts.

Dr. David Clark: Does the Minister appreciate that there is considerable public anxiety about pesticides, and that the anxiety is heightened by the BMA report? The Minister's complacent answer this afternoon did not help matters. Will he confirm that 41 per cent. of the pesticides currently in use were approved before 1966, and that even with the Government's speeded-up programme it will take a further 15 years to review those pesticides? Will he further confirm that it is currently taking an average of four years to get approvals for new pesticides and that firms such as ICI and Shell have had only one or zero approvals since they made their applications in 1986?

Mr. Maclean: The hon. Gentleman cannot have it both ways. He cannot complain about the time that it takes to review pesticides and simultaneously complain that because we and the companies making the pesticides are so thorough it takes a long time to develop a new pesticide. If there is the slightest question mark over any pesticide, it is automatically brought forwa[illegible]tantly for review. We are prioritising the review of al[illegible]ticides so that those in the top category will be rev[illegible]speedily.

3. **Mr. Tony Banks** [illegible] Minister of Agriculture, Fisheries and Food [illegible]eat pies have been eaten since 28 June.

Mr. Maclean: The infor[illegible]ion requested by the hon. Gentleman is not available.

Mr. Banks: That is a great pity. Is the Minister aware that a constituent of mine, who is a regular eater of that great British institution the lukewarm meat pie, has become very concerned because, having eaten a number of them recently, the world has been dropping out of his bottom. He wants me to ask the Minister what checks are carried out to ensure that the unfit meat, of which there is a great deal circulating in London and elsewhere, or meat from BSE-infected cattle, is not going into meat pies. My constituent is worried and I do not want to see my constituents dying off—I cannot afford it.

Mr. Maclean: I am sorry that I was not able to provide the hon. Gentleman with a good line because his wit has been failing of late. However, I can assure him that all meat, as confirmed by the chief medical officer, whether it is in meat pies, sausages or sirloin steak, is perfectly safe to eat, and his constituents have nothing to fear from BSE. We deplore the fact that some unscrupulous or crooked

people may be putting unfit meat from knackers' yards into the meat trade. That is despicable and we will take all possible action to crack down on it. However, that is primarily a job for the local authority enforcement officers who are in charge of the legislation. The hon. Gentleman should contact his local authority to ensure that they are spending a fair share of the extra £30 million that we are providing for enforcement.

Mr. Boscawen: Does my hon. Friend realise that a serious issue lies behind that question, and that is the weakening of confidence in the quality of British meat production? People should at all times try to enhance public confidence in the British livestock industry and the safety of its products, or the situation may become disastrous.

Mr. Maclean: I agree entirely. Many hon. Members will remember that disgraceful night when all were in agreement with my right hon. Friend the Minister when he returned from Brussels—except those on the Labour Front Bench, who were condemned by all parties in the House for trying to resurrect a BSE scare and to hype up a situation to scare the British people. That was despicable then and if they are still at it, it is despicable now.

Animal Welfare

4. **Mr. Hinchliffe:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the role of veterinarians in promoting animal welfare.

The Minister of Agriculture, Fisheries and Food (Mr. John Gummer): The promotion of animal welfare is central to the duties of all vets and they take an oath to that effect.

Mr. Hinchliffe: Is it not a fact that under the Government the number of vets employed by the Ministry has dropped by about 27 per cent? Is not it also true that, because of BSE, veterinary staff have had to be diverted from welfare visits? When will the Government take the issue of animal welfare seriously and recruit sufficient vets to do the job properly?

Mr. Gummer: The hon. Gentleman must first accept that all vets, whether employed by my Department or anywhere else, must, by their vow, put animal welfare high on the list of their activities. Secondly, I hope that the hon. Gentleman will remember that two veterinary colleges that had been suggested independently for closure, were saved after the matter was reviewed. Thirdly, I hope that he will point out that I have been the progenitor of a major campaign for a code of animal welfare for the EC. The Government are the first to have sought for the EC the same high standards, or higher, as we have in Britain. Britain leads the EC in animal welfare and the Government are determined to ensure that we care about all animals in the EC, not just those in Britain.

Mr. Gale: My right hon. Friend is well aware of the concerns expressed by many vets about the conditions in which live animals are transported for slaughter, sometimes throughout the European Community. Will he reassure the House and members of the British Veterinary Association who work in that area that the Government will not settle for any watered-down European Commission directive that will weaken the standards that we are seeking to set?

Mr. Gummer: I am sure that my hon. Friend would not want me to interfere with the judicial review that is taking place at the moment. In general, however, with regard to our present and future policy, we want to ensure that there are high standards for the transport of live animals in every country of the European Community so that animals receive the kind of respect that they should and are properly watered, rested and have lairages of the kind that we would expect in this country; that should apply not only in the northern countries but throughout the European Community.

Mr. Pike: Does the Minister accept that not only has there been a 27 per cent. cut in the number of vets in his Department, but there is an increasing shortage of vets and environmental health officers throughout the country just when food safety legislation and increasing moves towards European harmonisation mean that there should be more of them? When will the Government ensure that there are enough vets to meet those demands so that animal welfare does not suffer?

Mr. Gummer: I very much welcome the hon. Gentleman to the Opposition Front Bench. In dealing with this matter, in which he has a great personal interest, the hon. Gentleman will probably find that the Government have accepted the main recommendation of the Page committee to remove the ceiling on intakes at veterinary schools. The Universities Funding Council is considering bids for increased student places put forward by the six schools. We are therefore doing precisely what the hon. Gentleman would want us to do, even though some independent advice in the past suggested that we should not do that. We have decided that we need more vets and we shall continue in that view.

We are also consulting on the possible extension of the role of veterinary nurses and laypersons to relieve some of the burdens on qualified veterinary surgeons. I hope also that the hon. Gentleman would agree with our view in the European Community that it does not help if we spread to vets repetitive and basic jobs which could be performed by other people, thus relieving vets for the jobs that they should be doing.

With regard to the hon. Gentleman's concern about environmental health officers, I hope that he will notice the extra £30 million of resources to local authorities for that purpose.

Mr. Nicholas Bennett: Is my right hon. Friend aware that one of the major bars to increasing the number of animals exported on the hook rather than on the hoof is the lack of abattoirs that are up to European Community standards? Are there any plans to provide additional support from national or European funds to bring the abattoirs up to that standard?

Mr. Gummer: If that were so, my hon. Friend would have a case. However, there is a demand for live animals rather than animals exported on the hook. So long as the animals are properly exported, in proper conditions and with proper protections, that must be possible within the Community.

Research Spending

6. **Mr. Strang:** To ask the Minister of Agriculture, Fisheries and Food how much he expects to spend in the current year on agriculture and food research at current prices.

Mr. Gummer: My Department plans to spend £100 million on research and development in the areas of agriculture and food in this current year.

Mr. Strang: Does the Minister acknowledge the important contribution made by Government-funded agricultural research in the huge increases in self-sufficiency achieved by the industry in the past 20 years? Does he recognise that when it comes to some of the modern health and environmental problems of intensive agriculture, Government-funded research, as opposed to commercially-funded research, is more important then ever? Against that background, is it not time that the Government reversed their policy of cutting agricultural research, as the Minister knows not only that the figure that he announced this afternoon is less in real terms than what the Government spent last year but that the Government have cut spending by 30 per cent. in the past 10 years?

Mr. Gummer: I agree entirely with the purpose of Government spending in this matter. We are spending the necessary money on the matters to which the hon. Gentleman referred. I am not prepared to spend money on matters that should be paid for by those who will get immediate commercial results from it. The industry should pay that. I am paying money for food safety, food protection and the development of less harmful pesticides, for example—the kinds of things that we can use to improve the environment. All those things have a public interest, such as medium and long-term research. That is what I should be spending money on. In those matters I have been able to increase our spending. That seems to be a proper use of Government money.

Mr. Hind: Will my right hon. Friend spend a small amount of the money that he has allocated for research on behalf of small arable farmers and growers who feel that the five major supermarkets in this country are using their dominant position to repress the prices of horticultural products to the detriment of farmers, with a particular view to referring the results to the Monopolies and Mergers Commission for consideration?

Mr. Gummer: I am not sure whether that would be a proper use of our research money. If my hon. Friend is concerned about particular points, I shall certainly look at them and see whether action is required.

Mr. Robert Hughes: Will the Minister conduct an urgent inquiry into the widespread use of the flavour enhancer, monosodium glutamate? Clear evidence is now coming forward that it produces severe allergies in people who eat meat pies and processed foods as well as in those who eat in restaurants. Is the Minister aware that the symptoms not only include the condition described earlier by my hon. Friend the Member for Newham, North-West (Mr. Banks) but can lead to severe dizziness and loss of memory? This matter is now reaching proportions which must be urgently investigated, and I hope that that will be done.

Mr. Gummer: I am sure that, if there is any concern about this matter, we can ask the committee on toxicity to look at it. I am very ready to take any information that the hon. Gentleman or anyone else has on this matter. The way in which we operate is to take all information and look at it immediately. I ask the hon. Gentleman to let me know.

British Coal (Waste Dumping)

7. **Mr. Holt:** To ask the Minister of Agriculture, Fisheries and Food if he will reconsider the practice of issuing licences to British Coal permitting the dumping of waste products on beaches on the north-east coast; and if he will make a statement.

Mr. Curry: British Coal has been told that no licence for the dumping of minestone on beaches will be issued after June 1995 unless it can show that there is absolutely no viable alternative.

Mr. Holt: I thank my hon. Friend for that answer. He will, of course, have read carefully the Government's recent White Paper on the environment, and he will also have studied the paper put out by the Labour party. He will have noticed that, despite its claims to having specific details, the Labour party has nowhere stated how it will deal with the problem in the north-east of England. Will my hon. Friend accept that although the Government appear to have a five-year commitment, my hon. Friend's statement is loose and open-ended and does not commend itself to the people of the north-east of England? We want the Government not merely to state that they might elongate the period but to shorten it to three years, two years, or even one year. The problem can be resolved by British Coal without detriment to the environment and it is time that the Government did something solid about the issue.

Mr. Curry: That was precisely the purpose of my decision. British Coal has to find an alternative, get it through the planning procedures and then implement it. I want to make sure that local people and local bodies are involved in that process through the planning decision. That takes a certain amount of time. It is better to get the right solution than to force British Coal to act so quickly that it has a plausible claim that it has not been given adequate time to do the job.

That illustrates precisely that environmental problems are not easy. We have a choice between dumping waste on the beach, in the sea or down a hole, or building a tip, none of which is an easy option—showing, if I may so put it, that green issues are not black and white.

Mr. Cummings: I am grateful to the hon. Member for Langbaurgh (Mr. Holt) for raising this vexatious problem. Is the Minister aware that four collieries remain in my constituency in Durham and provide about 6,000 much-needed jobs? Is the Minister aware also that those four collieries have contributed substantially to the overall performance of British Coal? If the Minister intends to review licences in future, will he ensure that there is close liaison between himself and the Department of Energy so that no further extra costs fall on British Coal and perhaps jeopardise pits, jobs and communities in the north-east?

Mr. Curry: I of course recognise that the hon. Gentleman is deeply concerned because of his constituents' interest in the matter. The Department of Energy was associated with my decision. We observe the principle that the polluter pays and British Coal must therefore bear the costs of the exercise. British Coal must also decide the future of those pits on their merits; that is not for my Department. The object is to address a difficult dilemma and to address the issue that has been highlighted as being central, which is the fact that it is no longer desirable or acceptable to put waste on the beaches or out at sea, as I said earlier. I shall certainly keep the hon. Gentleman informed of developments, because I recognise his interest in the matter.

Free Food

8. **Mr. Cryer:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the further distribution of European Economic Community free food in 1990.

Mr. Curry: Distributions of butter and beef by more than 400 designated organisations are now getting underway.

Mr. Cryer: Is the Minister aware that hundreds of pensioners in my constituency, in Bradford generally and elsewhere feel humiliated and angry that they have queued, often for more than an hour at a time, to try to obtain free butter or free meat only to find that because they are not on family credit or income support, they are refused it? As, in a letter to me, the Minister relied on European legislation as being the culprit, will the Government stand up to the Common Market if those are its stringent rules or are the Government hiding under the cloak of EEC legislation? As we have paid more than £14 billion to the Common Market since 1980 is not it time that the Government stood up to the Common Market and allowed people, many of whom fought in the war for this country, to have part of this free handout?

Mr. Curry: If 3,000 tonnes of beef and 3,000 tonnes of butter were distributed among all pensioners, they would get precious little each. Furthermore, a certain number of pensioners might be sufficiently well off not to need that —some of them might be Members of the House.

Mr. Latham: Is not there something absolutely asinine about a situation in which farmers are now experiencing extremely difficult conditions, but we apparently have surpluses that can be given away free?

Mr. Curry: It is true that the sensible approach to the problem is to ensure that we bring our production closer to demand and our costs closer to the marketplace, and that is the policy we have pursued. We have always objected to the scheme because it seems a particularly inefficient way of tackling the problem. If one does not identify the problem correctly, which is to get the pricing structure right, how can one reach the right solution?

Mr. Mallon: Is the Minister aware of the great disappointment and distress felt in areas of high unemployment such as Northern Ireland because of the restrictive nature of the entitlement to EC free food? Will he assure the House that he will do all in his power to change that, so that those who are technically not on income support or any other benefit do not lose out on the benefit of free EC food to which they should be entitled and of which they are in great need?

Mr. Curry: I give the hon. Gentleman the assurance that we shall do our best to ensure that those who are entitled to the free food have access to it. That is why the number of organisations involved has more than tripled this year to more than 400. However, I am not prepared to say that the scheme should be opened more generally to all pensioners, because that would be grotesquely inefficient. It seems plain common sense that the free food should be directed to those who are most in need and we shall seek to maintain that that is the case if we have to maintain the scheme at all, which I profoundly hope that we shall not.

Mr. Knapman: Have there been any distributions of surplus free food in socialist countries?

Mr. Curry: I understand that certain countries in the European Community that would describe themselves as Social Democratic have done so. However, the problem in eastern Europe is the queues of people trying to get into the supermarkets, not the queues of people trying to get out.

Animal Welfare

10. **Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food what initiatives he has taken to improve animal welfare throughout the European Community.

Mr. Gummer: I am pressing for the adoption of comprehensive Community rules setting high welfare standards for animals on farms, during transport and at slaughter.

Mr. Moss: I congratulate my right hon. Friend on the positive lead that he is taking on this issue in the European Community. Does he agree with the vast majority of the British public that the conduct of some French farmers of late is entirely unacceptable? Will he take action to ensure that our high standards on animal welfare, particularly on the live transportation of animals, become the benchmark of any future European Community legislation?

Mr. Gummer: I entirely agree with my hon. Friend. I am sure that he will be pleased to know that I have received further assurances from the French Government about the continuance of cases against people who indulge in those appalling acts. I am sure that he would also want us to raise our standards in those few areas in which we do not reach the highest, and then ensure that the whole of Europe continues to improve its standards, as it ought, as intra-Community trade increases.

Mr. Dalyell: Will the Minister have a word with the hon. Member for Devizes (Sir C. Morrison) and the right hon. Member for City of Chester (Mr. Morrison) about what is happening on Islay and the way in which, for commercial reasons, A and C Sporting Services is apparently being allowed to conduct the slaughter of the rare white-fronted Greenland goose? It is a European scandal.

Mr. Gummer: I am responsible for many things, but the white-fronted Greenland goose is not one of them. I am perfectly happy to ask my right hon. Friend the Secretary

of State for the Environment to look into the matter. In so far as it is my responsibility or that of the Secretary of State for Scotland, I shall see that attention is drawn to the hon. Gentleman's remarks at once.

Dame Janet Fookes: What steps is my right hon. Friend taking to ensure that there are adequate numbers of inspectors and adequate enforcement procedures, without which the welfare regulations will not be worth the paper on which they are written?

Mr. Gummer: I entirely agree with my hon. Friend. It is not possible to have effective welfare regulations unless they are properly enforced. One thing that we seek to do in the European Community is to ensure that countries that claim to meet high standards can show that they are doing so by having proper inspectors and proper enforcement. Indeed, we are having discussions with the Commission about several countries. We shall make sure that at the end of them we are much happier about enforcement of the present rules in those countries. We also want to improve the rules considerably.

Mr. Skinner: Is it true that the Minister is looking into the possibility of sending a fact-finding tour of Members of Parliament to Greenland in the winter to look after the Greenland goose? Or is it that he cannot find enough people because they are all on fact-finding tours between the Tropic of Cancer and the Tropic of Capricorn? Why does not he send one there instead?

Mr. Gummer: I am not sure that a fact-finding tour in Greenland would be helpful on this occasion. I promise the hon. Gentleman that if I send a tour to Greenland, he will have first option for a place on it and it will be at a time of year to suit his convenience and personal bodily comfort.

Dairy Industry

11. **Mr. Evennett:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the impact of the single European market on the United Kingdom dairy industry.

Mr. Curry: I have received representations from a wide range of organisations covering issues such as possible changes to the milk marketing arrangements, the future operation of the milk quota system, and the Commission's proposals for Communitywide milk hygiene standards.

Mr. Evennett: I thank my hon. Friend for his reply on that point. Could he comment further on the future of the Milk Marketing Board after 1992?

Mr. Curry: The Milk Marketing Board started the debate about its future because it believes that the present system is unsatisfactory. The Government have never concealed that they believe that a statutory monopoly, which is locked into a negotiating structure with a single buying organisation, no longer serves the best interests of farmers, consumers or the ability of the dairy trade to compete in the wider European market. An increasing number of people echo that. The formula must be sorted out by the Milk Marketing Board itself.

Mr. Geraint Howells: When the Minister discussed the European single market, what representations were made to him that the agriculture industry is going through the worst recession since the war? Can he confirm or deny that his Government are backing a 30 per cent. cut in the support system for agriculture? If they are, why are they hell bent on destroying the agriculture industry, which has helped consumers so well over the past 50 years?

Mr. Curry: Because the Government take the clear view that, first, it is in the interests of the welfare of the whole of the Community. Secondly, it is clearly in the interests of the United Kingdom and European farmers that we should take the lead and control the negotiations rather than fail dismally to formulate proposals, as Agriculture Ministers have done recently, as that would allow those who would like to see a much more draconian attack upon our system to prevail in the negotiations. Our position is the only sensible one and the only one which properly defends the interests of our farmers and continental farmers.

Mr. Marland: As the United Kingdom has such a high standard of milk production and hygiene, can my hon. Friend assure the House that after 1992 all other European countries will be required to come up to our standards?

Mr. Curry: I can assure my hon. Friend that the proposals before us mean that countries whose current standards are not as good as our own will come up to those standards. The United Kingdom has already achieved the standards that will be demanded under those proposals.

Scottish Fishing Industry

12. **Mr. Salmond:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet representatives of the catching sector of the Scottish fishery industry; and what assistance he is making available to that sector.

Mr. Curry: My noble Friend the Minister responsible for Scottish agriculture and fisheries regularly meets the Scottish fishing industry. I shall meet its representatives if they so desire.

Mr. Salmond: If the Minister arranges such a meeting, will he attempt to explain to the industry's representatives why the Government have cancelled Export Credits Guarantee Department cover, which affects trade with the Soviet Union on the herring and mackerel fleets? Does the Minister agree that the Government look quite absurd when the Prime Minister claims at international conferences that trade with the Soviet Union should be developed while her own Departments are sabotaging the existing trade? When will the Minister start to assist the Scottish fishing industry and stop sabotaging its prospects?

Mr. Curry: The future of the ECGD is not a matter for my Department. I am sure that the hon. Gentleman realises that what will actually happen is that the Klondiking fleets will no longer appear off British coasts. It is not so much a problem of ECGD cover, but the obsolescence and the necessary radical restructuring of the fleets of eastern Europe after a generation of wholly inefficient socialist governments.

Dame Peggy Fenner: Is my hon. Friend aware that some discontent has been expressed at the achievements in the activities of the sea fishing industry? Does he believe that if achievements in those activities cannot be realised, it is time to reconsider the levy system?

Mr. Curry: I am sure that my hon. Friend knows that the Sea Fish Industry Authority has submitted proposals for an increase in the levy. Before I take any decision on that, I shall review carefully the industry's opinion expressed to me. I shall want to be satisfied that the Sea Fish Industry Authority has a clear idea about what it exists to do and that it is acting efficiently.

Livestock Exports

13. **Mr. Ron Davies:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the numbers of livestock being exported live from the United Kingdom.

Mr. Maclean: The following figures cover exports from the United Kingdom of farm livestock and horses for all purposes during the period January to August 1990 inclusive: cattle 175,975; sheep 295,928; pigs 79,114; goats 107 and horses 3,845.

Mr. Davies: Will the Minister confirm that under article 36 of the treaty of Rome he is empowered to take steps to stop the export of live animals from this country if he is satisfied that that action is necessary to protect the health and life of those animals? Given the shocking scenes that we have seen of brutal mistreatment of British animals by rioting French farmers, is not it time that he took steps to bring the international trade in live animals to a halt?

Mr. Maclean: The hon. Gentleman should be aware that that matter is subject to judicial review today in the High Court. I cannot comment further on it.

Mr. Monte: Does my hon. Friend expect to see those figures increased one day by the export of live horses for slaughter and consumption on the continent, or is he confident that we have the power to stop those new European regulations coming into effect?

Mr. Maclean: Like everyone in the House, we sincerely hope not. We have had some extremely tough negotiations on the matter and we have made it plain that we support the minimum values principles, which are very good rules and have stood us in long stead. We shall continue fighting so that British horses are not exported live for slaughter and human consumption on the continent.

Eastern Europe

15. **Mr. Burt:** To ask the Minister of Agriculture, Fisheries and Food what help his Department has given to farmers in eastern Europe.

Mr. Gummer: I have undertaken a series of visits to east and central European countries and have taken other initiatives to promote United Kingdom trade co-operation on the transfer of appropriate technology.

Mr. Burt: I am delighted to learn of the extent of help that we are giving. Bearing in mind the track record of socialist agriculture, does my right hon. Friend agree that the best advice that this country can give is to echo the words of the new Polish Member of Parliament who is the chairman of that country's privatisation committee and who said in this country last week that socialism cannot be improved but must be removed?

Mr. Gummer: Anybody who thinks that centralised control, direction by the state and the fixing of norms, all of which are policies upheld by the Labour party in this country, do any good had better try to get a square meal in any of the eastern European countries.

PRIME MINISTER

Engagements

Q1. **Mr. Butterfill:** To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Butterfill: Has my right hon. Friend found time in her busy day today to read the report of the Audit Commission on managing sickness absence in London? If so, does she share my concern that socialist authorities in London are tolerating sickness absence of two and a half times the average in local authorities elsewhere and that that is costing their community charge payers an estimated £27 a head?

The Prime Minister: Yes, I have seen the Audit Commission's report and have noted what my hon. Friend said, that is, that absentee levels in certain local authorities are nearly three times those in private industry and that some of those local authorities are not even aware of what the absentee levels are, let alone able to take any action about it. That is grossly unfair to the charge payer and once more proves that Labour authorities are totally inadequate from the point of view of financial control.

Mr. Kinnock: Will the Prime Minister make it clear to everyone today that she is completely against vouchers for schooling?

The Prime Minister: We have an introduction of vouchers for training. That is very good because it increases choice. In education we are attempting to increase choice—in city technology colleges, in grant-maintained schools and with open rolls. Of course, local authorities are against choice. They want central controls. They do not want opportunity, and that is why the right hon. Gentleman is against choice and against vouchers anywhere.

Mr. Kinnock: Even though the right hon. Lady is trying to evade, it is obvious from what she said last week and from what she just said that she is in favour of vouchers for schooling. The Prime Minister is a crank—*[Interruption.]* Is not it obvious to her that every examination ever undertaken into vouchers, including that done by her noble Friend Lord Joseph, has concluded that vouchers are an expensive, bureaucratic, divisive system entirely irrelevant to the real needs of schooling?

The Prime Minister: Nonsense—*[Interruption.]* Nonsense. They are one, and only one, method of what we are already operating; the money follows the pupil. That is a form of giving extra choice and of giving the voucher to the parent for the pupil. Of course the right hon. Gentleman hates it. He wants total central control of education through socialist, Labour authorities that hold money back from locally managed schools. Of course he

hates choice. Of course he hates higher standards. Of course he hates opportunity. He is socialist—a crypto-communist. *[Interruption.]*

Mr. Speaker: Order.

Mr. Kinnock: It is a long time since we had quite such a tantrum from the Prime Minister at Prime Minister's Question Time. Everyone knows that the British education system is now more centralised than it has ever been. Everyone also knows that the Prime Minister has spent the past 11 years making a complete mess of education. Why does she not now start concentrating on the things that need to be done to help education, and stop chasing after the things that can only hurt education?

The Prime Minister: On the contrary, with city technology colleges, grant-maintained schools and locally managed schools we are totally and utterly decentralising power and responsibility away from the local education authorities to the parents. That is what the right hon. Gentleman objects to. In the meantime, let me point out to him that, during the stewardship of the Conservative Government, expenditure per pupil in education has increased from £515 to £1,360—an increase of 41 per cent. According to an OECD report quoted in *The Sunday Times* last week, when it comes to the percentage of our national income per head spent on education, Britain has a higher percentage than the United States, Japan or Germany.

Q2. **Mr. Burt:** To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Burt: Bearing in mind the previous exchange, I wonder whether my right hon. Friend has seen news reports today about a head teacher who describes himself as

"a former knee-jerk anti-Tory"

chap, and who now runs a successful grant-maintained school in the north of England that takes its pupils from nearby council estates. Does she believe that the aspirations of those parents and children will be fulfilled by any big idea that threatens to destroy their choice and opportunity in grant-maintained schools?

The Prime Minister: My hon. Friend, as usual, is absolutely spot on. The money goes directly to the grant-maintained schools—into the classroom and not into the local education authority administration.

Head teachers of grant-maintained schools find them extremely good. There have been a number of comments about them recently—the head of Bankfield school in Cheshire, for instance, has said:

"18 months ago I had serious reservations about the applications for grant-maintained status—not now. For me seeing and experiencing has been believing."

Another in Northampton said—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister is answering a question.

The Prime Minister: Another head teacher, from Hendon, said:

"We have more time to deal with educational issues as opposed to administration and coping with bureaucracy."

That is another example of a head teacher satisfied with a grant-maintained school. A third said:

"We are finding it easier to recruit staff."

Of course the right hon. Gentleman does not like that, because it means more staff and less bureaucracy; however, the schools are good.

Mr. Ashdown: Given the Prime Minister's previous answers, why does she disagree with her own Secretary of State for Education and Science, who said over the weekend that he felt that the introduction of education vouchers would be an unnecessary distraction from the real task—putting right what was wrong with Britain's failing education system?

The Prime Minister: My right hon. Friend the Secretary of State is sitting next to me, and disagrees totally with the right hon. Gentleman's interpretation of what he said. Had the right hon. Gentleman listened to what I said earlier, he would have realised that city technology colleges, grant-maintained schools and, to some extent, open enrolment are a form of choice for parents. If we add to that the money following the pupil, it is virtually a voucher system.

Mr. Peter Bottomley: Will my right hon. Friend take the opportunity of inviting in the head of Twyford high school in Ealing, Hazel Hardy, the head of Lilian Baylis school in Waterloo and Peter Dawson, who used to be the headmaster of Eltham Green school in my constituency and get them to explain how it is that, with the opportunity of attracting pupils to their schools, they have managed to make the schools attractive to ethnic minorities and poor families and to provide the type of education that the Leader of the Opposition received in Wales? More families at the bottom need choice, and with my right hon. Friend and the Secretary of State for Education and Science, we expect to see more of it.

The Prime Minister: I totally agree with my hon. Friend. Choice is for the overwhelming majority of those who go to the public system of education. That is why we are extending it. That is why we have grant-maintained schools, which are independent state schools and that is why we are giving more choice to parents, knowing full well that they will use it to go to the school that offers the highest standards of education. More choice means better standards and more opportunity.

Q3. **Mr. Winnick:** To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Winnick: Can the Prime Minister give any explanation why the right hon. Member for Old Bexley and Sidcup (Mr. Heath) remains convinced that it was the Foreign Secretary who suggested that he make the visit to Iraq, although I am aware that the latter has strongly denied that? What is the Prime Minister's own view about the forthcoming trip, bearing it in mind that, we hope, some sick and elderly British hostages will be released—people who should never have been taken hostage in the first place? Indeed, no one should have been taken hostage.

The Prime Minister: Of course people should never have been taken hostage in the first place. That is why we are all at one in the House in insisting that the United Nations resolutions must be upheld, and insisting that every day that the hostages are held is a fresh offence and

act of war. As far as my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) is concerned, he will make his own best judgments. If he decides to visit Iraq, or any other country, he will of course be given the normal courtesies. Similar facilities were available for those Opposition Members who visited Iraq recently.

Q5. **Mr. Marland:** To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

The Prime Minister: I refer my hon.Friend to the reply that I gave some moments ago.

Mr. Marland: Has my right hon. Friend had the opportunity to study the recent confession by Mr. Herman Ouesley, the chief executive of Labour-controlled Lambeth council, who laments that no final accounts have been prepared in Lambeth since 1985 and that 40,000 community charge bills have not been sent out? He also laments what he describes as "corruption" in the administration system and says that the financial situation is near catastrophic. Does my right hon. Friend agree that that reflects the flavour of a possible future Labour Government?

The Prime Minister: Yes, I saw the report in the *Local Government Chronicle* to the effect that Lambeth had not finalised its accounts since about 1985, which is an utter disgrace for any local authority. I think that the chief executive was very critical about it. That is typical of Labour's financial management, typical of the way that their last Government handled the nation's affairs, and typical of the way in which Labour authorities carry on, and it is very adverse to community charge payers and the services that they receive.

Mr. Galloway: As the Prime Minister knows, there is an election next week in Pakistan. Does she accept that there is now a real fear in Pakistan that, having failed to find a legal case against Benazir Bhutto and, largely thanks to President Bush, having failed to have the elections called off, Miss Bhutto's enemies may have concluded that the only way to stop her becoming Prime Minister again is to kill her? Will the Prime Minister make it clear today that Britain expects next Thursday's election in Pakistan to be free and fair? Will she ask her ambassador in Islamabad to convey to the Pakistani authorities her concern for the life of Benazir Bhutto?

The Prime Minister: When the high commissioner of Pakistan came to see me yesterday, because his period of accreditation to this country is over, I raised the matter with him. I said that we all expected those elections to be fully free and fair and that we shall watch carefully to see whether they are free and fair. We are aware of all the concerns about them.

Q8. **Mr. Robert G. Hughes:** To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Hughes: Does my right hon. Friend agree that the recently announced rents-to-mortgages scheme will bring the reality of home ownership to many thousands of families who never believed that that option would be available to them? Does my right hon. Friend further agree that, rather than being an irrelevant scheme, as it has been described by the Labour party, it will be so successful that in the end the Labour party will claim that it was its own idea?

The Prime Minister: As my hon. Friend is aware, the original right-to-buy scheme has enabled about 1·5 million council tenants to purchase their homes. There are some who are still unable, under that scheme, to take the plunge but who would like to purchase their homes. In Scotland and Wales, therefore, we have run a pilot scheme on rents to mortgages. A number of people have taken advantage of it. We intend to run a pilot scheme in England for new-town houses to find out whether the scheme would also be welcomed here, with a view, if it succeeds, to extending it much more widely in order to enable another group of people to enjoy the benefits of home ownership, which they would never have got from the Labour party.

Business of the House

3.30 pm

Dr. John Cunningham (Copeland): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): Yes, Sir. The business for next week will be as follows:

MONDAY 22 OCTOBER—Consideration of Lords amendments to the Employment Bill and the Landlord and Tenant (Licensed Premises) Bill.

Motion to take note of EC document relating to the proposal for a European company statute. Details will be given in the *Official Report*.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

TUESDAY 23 OCTOBER—There will be a debate on the exchange rate mechanism, on a Government motion.

Motion on the British Nationality (Hong Kong) (Selection Scheme) Order 1990.

WEDNESDAY 24 OCTOBER—Motions relating to European Standing Committees, European Community legislation and parliamentary questions.

Motion to take note of EC document relating to the extension of EC aid to other countries of central and eastern Europe. Details will be given in the *Official Report*.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

THURSDAY 25 OCTOBER—Progress on consideration of any Lords amendments which may be received to the Broadcasting Bill.

FRIDAY 26 OCTOBER—Consideration of any Lords amendments which may be received to the Courts and Legal Services Bill *[Lords]*.

Completion of consideration of any Lords amendments to the Broadcasting Bill.

MONDAY 29 OCTOBER—Consideration of any Lords amendments which may be received to the Environmental Protection Bill.

[Monday 22 October 1990
Relevant European Community Document
8404/89 European Company statute

Relevant Report of European Legislation Committee
HC 15-xxxv (1988-89), para 2.
Wednesday 24 October 1990
Relevant European Community Document
7720/90 Aid to Eastern Europe
Relevant Report of European Legislation Committee
HC 11-xxxi (1989-90), para 5]

Dr. Cunningham: Can the House expect a statement next week from the Foreign Secretary when he returns from his important visit to the middle east? Since that visit involved discussions about the situation in Israel and the Palestinians and also about the grave situation in the Gulf, will the Leader of the House ask his right hon. Friend to come to Parliament as soon as possible to report on his talks?

May we also have an assurance that the Secretary of State for Social Security will make an oral statement next week about the Government's plans for the uprating of benefits? That decision will have important consequences for millions of British families. Hon. Members on both sides of the House will want to question the Secretary of State about his proposals.

May I also ask the Leader of the House to reconsider his unusual decision to timetable the consideration of Lords amendments to the Broadcasting Bill on Friday and to make it the second business for that day? It is unacceptable that legislation that is so important and at the same time so controversial should be timetabled for Friday rather than for a normal full sitting day of the House. The legislation raises important questions, which do not necessarily reflect simply party political divisions. I hope that on reconsideration that business can be taken on another day.

Will the Leader of the House urge his right hon. Friend the Prime Minister to reconsider her decision to duck out of the debate on Britain's membership of the exchange rate mechanism? The Prime Minister, as First Lord of the Treasury, has primary responsibility for Government economic policy. Is not it strange that, on the most important economic decision of the moment, the Prime Minister is running away from a debate in the House? The right hon. Lady already has the worst record in recent memory of any Prime Minister for attending debates in the House. Why is she running away from this issue? Is it that she is unwilling to face not only Labour party opposition, but searching questions from her own party on her U-turn, or is it that she no longer has any stomach for the fight?

Sir Geoffrey Howe: The hon. Gentleman will recollect that his colleague, the Opposition Chief Whip, raised with me on Monday the issue of a statement by my right hon. Friend the Foreign Secretary. As I said then, I shall convey his request to my right hon. Friend on his return to this country.

I note the request that the hon. Gentleman makes about a statement from my right hon. Friend the Secretary of State for Social Security. The House will be informed in due course, and I shall tell my right hon. Friend that the matter has been raised.

I can understand why the hon. Gentleman raised his third point, but I cannot accept his contention that Friday should not be regarded as a proper parliamentary day. The House will appreciate that it is necessary at this stage to make progress on all these matters. Obviously, I hope that satisfactory arrangements can be agreed through the usual channels as we have already laid them out. Progress along the lines I have suggested will be important and make sense if we are to achieve the equally sensible objective of Parliament being prorogued in the week commencing 29 October.

Finally, my right hon. Friend the Chancellor of the Exchequer, who made the announcement about entry into the exchange rate mechanism, as is proper, will prove to be much more than a match for the Leader of the Opposition. If the hon. Gentleman's point is to be taken seriously, my right hon. Friend the Prime Minister was asked about this in the House on Tuesday and she can be asked about it next Tuesday. It is interesting that no Opposition Member asked about it this afternoon.

Sir Geoffrey Finsberg (Hampstead and Highgate): Can my right hon. and learned Friend tell the House what progress he is making on the parliamentary pensions Bill?

[Sir Geoffrey Finsberg]

I ask that question as one of the trustees of the fund. We have twice had the matter down for debate but nothing concrete has yet transpired.

Sir Geoffrey Howe: I am grateful to my hon. Friend for raising that matter in the absence of the chairman of the trustees. As my hon. Friend knows, the current position is that there have been lengthy discussions with the trustees about the package of changes involved in the Ministerial and Other Offices (Pensions and Salaries) Bill and in the regulations associated with it. I have been seeking all along to respond sympathetically to the various concerns expressed in the debate on 17 January this year and subsequently. I have been happy to accommodate the trustees' request for further time to consider the proposals. I shall be meeting the trustees again next week. In consequence of that, I do not now expect to make further progress with the Bill in what remains of this Session, but I shall seek to do so as speedily as possible in the new Session.

Mr. James Wallace (Orkney and Shetland): I am sure that the Leader of the House will recall that, during the recess, Mr. David Calcutt came forward with his report on the Colin Wallace case. He observed that Ministry of Defence officials had seen the chairman of the appeal tribunal before which Mr. Wallace was to appear and he believed that that had influenced the outcome of the appeal. Given such serious allegations, surely one would expect that we would have had a statement from the Secretary of State for Defence this week. At the very least, can we expect a statement next week or, better still, a debate on this important issue which simply will not go away?

Sir Geoffrey Howe: The Government have accepted the conclusion and recommendation made by Mr. David Calcutt in his report, and my hon. Friend the Minister of State for the Armed Forces wrote to my hon. Friend the Member for Arundel (Sir M. Marshall) about the matter on 13 September. A copy of that letter is in the Library of the House.

Mr. James Kilfedder (North Down): I am sure that my right hon. and learned Friend the deputy Prime Minister will join me in expressing heartfelt sympathy to the family of my constituent, Stephen Craig, who was murdered by the IRA on Tuesday evening, and to the relatives of the other victim, a Roman Catholic, who was murdered the same evening. May we have time to debate the slaughter of the innocents in Northern Ireland as a matter of urgency, because it is high time that that slaughter was brought to an end, in the interests of all people in the Province whatever their religious or political beliefs?

Sir Geoffrey Howe: The House will agree with the objective stated at the end of that question, but I cannot promise the prospect of an early debate on this important matter. Both murders are the subject of a full police investigation. Several people are helping the police with their inquiries into the murder of the police dog handler, Samuel Todd. I am sure that the House will join me in extending sympathy to the families of both victims of such tragic murders.

Mr. Eric S. Heffer (Liverpool, Walton): Will the right hon. and learned Gentleman reconsider arranging a debate on eastern Europe? I note that next week it can be debated, but should not there be a general debate on eastern Europe, especially as the Conservative party has begun a political programme, including speeches at its conference, trying to suggest that democratic socialism equates with Stalinism? Some of us resent that very much indeed, based on our experience of consistently arguing that there was no socialism in the Soviet Union and eastern Europe. Socialism means freedom. The suggestions of Conservative Members that the capitalist system is the only free system in the world is not true, and we want to debate that.

Sir Geoffrey Howe: I am glad to have the opportunity to reply to the hon. Gentleman. To some extent, the matter can be touched on in tomorrow's debate on the unification of Germany. In the time that remains before prorogation, I cannot promise him the prospect of a wider debate, but I counsel him, despite the sincerity with which he holds his view, to reflect further on what he has just said. Last week, the British people saw a procession of undoubted leaders of the newly freed countries of Europe coming quite spontaneously to our conference——

Mr. Dennis Canavan (Falkirk, West): It was a set-up.

Sir Geoffrey Howe: If the hon. Gentleman believes that, he will believe anything. Those people came to our party conference to express their solidarity with the democracy for which this party stands, and we are entitled to take the credit for it.

Mr. John Browne (Winchester): Does my right hon. and learned Friend accept that the haemophiliacs who were injected with imported blood containing the HIV virus were the victims of a unique accident which is not the stuff of precedent, and as such are not they entitled to generous, once-off, compassionate compensation? If the Government were not persuaded of that by the excellent Adjournment debate initiated by my hon. Friend the Member for Hendon, South (Mr. Marshall), will he please arrange a full debate on the subject so that Back Benchers have a chance to persuade the Government?

Sir Geoffrey Howe: As my hon. Friend says, the matter was raised in the House on Tuesday in an Adjournment debate by my hon. Friend the Member for Hendon, South (Mr. Marshall). I cannot add anything further to what was said then.

Mr. Ron Brown (Edinburgh, Leith): May we have some time next week to discuss the role of Scottish Homes, a Government quango north of the border, as that body has refused to carry out basic essential repairs to properties in my constituency? Sir James Mellon, the chairman of Scottish Homes, is making all sorts of excuses for not carrying out that basic work on behalf of people who are paying high rents for properties that are about to fall down —and I do not exaggerate. May we have some action, even if it is only a debate next week, on this issue, which is vital to people who are concerned about what is happening to them? We talk about a property-owning democracy, but that is a sham, because the Government own these properties. They should be doing something about them.

Sir Geoffrey Howe: I cannot offer the prospect of a debate on that issue. All I can do is bring the hon. Gentleman's point to the attention of my right hon. and learned Friend the Secretary of State for Scotland.

Mr. Peter Fry (Wellingborough): Will my right hon. and learned Friend think again about the suggestion by the hon. Member for Liverpool, Walton (Mr. Heffer)—I am sure that we are all pleased to see the hon. Gentleman in his place—that there should be a debate on eastern Europe? Events in the Gulf have tended to cloud the great volatility that still exists in that part of the continent. Those of us who recently returned from Yugoslavia are aware of the risk of civil war in that country, the results of which would be incalculable. Will my right hon. and learned Friend please think again about having an early debate on eastern Europe?

Sir Geofffrey Howe: I understand why my hon. Friend presses me on that point. I do not underestimate the legitimate and widespread interest in this topic, but I have no possible scope for a debate on it before prorogation. There will be an opportunity to raise that matter on the foreign affairs day of the debate on the Gracious Speech. I shall bear my hon. Friend's point in mind thereafter.

Mr. Peter Shore (Bethnal Green and Stepney): I welcome the debate on the ERM. Does the Leader of the House agree that it would be welcome, not only to Back Benchers on both sides of the House but to members of the Cabinet, if he were to announce today that there will be a free vote at the end of the debate?

Sir Geoffrey Howe: Whipping is not, of course, a matter for the Leader of the House. It is for the Chief Whips, both of whom are here, to give to the right hon. Gentleman's observation such attention as they think is due.

Mr. Toby Jessel (Twickenham): The excellent report of the working party on noise which was published this afternoon by the Department of the Environment deals with the noise nuisance to large numbers of our constituents from such sources as aircraft, helicopters, trains, lorries, amplified music, late-night parties, dogs and burglar alarms. Can we please discuss that report reasonably soon? I remind my right hon. and learned Friend that the secretary to the working party was my late constituent, Charlie Bayne, who was warmly commended by the chairman in his introduction for the respect in which he was held for his great tenacity and application.

Sir Geoffrey Howe: My hon. Friend will understand that I cannot respond positively at this stage to his request for such a debate, although I gladly join him in expressing my sympathy to Charlie Bayne's family. Charlie Bayne's father was one of Her Majesty's ambassadors during my time at the Foreign Office. I am sure that my colleagues would wish to endorse what was said by the working party about the courage with which he discharged his duty on the secretariat to the working party.

Rev. Martin Smyth (Belfast, South): I welcome the announcement this week of the motion setting up the Select Committees to scrutinise the Department of Health and the Department of Social Security. Can the right hon. and learned Gentleman give us an assurance that, before we rise at the end of this Session, there will be a similar motion to set up a Select Committee on Northern Ireland, an aspect of government which needs to be scrutinised; or will we have to continue to hasten slowly?

Sir Geoffrey Howe: The matter is summed up in the hon. Gentleman's closing words. I admire his tenacity, but he cannot expect that to be matched by celerity on this matter.

Sir Robert McCrindle (Brentwood and Ongar): When we discuss next Tuesday our entry into the ERM, will the basis of that debate be sufficiently widely drawn so that we may also discuss the simultaneous reduction in interest rates and so that any hon. Members who doubt the wisdom of linking those decisions may express their views?

Sir Geoffrey Howe: I should be extremely surprised if it were possible to design a motion on that topic which excluded the important matter that my hon. Friend has in mind.

Mr. Dave Nellist (Coventry, South-East): Will the Leader of the House reconsider his reply to the first question of my hon. Friend the Member for Copeland (Dr. Cunningham)? The Foreign Secretary returns from the middle east tomorrow evening. Will the Leader of the House arrange a debate on the trip next week so that some of us can get a statement from the Foreign Secretary on what he said in the different countries to explain the British Government's support for immediate action when Iraq invaded Kuwait, for example, compared with the fact that, 23 years after Israel occupied Jerusalem, the West Bank and the Gaza strip—and especially after the murder of 21 Palestinians last Monday—the United Nations sat for five days and then decided to send three assistants from the Secretary-General's office? Is that a result of double standards or is it because the Palestinians have no oil?

Sir Geoffrey Howe: I was not asked to arrange a debate on that matter, but I was asked to pass on a request for a statement from my right hon. Friend, and I will do that. I do not begin to underestimate the importance of the hon. Gentleman's point. However, I do not have the impression that my right hon. Friend's journey to the middle east has been notorious for his lack of plain speaking on the matter that the hon. Gentleman has in mind.

Mrs. Edwina Currie (Derbyshire, South): Has my right hon. and learned Friend noted that we sat up late last night dealing with a series of private Bills, and that he has announced more private Bill business for next week? Is he aware that, in the time it has taken, for example, to consider the King's Cross Bill, the Toyota motor corporation has sussed out Europe, sussed out more than 20 sites in this country, picked my constituency, purchased 600 acres of land, obtained planning permission, gone through a compulsory purchase order inquiry and let the contract, is building a factory and will be producing the cars before a single brick is laid at King's Cross? How are we to modernise our country and its infrastructure and, most of all, improve our ports, our harbours and our railways if we are to stick to such an outdated system of procedure in this House?

Mr. Speaker: Mrs. Alice Mahon.

Sir Geoffrey Howe *rose*——

Mr. Speaker: I am sorry. I was thinking of something else.

Sir Geoffrey Howe: My hon. Friend's question was intended largely to answer itself and it went a fair way towards doing so. She is right. We shall press ahead with reforms in the private Bill procedure because they are a matter of some importance.

Mr. Speaker: Mrs. Alice Mahon.

Mrs. Alice Mahon (Halifax): Thank you, Mr. Speaker. I did not think that the question of the hon. Member for Derbyshire, South (Mrs. Currie) was worth an answer either.

Given today's unemployment figure, will the Leader of the House make time for a debate on unemployment? In my constituency, 2,000 jobs in manufacturing have gone since January. If he grants such a debate, perhaps we could look in detail at the practices of directors such as Michael Ashcroft, who bled Coloroll dry, took £1·2 million in dividends the year before it went bankrupt and paid himself £500,000 in salary. Yet the Government are now trying to blame low-paid textile workers for the mess they are in.

Sir Geoffrey Howe: The hon. Lady is, of course, entitled to draw attention to the rise in unemployment figures reported today. However, they should be set in the much broader context of the very long-term achievements of the present Government. Employment, for example, is at an all-time high. The United Kingdom still has one of the lowest unemployment rates in the European Community. That is the background against which to judge her point.

Mr. Ian Bruce (Dorset, South): Will my right hon. and learned Friend give us an early debate on defence issues? The Ministry of Defence currently has the enormous task of building up for the Gulf, and another enormous task of seeing where economies can be made on the defence estate and on all the other costs of defence. The House is interested to achieve the maximum defence dividend, while ensuring that the defence of the realm is preserved. May we have a debate on this subject as soon as possible?

Sir Geoffrey Howe: At this stage, I can promise nothing more than to take note of my hon. Friend's important point.

Ms. Mildred Gordon (Bow and Poplar): Will the Leader of the House make arrangements for a stairlift or other form of access for wheelchair users to be able to reach meetings in the Grand Committee Room and in the Jubilee Room, and for a loop for hearing-impaired visitors?

Sir Geoffrey Howe: I shall certainly see that those two points are considered as fully as they deserve to be.

Mr. John Greenway (Ryedale): When can we expect a statement from my right hon. Friend the Minister of Agriculture, Fisheries and Food on the breakdown of discussions in Brussels on the future of the agriculture budget in the light of the GATT discussions? Many farmers are already facing serious financial difficulty and it is right that the House should consider that. The threat of any reduction in subsidy is already causing grave concern. World affairs are extremely important, but many people in Britain feel that the House does not spend sufficient time on our own domestic problems.

Sir Geoffrey Howe: I understand the importance of the agriculture questions raised by my hon. Friend, in which one has to strike the right balance between the need for reform on the world stage and the needs of our own, like other national farming communities. I cannot promise a statement on the topic next week, as my right hon. Friend the Minister will be returning tomorrow to continue the discussions in which he has already been engaged for two days this week.

Mr. Andrew Welsh (Angus, East): Is the Leader of the House aware of the statement made today by the president of the Scottish National Farmers Union, that the industry now faces its worst crisis since the 1930s and that he expects a spate of bankruptcies in the hill and upland sectors? Does the right hon. and learned Gentleman accept the seriousness of the situation and, given the range of problems facing the industry, may we have an urgent debate on the state of agriculture?

Sir Geoffrey Howe: I am afraid that I cannot offer the prospect of an early debate on that subject, but I do not begin to underrate its importance. For all agricultural communities, the existing state of affairs of widespread national and international intervention by way of subsidy or protection is unsustainable. Her Majesty's Government are playing a leading part in trying to secure progress in the international negotiations that must take place, not least in the EC. We shall continue to do that, and my right hon. Friend will inform the House about his progress as appropriate.

Mr. Michael Latham (Rutland and Melton): Will my right hon. and learned Friend reconsider his earlier disappointing answer about haemophiliacs who are HIV-positive? Is he aware that he will find it increasingly difficult to persuade many of his hon. Friends that the Government are acting in a proper manner in that matter, and the sooner that it is debated in the House and resolved by administrative action and Government decision, rather than by forcing it through the courts, the better.

Sir Geoffrey Howe: I understand the point made by my hon. Friend and I do not wish to seem in any sense lacking in sympathy, but the fact is that it has been debated in the House once this week, as I have already observed. I can only undertake to bring his observations to the attention of my right hon. and learned Friend the Secretary of State for Health.

Mr. Ken Eastham (Manchester, Blackley): I remind the Leader of the House of the terrible disasters that took place on the North sea oil rigs, particularly the Piper Alpha disaster, when 167 technicians and engineers were burnt to death. Following that, the Government set up an inquiry under Lord Cullen, and we were given to understand that the report would be ready for inspection by the House during June or July. We are still awaiting that report, and there is great unrest on the North sea oil rigs about health and safety. When will the House do something about that to bring this terrible matter to an end? Will the Leader of the House consider having a debate in the House on the report?

Sir Geoffrey Howe: I cannot give any direct response today to the point raised by the hon. Gentleman, but I shall certainly bring it to the attention of my right hon. Friend the Secretary of State for Energy.

Mr. Roger Knapman (Stroud): Will my right hon. and learned Friend find time at an early date for a debate on trade unions, particularly since the revelation in the

Evening Standard of the appearance of ghosts—not just one person with the same name and address as another, but up to seven on the same list for a union election? Is not that a disgrace? Is it possible that such ghosts are responsible for the missing money of the National Union of Mineworkers?

Sir Geoffrey Howe: I am sure that that particular manifestation of ghostliness deserves to be taken extremely seriously, and I shall see whether an opportunity arises for that.

Mr. David Hinchliffe (Wakefield): Will the Leader of the House make time available next week for a debate on the financial crisis facing the national health service? Is he aware that it became apparent this morning that the Wakefield health authority has agreed a huge package of cuts and closures which will have a devastating effect on my constituents who are on hospital waiting lists and who are suffering pain and discomfort? I am aware that such deficits are affecting many health authorities throughout Britain. May we have an urgent debate on the matter?

Sir Geoffrey Howe: I cannot promise a debate on that. However, it is important to note that the figures for those on waiting lists at March 1990, which will be published in full quite shortly, show a reduction of almost 5 per cent. since September 1989 in the number of those who have been waiting for more than a year. That represents significant progress.

Mr. Roger Moate (Faversham): Will my right hon. and learned Friend arrange for the Secretary of State for Transport to make a statement about the extremely serious situation involving several hundred British drivers and their vehicles which have been stranded for nearly 10 days on the French-Spanish border? Those drivers have suffered great personal difficulties and there will be serious financial consequences. Is not it vital that we hear soon what representations are being made to ensure that the Spanish Government are honouring their obligations under Community rules to allow the free passage of goods and also know whether we are pressing for compensation for those who will suffer financial loss, as the Government did with regard to the lamb war?

Sir Geoffrey Howe: I will certainly bring that point to the attention of my right hon. Friends the Secretaries of State for Transport and for Foreign and Commonwealth Affairs.

Mr. Eddie McGrady (South Down): Is the Leader of the House aware of a statement made on Thursday 11 October by the chairman of the Fair Employment Tribunal in Northern Ireland, which has had the effect of nullifying the provisions of the Fair Employment (Northern Ireland) Act 1989? In view of the urgency of the matter, and the fact that 199 cases are now at a dead halt, will he provide urgent remedial legislation and time for the House to give effect to the wish of the House, which was that the Act should be implemented and used as quickly as possible?

Sir Geoffrey Howe: The point raised by the hon. Gentleman clearly deserves to be studied very closely before I can reach a conclusion about it. I simply undertake to bring it to the attention of my right hon. Friend the Secretary of State for Northern Ireland.

Mr. John Marshall (Hendon, South): Will my right hon. and learned Friend arrange an early debate on the future of the net book agreement which results in book prices being higher and the number of books being sold smaller than would otherwise be the case?

Sir Geoffrey Howe: My hon. Friend has raised an important and interesting point, which deserves the consideration that I will give to it.

Mr. Bob Cryer (Bradford, South): Can we have a statement next week on the multi-fibre arrangement and the Government's attitude to it? As has been stated already, the GATT negotiations are under way and there is a feeling within the textile industry that the Government have a lacklustre attitude towards the renewal of the MFA, which both employers and unions regard as vital for the retention of a buoyant and successful textile industry.

Will the Leader of the House assure us that we can have a statement, if not next week then at least in the near future, because 14,000 jobs in Bradford depend directly on textiles and nearly 500,000 throughout the country depend on textiles and clothing? This is a vital matter if we are to retain a textile industry.

Sir Geoffrey Howe: I appreciate the importance of the textile industry, which was debated on 26 July, and not long ago, I had an opportunity to study a document from the Apparel, Knitting and Textile Alliance, the burden of which underlined the link between the GATT negotiations and the MFA. If all the parties concerned demonstrate the necessary commitment in the final crucial stage of the Uruguay round negotiations, we can achieve the better balance in world trade which we are all looking for upon the basis laid out in the European Commission's negotiating policy.

Mr. Harry Barnes (Derbyshire, North-East): Apart from a possible statement from the Foreign Secretary about the situation in the middle east, should not we have another fully-fledged debate about the Gulf crisis? Some of us would like to debate things before war breaks out so that we can try in some small way to influence developments. There was a great demand to speak in the House in our earlier Gulf debate and 40 hon. Members who wanted to speak were not called then. It looks odd to people outside this place that we are not debating the Gulf now that Parliament has returned after the recess, particularly as the danger still exists. There will be differing views about how the situation should be handled and it is right that we should be concerned and that the House should be seen to be debating the issue.

Sir Geoffrey Howe: I appreciate the hon. Gentleman's point. However, we must fit in other matters in the relatively short time before Parliament is prorogued. It is for that purpose that a Government day next week has been devoted to the ERM debate and the Opposition day has been transferred to the next Session. There will be opportunities after the Queen's Speech, not least in the Queen's Speech debate itself, but I shall bear the hon. Gentleman's point in mind.

Mr. Jim Sillars (Glasgow, Govan): Is the Leader of the House aware that we still do not have a Select Committee on Scottish Affairs, despite Standing Order No. 130, which makes it compulsory? Will the right hon. and learned Gentleman view the video of yesterday's Scottish Question

[Mr. Jim Sillars]

Time? It is a perfect illustration of the anger felt on these Benches and in many places in Scotland because we are denied the instrument of investigation at precisely the moment when we require it. Is he aware that the Secretary of State for Scotland met the chairman of British Steel on Tuesday and then, at the Dispatch Box yesterday afternoon, offered no detailed statement on the discussions that he had had with the chairman about the future of the Scottish steel industry?

Is the Leader of the House also aware that the British Steel board and chairman are deliberately out to destroy the Scottish steel industry piecemeal and that we are denied by the House the kind of Select Committee that is the one defensive mechanism that we could deploy against them? If he tells me that it is not the Government's responsibility, will he admit the logic of the position that this House of Commons, with its English majority, is denying Scotland the Select Committee the opportunity to defend ourselves in Lanarkshire against the investment that is going to Teesside?

Sir Geoffrey Howe: The hon. Gentleman spoils such case as he has by his overstatement of the matter. It plainly cannot be sustained that British Steel is deliberately out to destroy anything. Moreover, he should note that my right hon. and learned Friend the Secretary of State for Scotland yesterday faced, I should judge, about 20 minutes' questioning on the very topic that the hon. Gentleman raises. He was exposed to full and rigorous questioning by the House, and gave a full account of himself.

Mr. Gavin Strang (Edinburgh, East): I reinforce the point that was made by my hon. Friend the Member for Derbyshire, North-East (Mr. Barnes) that there is a need for a full debate on the Gulf crisis before Prorogation. Surely we owe it to the British people as a whole and to the thousands of British service men in the gulf to keep the matter at the forefront of our deliberations. In view of the press report that the British Government have been privately urging the United States Administration to take an early decision on military action against Iraq, will the Leader of the House take the opportunity this afternoon to affirm that it is still Government policy that mandatory economic sanctions be given a chance to work?

Sir Geoffrey Howe: The hon. Gentleman knows that the Government's policy is to secure full implementation of the resolution that was passed by the United Nations Security Council. I have already acknowledged the case for a debating opportunity as soon as it can be found when the House resumes after Prorogation. The hon. Gentleman will have the opportunity of not only hearing a statement from the Foreign Secretary next Wednesday but asking him questions when he faces the House for questions in the ordinary way.

Mr. Tam Dalyell (Linlithgow): Is the Leader of the House at all uncomfortable that those in the other place who have been most angry about the Nature Conservancy Council are those such as Lord Buxton—Conservative peers who know most about it? Has the right hon. and learned Gentleman understood also that there has been a recent staff vote in the Nature Conservancy Council in which an overwhelming majority of members of staff not only in Peterborough but in Scotland and in Wales have come down against the proposals?

Was not the whole matter misconceived in the first place by wanting to please the Scots, when those of us in Scotland who knew and cared most were passionately against the expensive, costly, wasteful and absurd break-up of the Nature Conservancy Council? In the circumstances, should not there be a statement next week, before we get down to amendments, that the Government have given up the idea, at any rate for this year? There would be no shame in doing so. The time that is saved could be used for a proper statement and a debate on the middle east.

Sir Geoffrey Howe: It sounds as though the hon. Gentleman may have some observations to make during our consideration of the Lords amendments to the Environmental Protection Bill on Monday week.

Mr. Max Madden (Bradford, West): Did the Leader of the House see *The Observer* magazine last Sunday, which revealed the increasing number of hon. Members who hold outside financial and commercial interests, with the potential for a conflict of interest where the Chairpersons of key parliamentary Committees hold financial and commercial interests that have a direct bearing on the work of their Committees?

Does the right hon. and learned Gentleman therefore have any plans to enable the House to decide whether it thinks it right that the hon. Members for Shipley (Sir M. Fox), for Hastings and Rye (Mr. Warren), for Westminster, North (Sir J. Wheeler) and for Hampshire, East (Mr. Mates), who are all Chairpersons of parliamentary Committees, should hold extensive financial and commercial interests which have a direct bearing on the work of their Committees? Will the Leader of the House give us an opportunity to decide whether we think that that is right, because I can tell him that many of us think that it is entirely wrong?

Sir Geoffrey Howe: That colour supplement made a great deal more than I should have imagined possible out of some relatively modest factual material. The questions that both it and the hon. Gentleman have raised are appropriate for investigation in the first instance not by the House but by the Select Committee on Members' Interests, which has been investigating some of them. That is the first place to which any such complaint should be referred.

Dr. Norman A. Godman (Greenock and Port Glasgow): Will the Leader of the House give some sympathetic consideration to the holding of a debate on the present circumstances of the United Kingdom's maritime industries? I refer in the main to shipping, shipbuilding, marine engineering and, of course, to the fishing industry. Many thousands of people employed in those industries genuinely believe that they, their industries and their communities face a bleak future. Hon. Members representing Scotland find the Scottish Grand Committee and Scottish Question Time a poor substitute for a Select Committee on Scottish Affairs, especially when it comes to giving tough-minded scrutiny to Government policy on these and other industries. I urge the right hon. and learned Gentleman to accept the need for such a debate in the near future.

Sir Geoffrey Howe: I cannot undertake to arrange a debate on that topic in the near future, but I know that that question is of interest not only to Scottish Members but to hon. Members representing other parts of the country—not least because my Parliamentary Private Secretary represents a fishing constituency. I shall certainly bear the matter in mind.

Mr. Greville Janner (Leicester, West): Will the Leader of the House please arrange an early debate on the continuing, alarming and unacceptable increase in the crime rate, which, unfortunately, has been at its worst in the county of Leicestershire? Will the right hon. and learned Gentleman bear in mind the fact that hon. Members of all parties, including particularly his hon. Friend the Member for Rutland and Melton (Mr. Latham), have been pressing continually for years for proper policing in accordance with the wishes and requests of successive chief constables? It is not enough to declare a vague promise at the Tory party conference that the number of police will be increased. Hon. Members who represent Leicestershire on both sides of the House demand increased resources now before the crime rate gets even worse in our county.

Sir Geoffrey Howe: The hon. and learned Gentleman can be relied upon to overstate the case. He talks about vague promises at the Tory party conference. Everyone is concerned about the level of crime, and the fact is that under this Government there has been a massive increase——

Mr. Janner: A massive increase in crime.

Sir Geoffrey Howe: There has been a massive increase in resources, including police officers in service, as a direct result of the Government's policies. Our concern has been expressed by actions rather than by words, at which the hon. and learned Gentleman is an expert.

Mr. Dennis Skinner (Bolsover): Now that the economy has moved into recession, the unemployment figures have risen several months in succession, and bankruptcies and liquidations have trebled in the past year, why does not the Leader of the House arrange a debate on bankruptcies and the economy? We could not only discuss the massive unemployment that affects my hon. Friends' constituencies; we could also invite Tory Members to talk about the demise of Murdoch's empire, in which shares have fallen in value by two thirds this year, and the winding up of the Tory party's little Blue Rosette company with debts of £100,000, which meant that, at the Bournemouth conference, the Prime Minister's face had to be taken off every single mug?

Sir Geoffrey Howe: I take note of the characteristically good-natured way in which the hon. Gentleman expresses his interest in the matter. He will surely appreciate that much of what happens to unemployment in the months ahead, as in the years past, depends on the attitude adopted by pay negotiators on both sides of the industry. I hope that he will lend his support to the cause of pay moderation.

Mr. Robert Maclennan (Caithness and Sutherland): Does the Leader of the House recognise that the erosion of farm incomes in the hills and uplands of Scotland is catastrophic? Does he accept that there is an urgent need for a debate while the autumn review is pending, to enable hon. Members to bring their knowledge of the matter to the attention of responsible Ministers before decisions are taken, not only in Brussels but by our domestic Ministries, on the hill livestock compensatory allowance levels?

Sir Geoffrey Howe: I do not know whether the hon. Gentleman was in the House when I dealt with that point some time ago. The matter can be dealt with time and again. Of course there is anxiety on both sides of not only the House, but virtually every democratic assembly in the industrialised world about the state of the farming industry. It is caused by the manifest capacity to produce surpluses, which is not mitigated by the existence of massive protection. It is for that reason that the Government have taken and are taking the lead in the necessary worldwide reform of agricultural protection. My right hon. Friend the Minister of Agriculture, Fisheries and Food has kept the House fully informed of the results of his work and will continue to do so.

Points of Order

4.15 pm

Dr. John Cunningham (Copeland): On a point or order, Mr. Speaker. May I seek your advice and guidance? During Prime Minister's Question Time today, the Prime Minister, in a somewhat hysterical outburst, referred clearly to my right hon. Friend the Leader of the Opposition as a crypto-communist. Those words were not only clearly overheard, but are in the preliminary draft of the *Official Report*. Since they were uttered, I have had the opportunity to consult "Erskine May", which on page 381 makes it clear that

"the imputation of false or unavowed motives"

is unparliamentary language. I assume that the rules on unparliamentary language apply even to the Prime Minister. I hope that you, Mr. Speaker, can advise me how that totally dishonest and abusive smear of my right hon. Friend the Leader of the Opposition—*[Interruption.]* There would be very different noises on the other side of the House if the position were reversed. We are not prepared to accept one set of rules for the rabble over there and another set for my hon. Friends. Can you advise me, Mr. Speaker, how the Prime Minister can be caused to remove those words from the record and how we can have *Hansard* put straight?

Mr. Speaker: This is not the moment for points of order but since it has been raised I will deal with it. As far as I am aware, the word "communist" has never been considered unparliamentary. In any case, I am afraid that I did not hear the last part of that sentence——

Dr. Cunningham: It is in the record.

Mr. Speaker: It may be in the record, but there was a great deal of noise. I recollect that when the Leader of the Opposition rose he appeared to be laughing heartily. I did not hear the remark, but such matters should be raised immediately in order that they can be dealt with by the Chair.

Dr. Cunningham: Further to that point of order, Mr. Speaker. I rest my case on "Erskine May" which says on page 381:

"The imputation of false or unavowed motives"

to a Member is unparliamentary. It is absolutely unacceptable for the Prime Minister to get away with smearing the Leader of the Opposition in this way.

Mr. Speaker: If I had heard the expression, I would have stopped it. I am surprised that the issue was not raised immediately at the time if anyone else heard it. I did not hear the Prime Minister make a personal accusation against the integrity of the Leader of the Opposition in that exchange. I cannot do anything about it now, but I am sure that the matter will be brought to the attention of the Prime Minister and she will make amends.

Dr. Cunningham: Further to that point of order, Mr. Speaker. What you are really saying is that on some future occasion we can refer to the Prime Minister as a crypto-fascist and that that will be in order.

Mr. Speaker: I hope that we shall always treat each other with respect. Sadly at Prime Minister's Question Time there is frequently a great deal of noise and it is not possible for us all to hear exactly what is said. I did not hear the expression. If other hon. Members heard it and felt aggrieved about it, I am genuinely surprised that they did not get up to draw it to my attention immediately.

Mr. Nicholas Bennett (Pembroke): Further to that point of order, Mr. Speaker. We all heard the Leader of the Opposition utter crude and uncouth abuse at the Prime Minister. If the Opposition do not like it being dished out, they should not dish it out in the first place.

Mr. D. N. Campbell-Savours (Workington): Further to that point of order, Mr. Speaker. I have just driven back from the by-election at Eastbourne and I heard clearly on the car radio the term "crypto-communist". Therefore, the nation heard it. You will recall, Mr. Speaker, that two years ago a complaint was made by a Conservative Member about a reference to fascism made by one of my hon. Friends. On that occasion my hon. Friend was required to withdraw that statement. May we simply ask——

Mr. Speaker: Order. If the hon. Gentleman had been in the House instead of driving in his car, he would have had an opportunity to raise the matter with me at the time. The whole House knows that I deprecate the use of such phrases. I required the term "fascist" to be withdrawn on that occasion because I heard it. Today, unfortunately, I was not driving in my car and I did not hear it.

Mr. Campbell-Savours *rose*——

Mr. Speaker: Order. Allow me to reflect upon the matter to see what can be done.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. While you are reflecting on the matter you might bear in mind that representations have been made in the past; for instance, when I called Dr. Death a pompous sod, I had to take an early bath. When I said that the right hon. Member for Chingford (Mr. Tebbit) had been lining his pockets because he got an non-executive directorship of British Telecom, I had an early bath. In this quaint little place you have different rules for different people.

Mr. Speaker: I hope that the hon. Gentleman does not want another one.

Mr. David Trimble (Upper Bann): On a point of order, Mr. Speaker.

Mr. Speaker: Order. Is it on the same matter?

Mr. Trimble: Yes, it is. I just wondered, now that we have the cameras in this place, whether it would be appropriate to have action replays. You could then be sure of exactly what was said.

Mr. Speaker: The cameras are a large part of the trouble really.

Seven-Year-Olds (Testing)

4.20 pm

The Secretary of State for Education and Science (Mr. John MacGregor): Following discussions with and advice from the School Examinations and Assessment Council, the Secretary of State for Wales and I have today decided on the scope of the tests to be used in the first national assessments of all seven-year-olds in 1991. I am arranging for copies of the specification for drawing up the actual tests themselves to be placed in the Library of the House.

The national tests will concentrate on what is of key concern to parents—reading, writing, arithmetic and basic scientific skills. Because the ability to read is vital to pupils' future development, all seven-year-olds will be tested separately on their ability to read. To help ensure consistency of standards, that test will be based on a range of common texts.

I believe that it is important that at this age the tests concentrate on the basics. That is not only right in itself, but means tests that will be manageable in the classrooms. The tests will take up the equivalent of about a week and a half of classroom time in the first half of the summer term. The message from this summer's pilot tests was that they overloaded the schools. I have decided that next year's tests will be simpler and will concentrate on what really matters. In addition to the external tests, teachers will also carry out their own tests of all seven-year-olds across all aspects of English, maths and science in the national curriculum.

For the first time, we shall have a national system in all schools which will enable parents and teachers to know how their children are progressing in the basics of education. All parents will be able to get clear and objective results and to talk to teachers about their children's progress. For each child, teachers will be able to build upon strengths and tackle weaknesses.

The national curriculum sets clear and demanding national targets for pupils of all ages and abilities in English, mathematics and science. The tests will show how pupils—individually and collectively—are measuring up to those targets. For the first time, we shall have clear, national information about what is happening to standards. The arrangements that I am announcing today for testing seven-year-olds are the key to raising those standards.

Mr. Jack Straw (Blackburn): Is the right hon. Gentleman aware that this afternoon's announcement represents a major and humiliating U-turn—*[Interruption.]* I appreciate why Conservative Members do not like that news, but it is true. It represents a major and humiliating U-turn by the Prime Minister and the Cabinet against the whole concept of the national curriculum and testing contained in the Education Reform Act 1988.

Is it because the Secretary of State understands the extent of the Government's embarrassment that, as the Order Paper makes clear, his original intention was to slip out this announcement by way of a written answer and that this oral statement had to be wrung from him?

The Secretary of State must know that the Labour party and virtually everyone else told his predecessor, now the chairman of the Conservative party, that the national curriculum was too inflexible and that the complex testing of seven-year-olds—for which every Conservative Member voted—in English, maths, science, history, geography, technology, music, art and physical education was not only ludicrously impractical but would seriously damage the education of a great many children.

Is not it a sign of the Government's profound arrogance that they refused to listen and instead have subjected teachers and other people's children to three years of experimentation, while of course ensuring that their own children, in private schools, remain immune from the national curriculum and therefore from this chaos? Against that background, is it any wonder that public confidence in the Government's handling of education and in the Secretary of State has never been lower since the last world war?

If, as a junior education Minister said in July, the pilots were too unwieldy, and if, as the Secretary of State has admitted today, they caused an overload to the curriculum, why did Ministers allow them to go ahead, since others told them clearly in advance what the consequences of those pilots would be? How much has this experimentation with other people's children cost the taxpayer? How many million sheets of paper have been wasted? How much has teachers' morale been damaged?

In contrast to the confusion of the Government's position, Labour has always been clear. We have sought tests in basic subjects such as reading, writing, maths and science as an aid to raising standards, to diagnose children's strengths and weaknesses and to help provide information about the performance of schools. We shall judge this afternoon's proposals by those criteria, and for that reason we welcome the separate reading test, which is long overdue.

What will be the cost of these proposals for testing? Who will prepare and evaluate the tests? What will be the link between these tests and the national curriculum? What will be the status of the separate teacher tests in relation to the standard assessment tasks?

There have been a good many suggestions in the newspapers that the tests announced by the right hon. Gentleman today cannot be in place in all schools by the summer of 1991. Can he guarantee that that will not be the case?

At the beginning of his statement, the Secretary of State said that he had received advice from the School Examinations and Assessment Council. Did he accept that advice—and, if not, to what extent did he depart from it? Will he also explain the exact status of the document entitled "Specification for the Development of Standard Assessment Tasks in the Core Subjects"? Is it to be the basis of the proposals for contracts for the new tests? What additional support will schools be given to help children when strengths are noted or weaknesses diagnosed?

The Secretary of State speaks of standards, but he must know that maths standards have fallen and that that has coincided with a decline in the number of properly qualified maths teachers. He must also know that there is evidence that reading standards may have fallen, but the Government abandoned the national monitoring of reading standards in 1988 and cannot say whether they have gone up or down. Furthermore, it is simply untrue for the right hon. Gentleman to say that, for the first time, we shall have clear national information about what is happening to standards, when we were already receiving that information from the Assessment of Performance

[Mr. Jack Straw]

Unit, established in 1975—and abolished by the present Government in 1988, with the consequence that the monitoring of reading standards ceased.

Given the continuing confusion and continual changes in regard to the national curriculum, does the Secretary of State agree that he must now publish a comprehensive White Paper on testing in the national curriculum, setting out exactly what the Government expect of schools, pupils and teachers and how these changes are intended to raise standards?

From the retreat that the statement represents, is not it clear that our children and our schools have paid a high price for that near-lethal combination of doctrinaire intransigence and administrative incompetence which is the hallmark of the Government's education policies?

Mr. MacGregor: That is the biggest load of nonsense that I have heard in a long time. I am astonished at the attempts by the hon. Member for Blackburn (Mr. Straw) to build bricks out of air—[HON. MEMBERS: "Straw!"] No, there was not even any straw there.

Let me deal first with the points that the hon. Gentleman made about standards. When he spoke about maths standards falling, he entirely neglected the fact that assessments made between 1982 and 1987 showed that in a number of areas maths standards had actually improved. When he draws our attention to an area in which standards may have dropped, the hon. Gentleman does not mention all the areas in which they may have improved much more than they have dropped.

By constantly harping on the aspects that still need to be improved in schools—and, of course, improvements will always be necessary—the hon. Gentleman destroys the confidence of the many good teachers who are doing so much to raise standards. That is already happening with the national curriculum.

The hon. Gentleman mentioned reading standards, but the evidence in that regard is not clear; those who presented it described it as prima facie and not certain. We do not know whether reading standards have fallen in some cases, although I am taking steps to check the figures nationally. But, if they have—here I choose my words with care—it is nothing to do with teaching resources; it is to do with certain teaching methods introduced by socialist educational practices and philosophies. If there was indeed a decline earlier in the decade, it was due to that approach.

The hon. Gentleman is way off beam when he talks about a U-turn. We are introducing the most carefully prepared educational reforms that have been carried out for a long time: that is why the advisory body's pilot projects were undertaken. My predecessor, my right hon. Friend the Member for Mole Valley (Mr. Baker), said from the outset that the assessment of seven-year-olds would consist of a combination of external tests and teacher assessments. For the past two years we have been undertaking pilot schemes to ensure that we get the balance right. That was the whole point of the pilot project.

During the summer I said that I believed that the pilot schemes undertaken by agencies developing the tests showed that the system was overloaded. I could see that that was the case and I made that clear early on. However, big benefits have been gained from the pilot schemes, apart from our being enabled to reach these decisions. A great deal of work has gone into developing the tests, which we shall use for seven-year-olds within the national curriculum, and experience has been gained from the pilot tests.

The hon. Member asked about the cost of the scheme. Much of the cost of the schemes intended to be undertaken in schools next summer will be within their normal expenditure. Through specific grants this year I have supported a total expenditure of about £35 million for assessment in the coming year.

The hon. Gentleman's next question was about who will prepare and evaluate tests. The School Examinations and Assessment Council will now go out to tender to agencies to draw up the tests. The evaluation will be done by SEAC.

I am astonished that the hon. Member for Blackburn does not understand the link between the tests and the national curriculum. The curriculum is all about raising standards and extending the range of education. Assessment and tests will be linked with the development of the national curriculum in the particular subjects—English, maths and science—that we shall be testing next summer.

I confirm that we shall be doing national testing in the summer of 1991, for the first time. As the national curriculum develops I expect that we shall learn that some things need to be changed. The hon. Member for Blackburn shows an astonishing ignorance of how these things are done if he expects everything to be absolutely right from day one. We shall continue to develop on the basis of experience. The reason for carrying out the pilot tests was to learn from two years' experience before we tested nationally for the first time. We have concentrated the tests on certain areas, but we have not changed their nature.

The hon. Member asked about the specification that has been drawn up for developing tests, which will go to the agencies. It also contains information for teachers, although a great deal more information and training for teachers will be provided in the early part of next year.

I am simply astonished at the hon. Gentleman's charges this afternoon. We are carrying out precisely what we said we would do at the beginning: raising standards with national testing for all seven-year-olds as a basis. The tests have been based on the most careful evaluation of the pilot tests in the past two years.

Mr. James Pawsey (Rugby and Kenilworth): Is my right hon. Friend aware that his announcement will be widely welcomed by parents? Can he confirm that the tests will be sufficiently rigorous to ensure that any shortcomings in a child's education can be identified quickly? Does he agree that if there is a problem with a child's education the quicker that it is identified, the sooner it can be put right, to the benefit of that child's further education?

Mr. MacGregor: I agree entirely with my hon. Friend. That is one of the main purposes of assessment and testing. Yes, the tests will be rigorous, stimulating, imaginative and they will be external—the child will not see them in the classroom beforehand.

Above all, the tests will enable the teacher to assess the pupil's ability and to identify weaknesses, and they will enable the parents to know what level the child has

reached. It is a more systematic way of ensuring that children have the benefit of such an approach in all schools.

Mr. Simon Hughes (Southwark and Bermondsey): My colleagues and I welcome the Secretary of State's announcement, and his decision to abandon the more complex and unworkable proposals envisaged by his predecessor. This scheme is a great improvement. However, will not parents be much more concerned about what the tests show than the fact there are tests? Is not the reality that, in more than 10 years of Tory Government, standards in literacy and numeracy have fallen dramatically in many areas? Is not the key question what will be done about standards and resourcing education so that they rise, which is much more important than what sort of tests we have, although they will be helpful in proving just how badly off and badly educated some of our young people are?

Mr. MacGregor: I reject absolutely the charge that what I am doing is different from that which was envisaged by my predecessor. What he so rightly set in train were pilots and work done by specialists to develop the basic concepts of the national curriculum and to carry them through into testing. As a result of what they did during the summer, we have learnt that the way in which they were trying to develop the tests was too cumbersome. What they were doing, for example—this is very much a technical matter—was to ask the teachers in all the classrooms where pilots were undertaken this summer to start the children at level one, and if they passed that, to let them go on to level two, and then, if they passed level two, to go on to level three. The teachers know broadly the level at which children come in. Therefore, it makes much more sense to go straight to the level that the teacher thinks is right and then, if the tests prove that to be wrong, to drop back or to go forward. That is a technical point, but it led to overloading and to too cumbersome tests this summer.

That was my conclusion after studying the results of the pilots undertaken by the educational advisers. I reject absolutely the charge that what I am doing is different from what was envisaged by my predecessor. I am sure that he would have come to the same conclusion as I.

The hon. Gentleman must surely acknowledge that standards of literacy and numeracy and many other standards have risen sharply during the past 10 years. That is why many more children are taking GCSE and A-levels and getting better grades, and that is why many more young people are going into higher education.

Mr. Timothy Raison (Aylesbury): Is my right hon. Friend aware that his announcement most emphatically does not represent a retreat but a very important advance? Is he also aware that there is widespread appreciation of the great thoughtfulness and care with which he has approached the matter? That is crucial if we are to establish higher standards in British education.

Mr. MacGregor: I am most grateful to my right hon. Friend. He knows a great deal about these matters. I agree with him. I believe that this will strengthen the national curriculum because it concentrates the standard assessment tasks—the external tests—on subjects that really matter and which concern parents. It will enable teachers to carry out assessment in other subjects. I am sure that it is the right way to proceed. We have learnt from the pilots that were conducted by the education experts that the system was overloaded and cumbersome in the classroom. I believe that we have now got it right. That is the point of pilots and experiments.

Mr. Win Griffiths (Bridgend): I am sure that the Minister will be aware that teachers will greet his statement with a great sense of relief. Is there, however, any school in England or Wales in which the scheme that is to be adopted has been tested? What is to happen in schools where Welsh is the first language? I notice that the Minister of State, Welsh Office is here today. Are we to have a brief statement from him about that? Many parents in Wales will want to know what is to happen.

Mr. MacGregor: During the summer I talked to large numbers of teachers, including those doing the pilots, and found that there was a warm response to the tests. They felt that the tests had been imaginatively developed. We shall be building on them for the full national testing next summer. The tests already carried out have resulted in a positive benefit, and we shall build on them. The teachers found themselves in difficulties because there were too many tests. Overloading was the real problem. Among other things, it made management of the classroom during the period of the tests very difficult. That is what the teachers, including the National Association of Head Teachers, came to talk to me about.

We have all been evaluating the pilots. I repeat again that that is the point of pilots. During the past year we have tested the tests. On that basis, we can test the pupils next year. During the summer the teachers dealt with this admirably and did everything that they could to make sure that the pilots were worth while. Therefore, I am sure that they will welcome the statement that I have made today.

As for the hon. Gentleman's question about the Welsh language, the standard assessment task material to assess Welsh in Welsh-medium schools will be available to teachers next year, but the first statutory requirement to assess the language will be in 1992.

Sir Rhodes Boyson (Brent, North): I welcome the Secretary of State's statement. I am sure that an overwhelming number of teachers will welcome this simplification. They are worried about the layer after layer. This is, therefore, a sensible proposal.

My right hon. Friend's statement was admirably short. Let us hope that the examinations will also be admirably short. We are talking about a week and a half. The much-maligned 11-plus took one morning. I do not see why the examinations cannot be carried out within a day, or half a day. I hope that my right hon. Friend will consider cutting the time down even further.

I have considerable sympathy with teachers who feel that if one called a meeting of six classroom infant school teachers and six infant school heads, chosen at random from a list of teachers, and brought them together for a day, they could solve all these difficulties by drawing the tests up themselves, instead of leaving it to the educational establishment which did so much to destroy standards and which is still playing around with all these wrong ideas.

Mr. MacGregor: I am grateful to my right hon. Friend for his opening remarks. We are being very thorough over the tests for children aged seven. We are testing a wide range of knowledge, skills, understanding and practical

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application. Children will be tested individually. Most of the tests will be written tests. Reading tests have to go far beyond one and a half weeks. They have to be done individually with each child. There will be a thorough and wide range of tests. It will be impossible to carry them out in half a day.

Teachers have been involved in drawing up the tests. The tests that have been carried out up to now were used in some local authorities but not in others. They did not apply to the whole of the national curriculum. It was necessary, therefore, to build on them in order to develop a wider range of tests for the national curriculum. I hope that my right hon. Friend will find that the tests are practical and rigorous. The tests will be external and I am sure that they are the kind of things that he would want us to do.

Mrs. Rosie Barnes (Greenwich): I welcome the proposals for testing seven-year-olds, so long as they are carried out sensitively and constructively and are never used to brand such young children as failures. However, the purpose of the tests is to identify specific needs—both strengths and learning difficulties. Unless we can be reassured that adequate resources will be made available to meet those identified needs, the tests will not be worth while. At the moment many children who have been identified as having special needs—I include children with strengths as well as those with difficulties—have to wait far too long for far too little.

Mr. MacGregor: The whole point of testing at seven is to summarise for parents and teachers the stage that a child has reached at the end of its time at an infant school. It will enable teachers to assess weaknesses and the areas in which further work needs to be done with that child. Children will be graded at different levels. It is a process of, among many other things, identifying special needs.

Sir Michael McNair-Wilson (Newbury): I welcome the simplified tests, but does my right hon. Friend think that they will have an effect on the way in which the national curriculum is taught at primary stage in schools? Does he agree that at present the national curriculum gives children a broad level of information instead of concentrating on basic skills? Will not these changes inevitably mean, therefore, changes to the way in which the curriculum is introduced?

Mr. MacGregor: The national curriculum is all about obtaining a broader range of knowledge and skills from the age of five to 16. I believe strongly that that is necessary if we are to have an education system for all our children relevant for the 1990s and beyond. A broad range of skills and the understanding and knowledge of practical application are all important. My announcement about concentrating the external tests on the basics—reading, writing, arithmetic and basic scientific skills—means that the tests will deal with matters about which parents are most concerned.

Ms. Mildred Gordon (Bow and Poplar): The Secretary of State spoke of testing as a method of improving standards. It is teaching which improves standards, not testing. The time spent in testing is time taken from teaching. I do not believe that there is a school in the country where children are not regularly tested so that the teacher knows how well they are absorbing what is being taught. There is a case for trying to standardise tests, particularly in mathematics, but does the Secretary of State agree that when devising the tests it must be remembered that a child who is allowed to play with balancing apparatus at an early stage will understand quadratic equations easily later on, but may not do well in formal arithmetic tests, which will be no prediction of future standards or ability? Does the Secretary of State agree that the tests must be——

Mr. Speaker: Order. I am sorry to interrupt the hon. Lady, but will she ask her question because there is an important debate after this?

Ms. Gordon: Does the Secretary of State agree that it is important that the tests take into account cultural differences, class differences and ethnic minority differences so that the results will not be unfair? Does he agree that the external aspect of testing can be very damaging to children aged seven? It can destroy the self-image of many children who are not able to succeed. The tests must be devised so that children can succeed, because success lays the pathway to future improvement in education.

Mr. MacGregor: It is important to have assessment and testing at the ages of seven, 11 and 14 as well as at 16. It is important so that teachers can assess the progress of the child, so that parents can know what is going on and so that, nationally, we all know the progress that is being made. Therefore, I make no apology for introducing tests and assessments at seven, 11 and 14. There will be a wide range of ways in which the assessment is made. The reaction from the majority of the teaching profession to the national curriculum and concept of assessment has been very favourable. We are introducing a systematic means of checking what children have learnt, checking the results and assessing their progress.

Several Hon. Members *rose*——

Mr. Speaker: Order. I must have regard to the important Public Accounts Committee debate that will take place immediately after this statement. I understand the importance of this subject and I know that many hon. Members wish to participate. If they are brief, I hope to be able to fit them all in, but I shall have to stop questions to the Secretary of State at 5.10 pm. Therefore, I ask for brief questions now.

Mr. Harry Greenway (Ealing, North): I welcome the clear guidelines for testing at seven set out by my right hon. Friend. I wonder whether Members of Parliament would achieve good scores if they were allowed to take the test. I should like to ask two clear questions——

Mr. Speaker: Order. How about asking one question? That will give other hon. Members a chance.

Mr. Greenway: Will the test include the spelling of words learnt phonically by children? That will be important. Is my right hon. Friend aware that if teachers are to be asked to spend one and a half weeks testing, it will have serious implications for staff time? They will need help and someone to take the class while they are doing the testing. What will be done?

Mr. MacGregor: Yes, spelling is included. It is one of the eight attainment targets outside reading. On my hon.

Friend's second point, testing will be one and a half weeks carried out over three weeks. We believe that that is manageable.

Mr. David Trimble (Upper Bann): I and my colleagues also welcome the Secretary of State's statement. We welcome the reduced scope of the tests which will make them more manageable for children and reduce the heavy load on teachers. I see that the assessments will be introduced in 1991. Will the tests come into operation in Northern Ireland in 1991?

The Secretary of State is referring to national assessments and one wonders sometimes to what nation he is referring. Statements of this nature should be made on a United Kingdom basis, not just an England and Wales basis. The Parliament of England and Wales went out of existence nearly 300 years ago.

Mr. MacGregor: As the hon. Gentleman knows, I am responsible for education in England. I shall check up on the points he has raised and ensure that my right hon. Friend the Secretary of State for Northern Ireland gets in touch with the hon. Gentleman about it.

Mr. Nicholas Bennett (Pembroke): Is my right hon. Friend aware that his positive statement with its emphasis on diagnostic testing of pupils and improving quality and standards contrasts with the destructive and negative attitude of the hon. Member for Blackburn (Mr. Straw)? It is the same negative attitude that the hon. Gentleman and his colleagues exhibited a few months ago when they repeated the allegation—now proved to be untrue—in the National Union of Teachers' advertisements about the quality of our schools which did a great deal to damage morale among teachers.

Mr. MacGregor: I agree with my hon. Friend.

Mr. Max Madden (Bradford, West): Can the Secretary of State say what consideration, allowances or weighting will be given to children of seven who take the test but whose first language is not English and to teachers whose first language is English?

On the point raised by my hon. Friend the Member for Bow and Poplar (Ms. Gordon), unless these matters are dealt with in an extremely sensitive way, there is a danger that both children and parents will have their self-esteem damaged. I suspect that some of this may be connected with the recent statement to allow first and primary schools to opt out. If children and their parents become greatly dissatisfied, there will be pressure to opt out of the maintained system.

Mr. MacGregor: This has nothing to do with my recent announcement about extending the option of grant-maintained status to all primary schools. That stands supremely on its own merits. On assessment, the hon. Gentleman should recognise that the approach of the national curriculum is that children reach different levels of attainment in different age groups. Some children will reach a certain level at a different time from others. Next summer, in the assessments at seven, there will be three levels—first, second and third. The point is to show parents and teachers what level a child has reached in a certain subject. It may vary from subject to subject. It will show what needs to be done to help the child move to the next stage. It is a means by which a child can assess its own progress.

Mr. George Walden (Buckingham): Will my right hon. Friend give me an absolute assurance that the levels of attainment in the tests will equal or surpass those achieved currently in the best systems on the continent? In other words, can he assure me that this will not prove to be another example of the insular complacency that has afflicted our system? If he can give me that assurance, will he explain how it will be achieved, given that on the continent there is a far more advanced and extensive system of nursery education? At the end of the road, whether it is mathematics or English, we want A-levels. Although we have confidence in the Secretary of State, we do not have confidence in the education industry. That is why vice-chancellors are saying that they will need a fourth year at university for mathematics and it is why A-level English is being diluted, despite my right hon. Friend's assurance to the contrary.

Mr. MacGregor: It is my intention to ensure that we have rigour in the tests. Although it is a different approach from some that take place in other countries, I am determined that we should achieve that rigour. On nursery education, my hon. Friend will know that we start full-time compulsory schooling at an earlier age than most countries in the European Community. That must be taken into account.

Mr. Rhodri Morgan (Cardiff, West): About five minutes ago the Secretary of State said that over the past 18 months he has been testing the tests. Will he also accept that he has been testing the practicality of the dafter ideas of his predecessor, now the chairman of the Conservative party, whose tests and practicality have been found severely wanting? Will he accept that the longer his predecessor stays as Conservative party chairman, the happier we will be, since he cannot do any damage to the nation's children or to us?

Mr. MacGregor: That is nonsense. My right hon. Friend had the good sense to ensure that we ran pilots before setting up a national testing arrangement. We did two years of evaluation, from which we learned much. It is to my right hon. Friend's credit that he set up a system under which we now have the most careful preparation for radical education reforms that I can recall. The hon. Gentleman misses the point of testing tests and evaluation in a small number of primary schools before we go national.

Mr. Andrew Mitchell (Gedling): Will my right hon. Friend bear in mind the two great tests that his statement has passed? First, it will give parents an answer to the objective question "How is my child doing in school?" and, secondly, he has clearly listened and responded to the hard-working and professional teachers, who have given him and his colleagues advice on how to handle this matter. He has shown that he has heard them and has been able to agree with their professional judgment.

Mr. MacGregor: I am grateful to my hon. Friend.

Mr. Seamus Mallon (Newry and Armagh): Does the Minister agree that testing is educationally sound if it establishes a child's problems and allows remedial action to be taken? Testing can be bad if it is done simply to fill files and, in many cases, to act as PR material for a school

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or school authority. Will the Minister insist and be emphatic that these tests will not be allowed to be used as PR exercises by a school or education authority?

Mr. MacGregor: I agree that one of the points of assessment at seven is to enable evaluation of the child, his progress and the areas that must be tackled because he is showing weakness in them. Equally, it is perfectly reasonable and right—indeed, I would encourage it—for schools to state, if they wish to do so, and we are not making it compulsory next year, what they are achieving in terms of assessment. Two matters are important in helping to raise standards: first, greater choice, which we are achieving under several of our other reforms and, secondly, comparative performance and encouraging schools that perhaps are not doing as well as others to follow schools that are. That is achieved by showing what is going on in the school.

Mr. Michael Jack (Fylde): Will my right hon. Friend confirm that the children who undertook the pilot tests enjoyed them and found them useful? How does he propose to adapt the testing procedures to schools which deal with children who have special learning difficulties but which are also applying the national curriculum to their work?

Mr. MacGregor: My hon. Friend's second point is obviously for experts on the subject and I look to SEAC and the agencies it uses to assist with that. It was clear that teachers and pupils found the individual tests stimulating. It was important that they were rigorous, but they found them stimulating. The problem was that there were too many tests.

Mr. Tam Dalyell (Linlithgow): As I have been a weekly columnist for the *New Scientist* for 23 years, will the Secretary of State accept that among the scientific community there is sceptical curiosity about testing at seven for basic scientific skills? If John or Jane aged seven seem to fall down on the testing of basic skills in science, what happens? Does anybody try to help them? Do we have the resources to try to help them or is there a danger of simply breaking their hearts and doing nothing about it?

Mr. MacGregor: The purpose of testing is the exploration of science and scientific concepts at a level appropriate for seven-year-olds. I have seen some very good work being done in schools. Criticism has been made that we have not had enough scientific teaching at the appropriate level in our primary schools, just as we have not had enough technology teaching in the past. That is a valid criticism. We are making great improvements and the scientific community welcomes the fact that such heavy emphasis is placed on science in the curriculum.

Mr. Jacques Arnold (Gravesham): I welcome the concentration in my right hon. Friend's announcement on the three Rs, which is precisely the subject of parental concern at present. Will he ensure that the results of testing are issued in a manner that parents can understand by cutting out the education jargon that afflicts so much of these reports? We should bear it in mind that the very parents who will be reading the reports are those who had trouble with the three Rs in the first place.

Mr. MacGregor: By no means always, but I agree with the main point that my hon. Friend is making. One of the dangers of the education world is that it is riddled with technical and educational jargon. It is extremely important that reports to parents are written in clear language and in a way to which parents can respond. I share my hon. Friend's concern and will try to ensure that happens.

Mr. Bob Cryer (Bradford, South): Will these arrangements apply to the private sector, or will Tory Members' children be exempt from the provisions of testing, as they are exempt from the provisions of the national curriculum? How will he prevent the seven-year-old examinations being turned into a seven-plus procedure, with all the accompanying difficulties for the children involved? Would not it be better, rather than lavishing millions of pounds on this system, to lavish millions of pounds on more teachers to get smaller classes, because that is the only way that we shall achieve better standards?

Mr. MacGregor: Parliament decided, as the hon. Gentleman knows, that independent schools should not be brought within the national curriculum. There is pretty rigorous testing in many independent schools at various ages. As I have made clear many times, I hope that more and more will use the national curriculum.

Mr. Cryer: They do not have to.

Mr. MacGregor: No. Under the legislation they do not have to do so, but I believe that more will wish to participate fully in the national curriculum and I will welcome that.

Mr. James Paice (Cambridgeshire, South-East): May I welcome my right hon. Friend's concentration on the three Rs but particularly concentrate on reading? Will he assure me that the test will be sufficiently diagnostic that it will detect children suffering from dyslexia so that they are not branded as backward in reading and writing? It is of particular importance because I am afraid that a number of teachers do not accept that such a condition exists.

Mr. MacGregor: I do not think that that will follow entirely from the assessment at seven, but the assessment of reading will detect children who continue to have reading difficulties, and it will do so on an externally assessed basis. In other words, the tests will be external. That will enable the teachers to identify children who have reading difficulties, which obviously they will be able to do in many other ways.

Mr. Peter Fry (Wellingborough): I congratulate my right hon. Friend, who has scored a great victory for common sense in his proposals. Many of us will see it as a victory over that part of the education establishment that seemed determined to undermine the Education Reform Act 1988. May we hope that in future announcements on tests he will follow the same policy as he has in today's statement? Will he consider the amounts that we pay those in the education service who advise, write and talk but do not teach, and concentrate more effort in the classroom, where the money is needed?

Mr. MacGregor: I have been evaluating carefully and discussing testing with many people. I have been evaluating the reaction of teachers who have been conscientiously doing the pilots. I have been discussing for

some time with my official advisory body, the School Examinations and Assessment Council, and others what lessons we had learnt from the pilots and what decisions I should take. I believe that the decisions that I have taken, based on the advice of the School Examinations and Assessment Council, which is responsible for carrying this through, are absolutely right for the national curriculum. They will ensure that the national curriculum is carried through as we wish. They concentrate on the basics, which is important at the age of seven, and, for the first time, introduce across the country the concept of external tests. That is why I am grateful to my hon. Friend for the remarks that he made about the decisions that I have taken this afternoon.

Mrs. Edwina Currie (Derbyshire, South): As a former teacher, I congratulate my right hon. Friend on his statement. It is good news that we are to make progress on testing in 1991. If we are to have a proper compulsory national system of testing of children, with a view to helping those in difficulties and raising overall standards, why cannot we have a proper compulsory national system of testing teachers, with the same objectives?

Mr. MacGregor: I have made it clear that I believe that teacher appraisal is desirable. I am trying to put in place a national framework for teacher appraisal. I do not think that it is right at the moment to move to statutory, compulsory, obligatory appraisal systems in every school, for the simple reason that the key priority at the moment is to get the national curriculum in place and to make those reforms work. I have been conscious of the hard work that many schools are doing in that respect. I do not want to overload the system at a time when we must make the national curriculum work. Many schools have been carrying out appraisals, and I have encouraged that.

Mr. Alistair Burt (Bury, North): Will my right hon. Friend assure the House that he will reject the calls of those who wish individual tests for children to be made so variable, for a variety of reasons, that children's weaknesses may not be exposed or may be excused? Unless children have objective targets at which to aim, whatever their backgrounds may be, we will be selling them short. Will my right hon. Friend make it clear to parents and teachers that these tests are only one way of looking at a school, that many other components make a good school and that tests should be seen in the context of whatever else is done in a school? Teachers must recognise that tests are important, but parents must also recognise that there are other components on which to make a judgment.

Mr. MacGregor: I entirely agree with my hon. Friend. The whole point of introducing these external tests is to get the right balance between teacher assessment and external tests. The external tests bring in rigour and uniformity and give parents a much greater guarantee about the progress being made on the basics. It is important to strike the right balance, which is what I think we are doing. I agree with my hon. Friend that many aspects in a school are relevant to a school's performance, as well as what we have been talking about this afternoon.

Public Accounts

5.11 pm

Mr. Robert Sheldon (Ashton-under-Lyne): I beg to move,

That this House takes note of the 34th to 41st Reports of the Committee of Public Accounts of Session 1988-89, of the 1st to 32nd Reports of Session 1989-90, and of the Treasury Minutes and Northern Ireland Department of finance and Personnel Memoranda on those Reports (Cm. 963, 964, 1057, 1101, 1150, 1235 and 1247) with particular reference to the following Reports:

1988-89

Thirty-sixth, Further matters relating to Northern Ireland;

1989-90

First, Financial problems at universities;
Sixth, Sale of rover Group to British Aerospace plc;
Thirteenth, Ministry of Defence: Further examination of the Sale of Royal Ordnance plc;
Sixteenth, Financial Management in the National Health Service;
Thirty-first, Quality control of road and bridge construction.

The last public accounts debate was a little less than a year ago. We are moving to a tradition of holding over the debate for the overspill of the Session or shortly afterwards. The last motion referred to 48 reports; this time there are 40 reports and eight Government replies. We have chosen a few reports to highlight to which special attention should be drawn, although obviously many others will be mentioned during the debate.

My first task is to thank members of the hard-working Public Accounts Committee. Two Members no longer serve on the Committee. The first is Ian Gow, whose absence we greatly deplore. He carried out incisive questioning and was a valuable member of the Committee. All members of the Committee regret the occurrence that led to his departure from the Committee and the absence of his wise counsel during our investigations.

The other Member who is absent from the Committee is my hon. Friend the Member for Motherwell, North (Dr. Reid). Like so many others, he has been moved to the Opposition Front Bench. A large number of Opposition Members on our Committee have moved to the Opposition Front Bench—my hon. Friends the Members for Wrexham (Dr. Marek), for Glasgow, Cathcart (Mr. Maxton), for Huddersfield (Mr. Sheerman), for Redcar (Ms. Mowlam), for Normanton (Mr. O'Brien) and for Rhondda (Mr. Rogers). It looks as though the Public Accounts Committee is fulfilling, on the Opposition Benches, the role that the Government Whips Office fulfils in recruiting to the Government Front Beench. This is a compliment and we value it, but we face some difficulties in finding replacements.

I welcome the Financial Secretary to the Treasury. He is always welcome. The roles of the Treasury and the Public Accounts Committee have several similarities. We are both anxious to get value for money and to ensure that taxpayers' money is used properly. We are grateful to the right hon. Member for St. Albans (Mr. Lilley), who left the Committee in the last reshuffle.

The most important aspect of the Committee's work is unanimity. During the time I have had the privilege of being Chairman, there have been well over 300 reports, and every one has been unanimous. It is an enormous advantage to have unanimity. The Government have to take note of our reports, because hon. Members have

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come to identical conclusions. Our reports are not mushy. Some Committees can produce unanimous reports because they sink their differences in the ambiguity of wording. Members of the Public Accounts Committee are outspoken at the beginning of our discussions and at the end.

Unanimity is crucial. It comes from our respect for the taxpayer. We do not produce partisan views when we question witnesses and discuss reports. We have the enormous advantage that we do not look at policy. We take policy for granted, however much personally we may object to it. Policy is laid down. We want its economic, efficient and effective implementation. I have been pleased to see the large amount of work that my colleagues put into investigations. That was not always so. I am grateful for the investigations by my colleagues into certain matters, rather surprising the National Audit Office and me with their thoroughness.

The National Audit Office and the Public Accounts Committee are very much a partnership these days. The Committee depends on investigations by the National Audit Office, based as they are on detailed investigation of Government papers and accounts. We build on them with evidence from accounting officers and then produce reports for the House. Treasury minutes respond to our reports. We welcome the new form of Treasury minute, whereby each of our recommendations is followed by a response from a Government Department via the Treasury. Under the National Audit Act 1983, the Comptroller and Auditor General has complete discretion in the investigations that he undertakes. There is discussion with the Committee and our views are inserted in reports. We hear well in advance of matters that will be investigated.

I thank the Comptroller and Auditor General and his staff. The office has undoubtedly improved enormously since the days of the Exchequer and Audit Department. Previously, there were civil servants trying to be auditors; now, there are proper auditors. In fact, one of our problems is that the auditors have become so good that the City and other private enterprises want to take many of them. Because of the different rates of pay, a number of people leave the National Audit Office. However, because of interest in the job, its importance and the initiative that staff are allowed, we are able to retain people despite the rather lower levels of pay. We are grateful to them for all they do. We have meetings at the National Audit Office to see how they are progressing. The Public Accounts Committee is always a critical Committee, so we cannot be filled with uncritical admiration for them. Nevertheless, we are filled with admiration for the way in which they carry out improvements.

The Comptroller and Auditor-General for Northern Ireland, Bill Jack, and his staff, do a valuable job. I have chosen the Northern Ireland report as the first one to mention. I do not think that we have given it enough attention in our Committee debates. I am glad to see some Northern Ireland Members here, and I hope that they will comment in due course. The CAG for Northern Ireland makes his reports separately from the appropriation accounts, but there are some reports from the appropriation accounts. We do not have to wait for an annual publication, as reports are now published twice a year.

We also thank Treasury Officer of Accounts, John Beastall, and his Northern Ireland counterpart, John Dowdall, for their attendance at our sessions, and the accounting officers who come to give evidence. We are very much aware of the amount of time that they give in coming before us to give evidence. We know that they take their responsibilities in this seriously and that reputations can be made and —I hope rarely—unmade as a result of their failures or—which is far more common—their successes in dealing with public money.

The 36th report of 1988-89 is entitled "Further matters relating to Northern Ireland". Typically, we have about two investigative sessions a year and look at six or seven matters concerning Northern Ireland. I will concentrate on one matter, but to bring it into perspective, I will mention some of the matters that we have considered previously.

The most important was the De Lorean investigation some years ago. It led to our appreciation of the work done by the Northern Ireland Comptroller and Auditor-General. That report was fully up to the standard of anything that we have produced and led to some important matters. The Committee investigated the way in which the money was disposed of, which led to other interesting aspects.

We did not take evidence from either of the Ministers involved. Under the Labour Administration, one Minister started the whole process, and under the Conservative Administration, the other Minister gave substantial sums. The question was whether we should have them before us. I thought that it would be wrong to do so, and I still think that.

Under normal circumstances, we have the enormous advantage of looking at the issue, although we do not, of course, disqualify ourselves from hearing evidence from Ministers in future. However, when a Minister comes before us, personalities will play their part. Even more importantly, the Minister who started the process would be able to claim that it had not been continued in the way that he would have wished and the Minister who was involved at a later stage would say, "If only I had been there at the beginning, I would have handled it differently." We must avoid such a situation.

The person who always comes before us is the accounting officer of the day. He or she may be new to the post, but he or she holds the responsibility for the Department in the same way that the Financial Secretary will be responsible for his reply. Although he is fairly new to his position, I am sure that his reply will be interesting and we look forward to it. Our system provides the continuity of responsibility without which we could not sensibly operate. We have responsibility not for the people who come and go, but for the Department itself, so we are able to carry out proper investigations.

The De Lorean report led to various other matters, one of which was the role of the nominee directors. We found that there were nominee directors at a time when money was being passed over from the United States. We asked the Treasury what the role of a nominee director was and we had to wait an inordinate time for the answer. I cannot recall the exact time, but I know that it was six months or longer before we found out the answer.

Once one has raised such questions, one starts to wonder what the nominee directors are doing. There are a

number of them in various industries. The Government appoint them and a nominee directorship is regarded as a bit of a perk in some quarters. One has to have someone quite good in the job, but one does not think of them as having the responsibility to inform the Government when things are going wrong, as they may often do. The rather light-hearted approach became a far more serious investigation and led to a further report.

A couple of years ago, we investigated road accident compensation. We found that pavements were being dug up—or something was happening—and that people were tripping over. Most of us have had a constituent who has made a claim after tripping up, but I can recall only a handful of such cases. Yet we found that in Northern Ireland there were streets in which there was a claim in almost every house. The following year, we asked how it was going, and we found that matters were worse.

Not so long ago, such matters were put out to private insurers. They thought that they could do a better job themselves, but they found that they were spending far more money on the claims. In one sense, it was not their fault, because the courts decided the amount of compensation. However, it is the responsibility of the Department of the Environment in Northern Ireland to ensure that the roads and pavements are kept up reasonably so that claims do not arise. We know about the problems in Northern Ireland as our colleagues tell us about them. We are also aware of them from the unfortunate statements that come all too frequently.

We understand that there are particular difficulties, but people in Northern Ireland, rightly, want the maintenance of the same standards that we expect in the rest of the United Kingdom. We do not make concessions on that, and it would be wrong to do so. I am sure that the Northern Ireland people feel the same as we do.

I want to refer again to the 36th report from 1988-89. In 1973, it was decided to promote a nursery to grow shrubs and plants for housing estates. That was a sensible proposition, as every housing estate needs plants and shrubs, and flowers would be needed for events such as lord mayors' functions. That happens in many local authorities in Great Britain.

It was decided that, instead of buying plants from outside, the nursery would grow them. The stock had to be valued at the end of each year and it was thought that as plants grow, they tend to be worth rather more at the end of each year than they are at the beginning. An average valuation of a 10 per cent. increase was put on each plant and shrub.

In March 1982, local government queries were raised and it was pointed out that plants vary. Some plants do not grow well, whereas others grow considerably and become far more valuable. A range of increase for each plant and shrub from about 10 per cent. to 40 per cent. was settled. Those that had done well would have an increase of 30 per cent. or 40 per cent. and those that had not done as well would have an increase of only 10 per cent.

Each year, the value of the small stock grew until it reached £570,000 in 1985. I am surprised that it did not happen earlier, but at that stage, several people began to find that a surprising figure. The nursery seemed to be a real profit centre. If it was doing so well, why did it not abandon the rigorous control of discretionary purchases and spend a little more on armchairs, desks or whatever? It was then decided that there should be an independent valuation, because £570,000 seemed such a large amount. An independent valuer was called in and valued the £570,000 of stock at £45,000. The problem was that people thought that the nursery had done well, but it had not.

The report says that the local government auditor was informed about the need for a more realistic stock valuation system. That was in place until the production of the figure of £570,000.

In question 4196 I asked:

"As a result of this over-assessment of the value of the stock what decisions were made which should not have been made? Was any expenditure incurred, for example, because they thought they were doing so well in making substantial sums of money?"

Obviously, that must affect the way in which the operation was carried out.

In the end, because of the difficulty of separating the fresh purchases from the old, it was decided to abandon the scheme. Sadly, people were dismissed. If it had been properly managed, it might well have been cost-effective.

In paragraphs 4 and 5 of the report, we say:

"It is clear that if at any time the Division directly responsible for the nursery had taken stock, or if the Finance Division had properly verified the figure for stock, the disparity between book and actual values would have immediately become apparent. We asked therefore why both Divisions failed to carry out these essential procedures and the Department replied that neither Division had sufficient knowledge of what was involved and that it could neither excuse nor justify these failures."

In paragraph 5 we say:

"We are astonished".

That is a word that I cannot ever recall using. The Public Accounts Committee's language is always restrained. We have a schedule of adjectives which has never gone as far as that. We understate. We are not putting people in the dock in order to sentence them to some horrible end; we are trying to improve the administration. That is crucial. Our task is to hear the evidence, not to indulge in attacking witnesses as they come before us.

I am reminded very much of the congressional system of inquiry, which many of us will have seen, where the chairman bangs his gavel and says that he has heard enough. It is easy to intimidate witnesses. That is not what we try to do. We try to discover the facts and to improve the administration. Nevertheless, in this case we had to say:

"We are astonished by these admissions and the confirmation that those responsible failed over a period of many years to carry out their fundamental duties."

Mr. Seamus Mallon (Newry and Armagh): The first parliamentary question that I tabled on my election here was on that very matter and I have a growing—if I may use that word—interest in it. The reality is that the dogs in the streets of Northern Ireland, even those visiting some of the trees, knew that something was wrong. That was drawn to the attention of Ministers here and the Housing Executive board, yet the matter was not finally dealt with until it was considered by the Public Accounts Committee, and that aspect of the matter still disturbs me.

Mr. Sheldon: I accept that the matter should have come to the Public Accounts Committee much earlier. It was only because of the Housing Executive's failure to undertake the sort of work that it should have done that prevented that happening.

In paragraph 8 we say:

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"The C&AG referred not only to indadequate provision for plant deaths and the appreciation of non-existent stock as causes of the deficiency, but also to the unsatisfactory state of the nursery's stock records"—

which does not surprise me—

"and the lack of control over the issue, receipt and custody of stock."

We go on to say in paragraph 10:

"We deplore the absence of basic, essential controls on the issue, receipt and custody of the nursery's stock and we note that it is probable that further, unquantified losses were incurred because the nursery was not cost-effective."

This is not a large sum of money in the national scene, but we often consider smaller matters because they highlight the way in which we should approach such problems.

In the end, because of the difficulty of separating the fresh purchases from the old, the sale price was much less than the valuation of £45,000. We could not find out exactly, because the records were not as good as they should have been. I went into the matter diligently, because I thought that it would be useful to discover how much of that £570,000 was returned in the sale. It was almost certainly less than £30,000, and it may even have been as little as £3,000. I have no knowledge of that, but it was certainly much less than the valuation, that we know.

The nursery has now closed down, but what happened is a warning not to ignore any aspects of one's work, even though they may not be central. They must all be made subject to the same kind of control as the larger and more important areas.

Rev. Martin Smyth (Belfast, South): I accept the right hon. Gentleman's argument. Does he agree that, since the Comptroller and Auditor-General does not get the books until much later, he does an excellent job in the circumstances, and that that supports the argument that we have sought to lay before the House—that a Select Committee is needed to scrutinise at an early stage the different Departments' work in Northern Ireland?

Mr. Sheldon: I have no comment to make on that. My task is to take the policy for granted and to ensure that it is carried out in the most efficient, effective and economic manner.

That is our report, and I am sure that it was well received by those who wanted to see the problems of Northern Ireland brought into line with the situation in the United Kingdom. However, Northern Ireland is not alone in such misjudgments. I am sorry to say that we have a fair number, some of which I shall refer to.

The most important aspect of this is that we do not view with great pleasure the examination of matters which come before us where it is felt that inadequate action has been taken. As I said before, our task is to improve matters for the future.

Mr. Michael Latham (Rutland and Melton): The right hon. Gentleman may be about to stress this, but in view of what he said about the Committee's careful language, which is absolutely right, it should be placed on record that the accounting officer himself in this case said, "They are appalling cases."

Mr. Sheldon: There is no question about that. We had the full support of the Departments in Northern Ireland. They learn a great deal from our work. A good accounting officer will usually welcome our investigation in so far as it justifies the action that he or she would wish to see in improving their own financial management. It is the kind of co-operation which we most importantly welcome, because it is that which leads to action being taken. If that were not the case, I am sure that we should be more extreme in our language. Government Departments have an interest in trying to improve the effective use of public expenditure; that is why they co-operate with us even though we may disagree, as we do strongly in a number of aspects.

The first paragraph of our first report 1989-90 entitled "Financial problems at universities" says:

"Following reductions in Government grant in the early 1980s, our predecessors in Session 1985-86 noted that continued financial constraints were expected to present universities with serious problems. This underlined the importance of sound financial management and the need for a review of the responsibilities of the University Grants Committee".

In paragraph 2(a), we say:

"We are greatly concerned at the serious financial mismanagement at University College, Cardiff in the period up to 1987. The breakdown of financial control, the attitude of those charged with proper stewardship of its funds and the disregard of proper procedures brought a major academic institution to the verge of insolvency."

That is most serious.

Paragraph 2(d) states:

"We believe strongly, however, that the UGC should have taken earlier and more positive action to identify, appraise and tackle the financial difficulties at Cardiff. They were well aware of the difficulties facing universities as a result of grant levels; and indeed they assured our predecessors that they would be discussing with universities exactly the sort of staffing problems that lay at the heart of Cardiff's troubles. We consider that they took too passive a role in concluding that they were unable to challenge the College's view that no staff reductions were necessary and that there would be no consequent financial problems."

In paragraph 2(e), we stated:

"We believe that the UGC's information systems left them too much in the dark about developing problems at universities; and we are concerned that their failure to take decisive action in the initial stages allowed the financial and other problems at the College to become more deeply entrenched and added to the eventual cost of rescuing it from insolvency. We also consider that the UGC made an error of judgment in not reporting these problems to Parliament in their annual survey at the first available opportunity."

In paragraph 2(g), we stated:

"we welcome the establishment of the new Universities Funding Council, with an expanded role, a more positive remit and greater powers and responsibilities."

In paragraph 2(h) we state:

"We expect the Council quickly to build up the planning arrangements, financial management and information systems, and the capacity for monitoring and analysis which are essential for the effective allocation and oversight of the grants to universities."

That is really the point. We found that there was a failure to get the financial management and information systems into place. There was not the monitoring or analysis that we believed was essential for the proper allocation and oversight of grants to universities.

We understand the severe problems and the reason why the Universities Funding Council involved itself rather less than it might have done. The council was conscious of the need for academic interference to be reduced to a minimum, but there is a difference between that and having responsibilities to ensure that universities are financially solvent and financially able to deal with their affairs. The council should be aware of that.

What is the point of a Universities Funding Council which does not know when a university is in trouble before that arises? After all, the council is giving grants and handing out money to universities. It should not hand out money without knowing what universities are doing.

In a subsequent investigation, the report of which has been published but is not before us today because we have not had a Government reply, it is clear that the funding task of the Universities Funding Council must be tied in with a knowledge of what is happening so that it at least can take action and perhaps tell a university that it needs more money or that it should be taking advice on how to reduce its commitments. We know that universities are in a tight financial position; speaking as an Opposition Member, I would have something to say about that, but that is not the role of the Public Accounts Committee. It is up to the Universities Funding Council to take the requisite action. We will consider that report in due course.

I want now to consider the sixth report of the Public Accounts Committee, entitled "Sale of Rover Group PLC to British Aerospace PLC". We have produced an interim report and we have not dealt with all the matters. We learned that, in 1975, Rover was facing bankruptcy and was taken into public ownership. In August 1988, the Government sold the 99·8 per cent. which they held to British Aerospace for £150 million after provision of £547 million in the light of Government debt and investment programme.

We examined the Department of Trade and Industry and its financial advisers, Baring Brothers, and we have produced an interim report which deals simply with the facts as we saw them. We are going to set out our conclusions and recommendations in a further report. All I intend to do now is to pose a number of the questions to which we hope to append conclusions after the Select Committee on Trade and Industry has completed its examination and we have taken the matter further. The questions are posed from our interim report.

Why was there not acceptance of competition to get the best price? That is obviously a matter of particular importance for the Public Accounts Committee, whose task is to get the best price in all privatisations or sales of Government assets so as to protect the taxpayer. There were four expressions of interest to control the Rover assets—from Ford, Volkswagen, Lonrho and Melton Medes. We asked the DTI why it decided that there would be no competition and that British Aerospace would have certain advantages at the beginning in examining and deciding whether it wanted to take the company over for a negotiated price.

We asked why

"the threat posed by competition more than outweighed the benefits of a limited competitive tender of the kind that they and Barings had initially been in favour of."

The Department replied that it

"recognised the advantage of competition in giving a benchmark against which to measure prices, but had concluded that a public auction would be damaging to the Company."

On that basis, we examined the Department in our taking of evidence. So far we, have no conclusions; I simply have questions and the Department's answers, which will lead to further questioning and conclusions later.

We asked Sir Peter Gregson, the permanent secretary to the Department of Trade and Industry:

"why did you not follow up the four other expressions of interest? There were four other companies that were interested in acquiring the Rover Group. Why did you not follow them up? . . . In the beginning you were prepared to take them whenever they came, but at the end you were only prepared to take them if the negotiations failed. There is a clear difference over time. Why was this? . . . How could a firm offer be made if you were not giving them information on which to base those offers?"

The House may recall that the information was not given to the other companies in the same way that it was given to British Aerospace.

Sir Peter Gregson replied:

"A company could have made an offer on the basis of publicly available information. If a company did not choose to do that and wished to have the kind of confidential information which could only be obtained in a negotiating situation then that company would have to wait until the exclusive negotiations had come to an end."

We asked about Mr. Baring's judgment about that, and he said in response to question No. 108:

"If we had been concerned simply to get the best price and if we had not been concerned with the possible risk of failure, if we were perhaps slightly less cautious than the Government appeared to have been in this case, then we would certainly have gone for the limited competitive tender."

I asked:

"So to get the best price, competitive tender was the route?"

The reply was:

"Yes, but it involved some risk."

That was the Government's view, and it will be examined further in due course.

At question 114, I asked about the valuation. The valuation was very important. We were concerned that an up-to-date, comprehensive valuation was not required. I said:

"But it was not a comprehensive valuation of all the assets and the earning potential of the Rover Group."

Sir Peter Gregson replied:

"I believe that the important consideration here was not the breakup value of this company but the profitability of the company. There was ample evidence of that. There really was not a great deal of point in assessing the value of the plant and sites in very great detail if the whole purpose of the disposal was that the plant and sites should continue on a productive basis."

I said:

"So you had neither competition, nor valuation and you went into negotiation with those elements lacking?"

Sir Peter Gregson replied:

"I would not accept that there was no valuation."

That was the problem. We have seen it in respect of several sales of assets. Perhaps one is selling an asset at a value which is subsequently worth more than one thought at the time. That has occurred again and again. One of the big advantages that we said that the Government should have was put originally by the hon. Member for Horsham (Sir P. Hordern) who used to be a member of the Public Accounts Committee and is now Chairman of the Public Accounts Commission. It played a part in almost every examination of the sale of public assets.

The hon. Member for Horsham asked why we were selling them all at one go. That somebody wishes to sell assets has nothing to do with the Public Accounts Committee. We are interested only in getting the best price available. We said, "If you sell them in tranches and you get it wrong, you may get it right subsequently." I instance, of course, the sale of gilts. At the beginning of the year, the figures are comparable, because the amount of money that the Government raise from the sale of gilts is roughly comparable to the amount of money that they are getting from the sale of their assets. I had dealings with the Government broker as I had certain responsibilities at one

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stage in my time at the Treasury. At the beginning of the year, one goes to the Government broker and discusses what is to be sold and for how much—£100 million, for example—and what sort of coupon there will be. It is planned throughout the year. One sees how the market is reacting, so one sells.

That is not the way in which these sales are conducted. We might have thought that the best way to do it would be to obtain somebody with appropriate expertise. If we are to embark on the sale of assets, we should have someone with special expertise rather than the ad hoc arrangements that were made. However, that has gone now. We need to think in terms of trying to get the best price. If we fail, at least some further amounts may be obtained later. One of the problems is that the Treasury likes to know at the beginning how much it will get throughout the year. That is a limiting factor. It is much more important to protect the taxpayer, and that is obviously the Committee's task.

Another aspect is clawbacks. I shall refer to them in respect of the Royal Ordnance plc. If one sells something, it could be difficult to get a proper valuation. I understand the difficulties, particularly in valuing land. At least if there is a clause that we can share—not take over—in the unexpected sums of money that might be realised, which is also important, we can protect the public interest.

Some people say, "You will not be able to do that easily, because it will depress the value of the shares." Public money is different from private money. Somebody in a private company can take chances and so on, but when it comes to dealing with public money, there must be confidence that one is getting the best price for assets. There is an obligation upon all of us—not just the Public Accounts Committee—to make sure that the public feel that they are not being ripped off. Sometimes we might have a worse deal as a result, but the public will at least know that we have tried to get the best value for that money. That is crucial.

A lot of nonsense has been spoken about the leak of the confidential memorandum. It was assumed that we would always keep it quiet. The fact that a Department asks that a matter before the Public Accounts Committee be kept confidential may not mean that it will stay confidential. We investigate. We call witnesses before us, and they must give reasons why it should be confidential. If we think that the reasons are not right, we release it untouched. If we think that there is justification, we may decide to exclude certain parts of it. That is our duty or obligation. There may be serious reasons for the taxpayers' interests why certain matters should be confidential. The media condemnation was unjustified. We never reached that kind of decision—they never came before us to make that decision. It would be wrong to decide to release something before we even hear the case.

Very few matters that we take in private are not released in whole. Those that are kept back are usually to do with defence, the date of implementation of a new kind of weapon, cost and so on. There are just a few asterisks to meet that. In general, we are very open. The hon. Member for Scarborough (Sir M. Shaw) will recall that all our sittings used to be in private. It is only recently that we have had the strong view that our sittings should be open, because we want to examine openly the matters that come before us.

I now refer to the 1989-90 Session, 13th report, "Ministry of Defence: Further Examination of the Sale of Royal Ordnance plc". In April 1987, the sale of Royal Ordnance plc to British Aerospace was concluded. Rather unusually, I should like to quote from the 48th report, Session 1987-88, because we had our preliminary investigation into the sale of Royal Ordnance plc then. That report deals with the price that was realised, £190 million, and the sale included land at Waltham Abbey and Enfield, which was sold to British Aerospace without any clawback provision for the taxpayer.

At paragraph 3(v), we said:

"We are concerned that, prior to deciding on the sale of RO, the MoD did not themselves explore the possibility of redevelopment at Waltham Abbey and Enfield or obtain an alternative valuation of these sites based on the assumption that their redevelopment might be approved in the future. We note that BAe could make a substantial gain on their sale or development".

That was before we knew anything about a valuation of Waltham Abbey or Enfield. It was without the advantage of hindsight. The Committee has the enormous advantage of hindsight. My colleagues and I try very hard to put ourselves in the place of the witness at the time the decision was made. However, this was something we did before, so there was no hindsight at all.

We said:

"We note that BAe could make a substantial gain on their sale or development without benefits accruing to the taxpayer beyond the sale price paid by BAe. We recommend that in any similar sales in the future, any feasible planning permissions likely to increase property values should be obtained before offers are invited."

That is of enormous importance. That aspect will arise again and again in respect of land. Values of up to £450 million were attributed to the sites. We found that values were substantially less than that, but there should have been a much bigger gain to the Government as a result of that sale.

I should like to give some examples of the questions that we asked. The late Ian Gow provided a splendid example which many of us well recall with both pleasure and sadness. However, I should like to quote from a question asked by my hon. Friend the Member for Motherwell, North. We were trying to establish what sort of valuation had been made of those two north London sites but were not getting very far, because we encountered all sorts of complications.

One of the most dramatic moments in the investigations carried out by the Public Accounts Committee came when my hon. friend declaimed in a rather more uncommon way than is usual. I should explain that each hon. Member now has only 15 minutes in which to make his or her contribution—nowadays, it is always "his" contribution. Our Committee meetings are so well attended and my colleagues' examinations are so thorough that we must all be limited in that way. It did not happen in the past, but it does now.

My hon. Friend was frustrated at not receiving a crucial answer about the method of valuation. Finally, he banged his hand on the table in a way that we can all remember and said—I shall not attempt to imitate his accent although one or two of my hon. Friends from Scotland might be able to do so—

"I only have 15 minutes, Sir Michael. I am going to ask you again. We have heard that potential use value . . . is different from use value . . . I am asking you, in the context of planning permission . . . whether you carried out a potential use value valuation on the land'

Sir Michael replied:

"We did not seek a valuation on conjectures about planning permission and the particular form that that use might take."

My recollection of that answer is slightly different. I thought that my hon. Friend got the answer, "No," but perhaps it was elaborated on subsequently. One's memory is always a little subject to uncertainty. The important thing was that, in difficult circumstances, we got an answer to that question.

Our report refers to the role of the Treasury. It is interesting to note that, in April 1988, a year after the sale to British Aerospace in April 1987, the Treasury issued new guidelines to Departments on procedures relating to the disposal of surplus land. Our report states:

"These guidelines state that with potential for development should normally be sold with the benefit of planning permission; but where this is inappropriate because of delays and uncertainties about the planning position, it may be appropriate to seek to secure from the purchaser any increase in value attributable to the grant of planning permission after disposal terms have been agreed."

That is exactly what we said before we knew about the failure to achieve for the taxpayer some of the moneys that we thought should accrue to him.

Paragraph 35 states:

"we consider that the Department might have been in a better position to evaluate the bids received if they had carried out a further revaluation as at about 1986;"

The value of land was changing rapidly at that time. The paragraph continues:

"invited bids for the Company both with and without a clawback provision; and if they had obtained an estimate of potential development values, particularly for Waltham Abbey and Enfield (even though this would have been conjectural) before deciding whether any special measures, such as clawback provisions, were necessary to protect the taxpayers' interest. In the Committee's view, consideration of a clawback provision for the Waltham Abbey and Enfield sites would have been prudent and need not have resulted in continuing Departmental involvement in the business decisions of the Company."

I am pleased that some account has been taken of our views on this matter. We look forward to seeing the guidelines implemented.

Paragraph 24 of the Treasury minute that deals with this matter states:

"The aim should be to secure, in a cost-effective manner, an assessment of both the existing use and, where relevant, the potential development values of property."

We welcome that reaction.

I refer now to "Financial Management in the National Health Service" and to the 16th report of Session 1989-90. We spend £12 billion on the national health service, which has 14 regional authorities and 190 district authorities. We have looked at the national health service fairly extensively in the past few years, in a manner that we did not previously. I know that several Committee colleagues welcome that, and play a useful and constructive part in our examinations.

I refer to one or two of our past examinations to show the range of our interests. In our 50th report of the 1987-88 Session, which considered operating theatres, we found that only 50 to 60 per cent. of our operating theatres are in use during the working week—I am not talking about evenings or weekends—and that was at a time when people were waiting up to two years for certain operations. With one or two exceptions, most of us are non-specialists, so that came as a bit of a surprise, especially in the light of the bottleneck in the operating theatres. We found out why it was happening and posed some useful questions to try to improve matters for the future.

I know from a recent press report that the Government have taken action on consultants to ensure that their services are properly employed. One problem with consultants is that their terms of appointment are set by the regional health authority, whereas their practice and their work is in the hospital.

Our 18th report dealt with hospital building. We discovered that it can take up to 15 years to build a hospital. A major problem with public sector construction is the enormous amount of time that it takes to get things done. I was in New York city this spring and had the impossible recollection that its hospital had been built in only one year. I thought that that must be wrong and that it was just a failure of memory. I therefore went to see how long it had actually taken to build it and discovered that it had taken only just over 50 weeks to construct from ground to finish in 1931. That is remarkable.

Of course, that is not a typical example, but it shows how far short our construction is falling if it can take 15 years for us to build a hospital, and there is then the delay in commissioning it and getting patients in. Something is seriously wrong.

Our 40th report of 1987-88 considered estate management. We found a number of crumbling buildings and a general failure to repair them, which in the end costs far more. However, more important than that was our discovery that central management in the national health service had tried to establish the condition of its estates by sending out a questionnaire to its 191 district health authorities. Only 113 replied; that means that one third did not even bother. What is the function of a management board if it does not even get answers to queries?

This is a most serious matter. It made us realise that something must be fundamentally wrong. If the central management of the national health service is failing to get the kind of replies to which one would think any such organisation should be entitled, the chief executive cannot discover that which he has a right to know.

Mr. Michael Shersby (Uxbridge): On the interesting point about the value of the national health service estate, does the right hon. Gentleman agree that asking about the value of a department's estate is what I might call the Public Accounts Committee's $64 question? When considering the evidence, it struck me as extraordinary that the national health service does not know the value of its own estate when, from all quarters, one hears about the pressure to build more hospitals. The right hon. Gentleman may remember that we discovered several buildings capable of renovation in areas where there was pressure for new building. Could he say something about that, because I found it a fascinating insight into what was going on?

Mr. Sheldon: The hon. Gentleman is absolutely right. It was a fascinating insight into the failure to know something about one's own business. If one is trying to be a chief executive of a body, one should know something about the business involved. There is no question but that we have brought about—I should say we are bringing

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about; it is too early to say that much has been accomplished yet—some improvement. We saw Mr. Duncan Nichol on those matters.

One report to which I refer frequently is that on premature retirement in the national health service. The Government decided as a matter of policy—it is open to them to do so and we do not question it—that the administration of the NHS was too top-heavy. Quite rightly, they said that it was necessary to bring about premature retirements and give redundancy pay to reduce the number of executives in the NHS. That failed to meet all our objectives.

Ever since then, in 1983, whenever someone comes forward with a plan, scheme or programme of any kind I like to know the objective at the beginning. I want people to quantify the objective as much as possible. Some objectives cannot be quantified too much, but I want it to be quantified as much as possible. I ask people when they are going to achieve the objective. At the end of the period of the plan, I want to compare the objective with the achievement. At the same time, there must be a monitoring system so that, if something disastrous is going on, it can be brought to a stop or changed. That is of crucial importance.

In the case of premature retirements in the NHS, it was not known how many people were likely to obtain or opt for retirement. We found that, in one regional authority, about 340—I am speaking from memory—opted for premature retirement. In another authority of comparable size, only one tenth of that number—25 or 30—opted for premature retirement. At the end of the exercise, it was not possible to say how much money had been saved. Nor could we be sure that some of the people who had taken early retirement had not been re-employed in the authority. We knew that some had been re-employed, but we did not know whether some had been re-employed by the same health authority. We strongly suspected that that was the case, but we could not prove it so we gave people the benefit of the doubt.

In such cases we must be sure that we have proper management and that we align budgets with need rather better. Our task is set out in paragraph 14 of the report:

"We attach great importance to timely and effective financial monitoring. We note the recent improvements made in financial reporting and expect the better flow of information to lead to tighter budgetary control throughout the NHS."

We welcome the Treasury minute on that. We know that obviously there is a shortage of suitable staff in the higher levels of the NHS, and we wish Duncan Nichol well in recruiting such people. We hope that there will be some improvements in the proper control of the whole of the NHS.

I now come to the 31st report of the Committee entitled "Quality Control of Road and Bridge Construction", Session 1989-90. We spend about £1 billion each year on motorways, trunk roads and bridges. Remedial work is carried out using concrete or bitumen. It is interesting that we still do not know whether concrete is a better substance than bitumen for road surfaces. I understand that certain other countries made that decision long ago. One would have thought that, with the help of the Transport and Road Research Laboratory and other bodies, we might have come to a firmer conclusion than we have reached so far.

There is a relationship between the cost of building a road and the cost of building including the premature repairs and traffic delays. In paragraphs 10 and 11 of our report, we point out one of the major problems:

"Quite apart from the misery, inconvenience and frustration caused to the travelling public by the need for largely unforeseen and unplanned remedial work, we are not satisfied that the Department have taken proper account of the true costs involved. Whilst premature maintenance costs need to be considered in the context of total construction costs, we believe that it is distorting the argument for the Department to suggest that the only alternative to their present course is to try to eliminate all risk of any remedial expenditure."

I do not argue with that. We say that when one builds a road one must take into account the cost of putting it right. I regret that I received the minute containing the Treasury's response only two days ago. We have examined these matters for a long time, yet it was brought to my attention only yesterday.

In yesterday's *Daily Telegraph* I noticed an adverse comment on the work of the Public Accounts Committee. I must say that I regretted that. We normally leave it to the Treasury Minister to respond and it is very rare that action is taken in advance of his response. The article shows that the Parliamentary Under-Secretary at the Department of Transport anticipated the Financial Secretary. It pointed out that

"the vast majority of roads do not give rise to unexpected problems."

That is obvious. It is not our task to look at things that go right. Our task is to see whether we can improve things that go wrong. I am sorry that it was a Treasury minute; I could have understood if it had been a departmental notification. I have not had time to go into it as thoroughly as I would wish.

Paragraph 148 of the minute points out:

"traffic delay costs could be smaller when maintenance is premature since traffic flows will be lower . . . Costs and delays inevitably arise from maintenance,"

If one talks about a "premature" repair, one implies that the repair should have come later. If I have a repair done to my washing machine within six months, presumably it means that I will not need to have it repaired later on. However, the point is, "Was the washing machine right at the beginning?" The question is, "Was the road right at the beginning?" If it was not, how much extra would it have cost to get it right? I am sorry that we had that item.

Even though the Parliamentary Under-Secretary said several things about the Public Accounts Committee with which I do not agree, I was pleased to note that the Treasury minute goes a long way towards meeting our objections. I welcome that. In paragraph 146 it says that the Department will

"introduce as soon as practicable an improved and computerised reporting system to cover all cases of defects and premature maintenance."

I welcome that. It is what we asked for and we have got it.

Paragraph 147 says:

"The principle of 'whole-life' costing is being introduced in setting highway design and construction standards—this takes account of both forecast maintenance and traffic delay costs."

I welcome that.

Paragraph 151 says:

"The introduction of a five year rolling programme . . . is assisting in these tasks. Assessment of the whole life cost of roads and bridges will also help to identify the cost implications of alternative timings for maintenance."

I welcome that.

Paragraph 155 says:

"Amendments to the Specifications for Highway Works are being introduced to secure improvements in the construction of concrete roads."

I welcome that.

Paragraph 162 says:

"The Department accepts the Committee's view that it must further seek to improve its effectiveness in managing this area of its business."

That refers to poor workmanship and sanctions to deal with it.

The minute also states that the Department of Transport

"has therefore appointed an independent consultant to carry out a wide-ranging review which will take into account the Committee's views and recommendations. The Department is also introducing new methods of selecting and appointing consultants who supervise its contracts."

We welcome that.

Perhaps the Under-Secretary is unaware of the role of the PAC. It displays a unanimity of view and it is trying hard to improve the quality of the administration of the Department. We are not sniping at it, but we are trying to seek definite improvements. I am pleased to note that the Treasury minute accepts that.

Some might argue that the improvements made were already in train and indeed a great many of our recommendations are accepted even before we put them. As soon as a Department knows that we are going to investigate, it carries out an investigation itself, which is extremely valuable. We do not try to score points about that; we could, but that is not our job. If someone takes action before we report on the matters that we are likely to report on, we welcome that. We seek to encourage that. I hope that that practice will always prevail.

We all suffer greatly because of problems on our roads. On Sunday, when I came down the M6, I encountered four major roadworks, none of which was less than five miles long. Obviously, I am very aware of the importance of repairs.

The task of the Committee is to deal with the various reports produced. We get a great deal of pleasure from the fact that we are able to deal with them competently and adequately. I could mention one or two other reports at some length—for example, that on the Crown prosecution service concerning decisions to continue prosecutions which vary throughout the country. There was also a report on hospital buildings and some of the associated problems, with which I have dealt in part only, as well as a report on the control and management of the Metropolitan police estate. That is an important report, which demonstrates that estate management should be introduced, as it should be in many other areas of our activities.

There were also reports on the National Seed Development Council and the failure to receive the proper sale proceeds.

It is important to mention the publicity services for Government Departments. I welcome the Treasury minute that dealt with that and I am pleased to note that the Treasury has accepted the view about dealing with such publicity to ensure that there should be clear objectivity by Departments when preparing it. That important issue was clarified and the message has gone out to all Departments, which we welcome.

Once again, I should like to thank my colleagues for bearing with me during the long evenings we spent together. I look forward to continuing our efforts on behalf of the taxpayer—that, after all, is our interest.

6.23 pm

Sir Michael Shaw (Scarborough): As always on these occasions it gives me great pleasure to acknowledge, in common with the entire Committee, the tremendous work done by our Chairman, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). Normally on these occasions we refer to one another as honourable friends to demonstrate the unanimity about which my right hon. Friend has rightly spoken.

At the outset, the right hon. Gentleman mentioned that Opposition Members are all too briefly with us as they move onwards and upwards. What happens to those former members of the Public Accounts Committee who must be feeling the push from underneath? Will they recirculate and come back to us before long? We all work as a good team as we pick up on each other's points and we form an effective questioning force under what has always been the very capable and tactful leadership of our Chairman, for which we thank him.

It would be remiss of me not to recall the sad loss of the former Member for Eastbourne, Mr. Ian Gow. He was a wonderful member of our Committee. He had an extremely shrewd brain and although it was not always immediately apparent, he was very kind. Some of the ways in which he put even the most casual question, however, made an accounting officer give it serious consideration. I imagine even the lightest question from him was regarded by such an accounting officer as one of threatening importance. Alas, we shall have him with us no longer.

It is important to remember that the Committee has helped to bring about a number of significant changes in Government accounting and organisation. The right hon. Member for Ashton-under-Lyne has already mentiond internal auditing and non-executive directors and it is also important to remember the "next steps" agencies, the importance of value for money as well as targeting jobs and responsibilities within Departments. In all those areas the PAC, along with other Committees of the House—let us not forget them as well as the work undertaken by Government Departments and their attitude to our work, which has always been welcome—has made a significant contribution.

I first joined the PAC in about 1973. I did not stay long, but I came back in 1979 and I have been a member ever since. I have seen many changes in the way in which we conduct our proceedings. In the old days, the questioning was largely undertaken by the Chairman—we were lucky if we put a question in the entire two hours of the sitting. The reports of the Comptroller and Auditor General were fairly sparse and in no way comparable to the present ones that form the basis of our inquiries. Today the effect of the work of the Comptroller and Auditor General and of our reports within Government circles is much greater than it was. Certainly the Comptroller and Auditor General does more preparation than in the past. The same can be said of the Committee members before we go to our meetings.

[Sir Michael Shaw]

Although it is not for me to say, this might be the last time that I take part in these annual debates as I do not intend to stand at the next election. In that context, I hope that I am allowed to say that the standing and importance of the PAC has never been higher.

I echo the thanks that our Chairman gave to the Comptroller and Auditor General, Mr. John Bourne, and his staff. Without their help and comprehensive, thorough reports, our work would be impossible. I welcome the opportunity that we now have to go along to the National Audit Office to discuss matters of particular importance when they arise. While we retain our independence, our work results in great benefit for all.

I have said in earlier debates that the greatly improved Comptroller and Auditor General reports that we now receive, the greater thoroughness of our questioning and presentation of reports and the fact that our proceedings are normally open to the public give greater impact to our work generally and to our reports in particular. Publicity concerning the various issues arises when our reports are published. That is an advantage over the old system, when our meetings were held in secret.

The matters that we discuss are important and must receive attention immediately. So as we deliberate subject by subject, the media deal with each item, instead of having to deal with an assortment of subjects arising in one day's debate. By that means we can have wider influence than used to be the case.

Looking back over the year, I select for comment two items, one of which was dealt with by the right hon. Member for Ashton-under-Lyne, that of Northern Ireland. I have always had much sympathy for those with responsibility in that area. The conditions under which they operate cannot be regarded as in any way normal. The physical unrest and deep sectarian divisions create problems beyond my experience. But, as the right hon. Member for Ashton-under-Lyne said, danger lies in the fact that we may cease to apply, in considering the reports of the Comptroller and Auditor-General for Northern Ireland, the same judgment as we apply to reports emanating from the Comptroller and Auditor General.

Whatever sympathy we may have, because of the problems of those working in Northern Ireland, we should do them a disservice if we failed to deal with the matters that they bring to us with the same critical eye as we give to other issues. We owe that duty not only to those who live and work there but to those who have invested, and others who hope to invest, large sums in Northern Ireland. Remember, the object is to try to make things work there as smoothly and normally as possible. That will happen only if we set the highest standards of inspection to the reports that come before us.

Regrettably, some extremely sad reports come to us. Occasionally one tends to say, "Never mind, it is Northern Ireland." That is the wrong attitude to take. We must examine the issues and say, "Let us try to get things right." From the reports that have come to us from the Comptroller and Auditor-General and the witnesses who appear before us, it is clear that all concerned are trying to improve matters. I believe that it will not be long before we see improvements. That will be justification for the seriousness with which we tackle the issues.

One is bound to feel sad when considering the report on, say, roads and the system of stocktaking the stores scattered throughout Northern Ireland. It was clear that the system of stocktaking was inadequate. Happily, the notes that we are receiving, particularly following the cross-questioning of witnesses that I conducted, show that the stores are under much better control. The system generally has been much revised, with the internal auditor now seeing that reports go direct to the top man rather than to an intermediary. Because of more effective stock control, less stock is required. That is always a good sign. If stocks can be reduced, that is a sign that the business is being run more efficiently.

As I say, many of the reports are depressing. Particularly depressing was the report about the plant nursery, and I shall comment on only a few points about which I asked questions. Obviously, no system should be allowed to continue if nobody is taking stock and stocks are increasing year by year. That way lies disaster. Indeed, had the organisation been in private hands, disaster would have occurred more quickly. One must express worry when Mr. Murray, the auditor, said that it had never entered their heads that people were not taking stock. He described that as "a fundamental error." The mind boggles at the thought that an auditor did not check to see whether somebody was taking stock. We find such fundamental problems arising time and again.

I hope that I am not being optimistic when I say that, as a result of our inquiries, things are beginning to improve. Indeed, we must proceed on that hope, just as I hope that officials are proceeding on the conviction that we shall continue to make inquiries into their activities.

My second point about Northern Ireland concerns the land registry. Although a serious lapse has been evident, we can learn from it in other areas. The land registry was set up and the same fees charged for a long time. A witness said:

> "Fees were not revised in the intervening years because it was mistakenly believed that the registry was operating at a surplus, when in fact it was not covering its costs."

Why was it not covering its costs? The answer to that question was terrifyingly frank. We were told, in effect, that there had just been a mistake, and they were all sorry about it. It is terrifying to think that those who filled in the accounts did not realise that they should have been adding sums for headquarters costs. That state of affairs continued for a long time.

I cross-questioned witnesses on that issue because, although it was a basic error, it covered a significantly wider sphere. If an agency is established—the land registry, although not an agency, was a type of agency —one must consider the fees and departmental expenses. That is where the wider sphere comes in. In this case, those making up the accounts were correct, except that they did not add a big sum for departmental expenses, remembering that those involved at headquarters were anxious, for obvious reasons, to spread their expenses over as many branches as possible. The differences were enormous. When we cross-questioned the witnesses about the expenses of headquarters that could be relied on as being part of the land registry, Mr. Murray said:

> "In normal circumstances I would not spend much time overlooking the land registry".

His assistant, Mr. Mackenzie, said that he spent perhaps 5 per cent. of his time on the land registry. Look at it as we would, we could not see that the enormous difference in

the cost of overheads that had been missed out was justified by any facts concerning the services rendered by head office. I hope that that is now being examined more cautiously; there is a formula, but I doubt that it is accurate.

The other report that I wish to mention is "The Next Steps Initiative". This is a first-class initiative, and I am greatly encouraged by the fact that it is being brought in carefully—at times slowly, perhaps, but that is better than rushing into it without getting it right; big costs may be involved if we do not get it right.

The Public Accounts Committee said in paragraph 3(v) of its conclusions:

"We note that, consistent with the Government's priorities for Next Steps, the agencies established so far were set more demanding financial and operational targets accompanied by additional flexibilities on financial matters and staff and pay to enhance their ability to operate more efficiently . . . We agree with the conclusion of the C & AG that, if continued, this early demonstrated commitment on the part of the parent and central departments to the thrust of the initiative augurs well for the success of Next Steps".

I entirely agree.

The example of the cross-questioning in the Northern Ireland report makes me wonder whether we are being careful enough to ensure that, in certain cases, we are not simply creating another department to be looked after by the Department itself. I put that question to the representative of the Office of the Minister for the Civil Service—what a mouthful that is—and asked him,

"to deal with the problem of what has been described as the people back in the departments syndrome. The responsibility still lies with the Minister for the agencies so far as Parliament is concerned.

(Mr. Kemp) Yes, correct.

So he will want his civil servants to brief him on statements, on questions and anything relating to an agency.

(Mr. Kemp) That is right.

That means to say therefore that the Department back home will tend to formulate a staff that will double bank the agency so that they can get the information from the agency and use it and check and put forward to the Minister.

(Mr. Kemp) I hope very much not."

I hope not too. It has been admitted that there is an interface, but if it is not carefully guarded, that interface can grow and there can be additional expenses.

Talking of expenses, departments such as town halls have a lot of fixed expenses to meet. I have noticed that the more that they can feed them out to their various departments and agencies, the more they are prone to do so. That is why they do not like getting rid of them and turning them into private enterprise efforts: then they have fewer places in which to put their overheads. I trust that nothing of that sort would be allowed to happen in Departments of state.

I thank the Chairman of the Committee for all the work that he does, and for the enormous effort that he puts in. Above all, I thank my colleagues on the Committee for the way in which they try genuinely to examine the problems, rather than seeking to turn the process into a political fight. That is the essence of the Public Accounts Committee; long may it continue.

6.44 pm

Mr. Alan Williams (Swansea, West): As a new boy on the Committee, I shall make an extremely brief contribution, although I should add in my defence—in case I wander into a slightly longer speech than some might wish—that mine is a renewed rather than a new membership. I was a member of the Committee as far back as 1966, when—as was pointed out by the hon. Member for Scarborough (Sir M. Shaw)—things were somewhat different.

What is still enjoyable, however, as the hon. Member for Scarborough pointed out, is the "consensus" way—if I may use the "in" term—in which the Committee members approach the task of analysis. It is significant that this is the first time since I became a member that we have sat in "confrontational" postures to discuss our work.

As a new Committee member, I already have my collection of yellow cards from our Chairman, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon). However, let me say while I have his good will —for I see him smiling—that on one of his foreign tours he must have bought a Brussels watch: I think that it is operating on metricated minutes, which, as everyone knows, are far shorter than the imperial minutes on the watches of the other members of the Committee.

It is a matter of deep regret to all of us that our late friend and colleague Ian Gow is not able to take part in our discussions today. We all miss his charm, wit and friendliness, as well as the pungent relevance of what he had to say.

I am a living embodiment of the contention that all is onward and upward amongst Opposition members of the Committee. As an ex-industry Minister, I should have liked to take part in the discussions on Rover; but, as I was not a member of the Committee at that stage, it would have been rather presumptuous of me. I shall therefore save my comments until—as I hope—we examine the matter again.

I shall confine myself to two issues. My right hon. Friend the Member for Ashton-under-Lyne referred to the criticism that he felt was due to the University Grants Committee for allowing University college, Cardiff to get into the predicament in which it now finds itself. The fact that the Committee has had to focus on that has to some extent made life more difficult for the new administration, which is having to cope with difficulties that it did not create. Its operations are clouded by the £4·4 million of repayable grant that had to be taken to ease the college out of difficulties that should never have existed in the first place.

It is to the credit of the new administration that, in the last year, it made a surplus of £4·8 million before provision to its capital account, and anticipates a surplus of £4·5 million this year. There has been a remarkable turnaround since we had our chance to discuss the fortunes of the college. Indeed, I am delighted to hear from the principal that about 25 per cent. of the £4·4 million has already been repaid, and that within six months the debt will be less than £3 million.

As well as dealing with the administrative consequences of the tragic circumstances in which it found itself, the college is making a massive inroad into the financial problems that it was forced to inherit. It is doing so against the background of rapid expansion. It is spending—not over-optimistically—£20 million on expansion, new building and the introduction of local area network facilities for the newly emerged University of Wales Institute of Science and Technology and Cardiff university college and it shows all the signs of completely shaking off the clouds that it inherited from the previous administration.

[Mr. Alan Williams]

One interesting point, which was raised when I had discussions with the principal, was that when the Universities Funding Council makes its projections—colleagues at the National Audit Office may like to consider this and discuss it with the UFC—such discretion is used that comparisons between universities may be invalid or difficult to sustain. The principal said that that applied to the way in which inflation and staff costs are treated for future projections. University authorities may use their discretion about the precise formula that they use. The principal said that Cardiff used the UFC's most pessimistic scenario for its projections. He demonstrated the scale of such differences by saying that a 1 per cent. difference when assessing the situation means a £1·5 million difference in staff costs over five years, and a £3 million difference in overall costs in the same period.

If further analysis and reports to the Committee are to be undertaken, I hope that the UFC will consider whether it can make projections more consistent.

As a Welshman I wish to mention a matter which is of some local inconvenience to the people of Wales, and to those who choose to visit us or to come to Wales on business trips—the problems of the Severn bridge, which are mentioned in the report on roads and bridges. It will be no surprise to hon. Members to hear a Welshman say that we regard it as a sad saga.

The Friday before last people had to queue for more than three hours to cross the bridge in a westerly direction. It is not merely a question of inconvenience and cost. It upsets lorry schedules and it affects commercial drivers, who have limits placed on the hours that they are allowed to drive. However, there are wider implications than boring inconvenience. What is most galling is that the situation is unnecessary, and that came out in the report. I shall mention later the Treasury minute based on the report, but the National Audit Office report states clearly that in 1961, at the last minute, just as construction work on the foundations of the bridge was about to start, the Department of Transport introduced a new design. It was novel, and it presented new technological problems.

The NAO also said that, having introduced the new design, the Department proceeded to ignore its guidelines, procedures and standards. The Department did not carry out the calculations that would usually have been expected for a bridge design. Sadly, eight years later the bridge was showing signs of corrosion and fatigue.

I am sure that the Chairman of the Committee shares our bewilderment that, far from that being a source of hand-wringing in government, section 148 of the Treasury minute, to which I referred, states that, because corrosion was discovered early in the life of the bridge, it should have been a matter of great rejoicing. According to the Treasury, as there was less traffic crossing the bridge when the corrosion was first discovered, it was less of a problem than it would have been if it had been discovered later. The problem is that we have had to put up with it for the intervening 20 years, so I do not find the Treasury's argument very persuasive, and £17 million has had to be spent on the bridge.

The permanent secretary told us that much of the work done on the bridge was to strengthen it against wind damage, damage from collision with a ship and to accommodate two and a half times the planned vehicle load.

As the National Audit Office report points out, 52·5 per cent. of that £17 million was used for remedial work and only a quarter was used for anything to do with strengthening or increasing the capacity of the bridge. Three quarters of the work that has had to be carried out on the bridge was remedial, and was due to what is described in the report as "design faults". So we are back where we started in 1961, when the Department of Transport at the last minute ignored standards, practices and procedures. The resultant design faults are still blighting the lives of motorists virtually 30 years on.

A fascinating coincidence—not lost on the users of the bridge—is that when the toll was increased recently, according to the report, the increase was needed to raise £50 million to carry out the balance of the work needed on the bridge. Tolls were increased to raise less money than had been demanded to carry out the remedial work. In other words, if the bridge had not needed remedial work, the tolls would not have had to be increased. The bridge needed remedial work because of design faults and it had those faults because the Department did not do its job. I find those circumstances hard to reconcile with the statement made in the House by a transport Minister who said:

> "The work is designed to upgrade the bridge for the future; it is not in any sense a reflection upon the quality of the original design of the bridge, which was built fully in accordance with the standards that then applied."—[*Official Report*, 27 November 1989; Vol. 162, c. 543.]

One wonders who was briefing the poor man. I am sure that he would not have made that up, and I am sure that he would not readily have come to the House with a statement so contrary to the facts. No Minister wants to give the House information that he knows is blatantly incorrect.

As is revealed in the National Audit Office report, the people of Wales now face cost and inconvenience because a Ministry failed to do its job and to carry out its responsibilities in the way that everyone in Whitehall thought it was carrying them out.

The Treasury is hedging its bets in its response. Paragraph 158 states:

> "The Department found no evidence that standard checking procedures were not fully complied with"—

which is rather different from saying that they were, which is what one might have hoped that the Treasury would say.

> "It is difficult to be precise about events which happened over thirty years ago"

that is even more dubious, it raises even more question marks—

> "but it was not necessarily practicable nor appropriate fully to apply standard procedures to an innovative design."

The NAO, therefore, has it all ways. There is no evidence that the Department did not carry out its normal procedures, though the Committee and the National Audit Office criticised it for not doing so. However, the Department virtually implies that the Treasury would have criticised it had it carried out the normal procedures because, it says, the normal procedures were not necessarily appropriate to the new design. Which posture is the Department adopting? Is it saying that it did carry out the normal procedures or that it did not and that the Treasury is glad that it failed to carry them out? We are left in the dark. All we know is that the motorist is still paying

for errors that need not and should not have arisen—errors which were the direct result of departmental incompetence, as demonstrated by the NAO report.

The House will understand the feeling of many people in Wales that they should not have to carry the cost of that incompetence and that it ought to be borne by the Department that imposed those errors upon them.

7 pm

Mr. Michael Morris (Northampton, South): I, too, pay tribute to the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), the Chairman of our Committee. I have been a Committee member for 11 years. During that time there have been two Chairmen, both of them Opposition Members who have brought a penetrating mind to that job. If this is to be the last public accounts debate for my hon. Friend the Member for Scarborough (Sir M. Shaw)—though I personally doubt it—I should like to say to him that his acumen, too, has been of an extremely high order.

Two qualified accountants sit on the Public Accounts Committee. However intuitive and good the rest of us may be, it is important that colleagues with up-to-date experience of the latest accounting practices should sit on the Committee. My hon. Friend is not the youngest member of the Committee, so it is a great tribute to him when I say that he is very much up to date with what is happening and that it shows in his questioning of witnesses.

I ask the House to reflect on the Public Accounts Committee's role in the years ahead. Its role may change, as may the nature of this debate. The PAC is the watchdog of the legislature and the Administration. The Committee carries out its investigations after the event; it does not challenge the policies of the Government of the day. It accepts policy objectives and examines what has happened. That is a strong starting point. As the right hon. Member for Ashton-under-Lyne said, the Committee is greatly supported by the Comptroller and Auditor General and the staff of the National Audit Office. About 1,000 people, most of them highly qualified, are beavering away. In their green reports they produce material that, on the whole, is of a high standard. I hope that they will not mind me saying "on the whole". There have been instances when the reports have veered into policy areas and when they have gone too far towards producing policy proposals. As a person who has a modest area of woodland, I have to declare an interest when I say that when I look back at the forestry report and see the present level of planting it is obvious to me that it has been unduly influenced by some of the activities in north-east Scotland.

I am concerned about the nature of what I call the green reports—the National Audit Office reports—in the sense that they are, quite incorrectly, seen by the media as the work of the Public Accounts Committee. That is unfortunate. It is not clear to the public that the Public Accounts Committee still has to look at those reports and decide whether it agrees with them. We shall have to overcome that difficulty.

My Committee colleagues know that I have strong feelings about the presentation of our reports. The format of our reports has changed a great deal while I have been a member of the Committee. When we visited the United States about eight years ago I was impressed by the fact that there the conclusions are brought to the front of reports. A little persistence has resulted in the Committee's conclusions now being printed at the front of its reports.

Moreover, it seemed to me to be illogical that one had to be a ferret of considerable ability to find the Treasury's response to the Committee's conclusions. I refer to the Treasury minutes. I am delighted that the Committee's recommendations are now listed in the Treasury minutes and that the answers are given there. I thank the Treasury Bench for having achieved that change.

The Committee can still learn from what happens overseas. When they look at the front of any of the Committee's reports, the public can be forgiven for wondering what they are all about. I refer, for example, to the Committee's first report on financial problems at universities. I believe that there would be merit in the Committee doing what our cousins across the water do; it should highlight the three key points on the front cover.

There is no doubt that our work is successful with the civil service, but I do not know whether it is entirely successful with the Government of the day or the House. Part of the problem, I believe, is that we still conduct too many inquiries. There is little merit in a plethora of inquiries; the Committee would do better to conduct in depth fewer inquiries.

Ever since I became a member of the Public Accounts Committee I have taken a great interest in the national health service. I can almost reel off the number of NHS reports that the Committee has published. If, however, I did not have the most marvellous filing system in the East Cloisters, I should be unable to delve into the Committee's inquiries six, seven or eight years ago. One of the challenges for the Committee is to collate that great bank of knowledge and recommendations, some of which will become highly relevant as changes occur. At the moment the Committee depends entirely on the accounting officer's memory. The usual answer is that he was not in post at the time, so he cannot help. We are unable, therefore, to rely on the Department. Moreover, the memory of those in the National Audit Office is not quite as long as the memory of Committee members. The challenge that we must face up to in the months and years ahead is to effect a link between the present and what happened six, seven or eight years ago.

The same point could be made about privatisation. The Committee has considered privatisation and the disposal of Government assets in many of its reports. We must pool together all the lessons that we have learnt from those reports.

I believe, too, that the scope of the Committee's considerations needs to be reappraised. My hon. Friend the Member for Scarborough referred to Government agency agreements. There is little doubt that the Committee will have to consider closely the relationship between a Government agency, the Department and the expenditure of public money. My hon. Friend mentioned overheads. The whole structure will have to be looked at closely.

As we come to the end of the era of privatisation—there is not much left to privatise—there will be public sector bodies which are not agencies or normal Departments but which still have public money in them. When we passed the National Audit Act 1983, nationalised industries were kept outside, mainly due to the chairmen of those industries. The time will come in the near future when we should reassess our scope in that area.

[Mr. Michael Morris]

We need to look at Europe. It may be just circumstantial good luck, but on the Order Paper today from the Leader of the House is the new structure for analysing the work of the EEC and the directives that come to us. In the new Session we shall have three Select Committees looking at draft directives split across three broad subject areas. It does not need me to re-emphasise to the House the importance of the EEC and its relationship with this Parliament. I plead considerable ignorance of our relationship with the European Court of Auditors and how the linkage will work in relation to the ever-increasing importance of Brussels. In our new Session we should have a deliberative discussion on the linkage with our work in Europe.

I want to deal with two of the reports, which both cover the same area: the first report on the financial problems at universities and the 16th report on financial management in the national health service. The report on the universities is principally about Cardiff but that has been covered adequately. I want to emphasise the recommendation that we made about universities generally. In paragraph (f) we make it clear that we remain concerned at the serious financial difficulties facing many universities. We emphasise the fact that the Universities Funding Council should monitor what is happening and we recognise the importance of the restructuring exercise that is in hand. The report says:

"On both these matters we expect the Council to keep Parliament fully informed on progress and results."

That is a crucial paragraph and should not be forgotten.

The 16th report on the NHS is also about financial control. It picks up the aims of resource management initiatives. It explains the importance of case histories and regrets the slippage that occurred during 1988-89 and 1990-91. The response in the Treasury minute says that action is being taken.

If I have a worry that I wish to share with my colleagues, it is that in both higher education and the NHS —outside defence they are the two large areas of public expenditure—the aim seems to be to achieve a financial "level plain". In my judgment, that is the wrong way round. The philosophy of the Public Accounts Committee over the years has been to ask people what their objectives are. Their objectives are concerned not with finance but with policy. Currently, those policy objectives appear to be subsumed by the financial objectives. We run into great difficulties as a Government and a nation if we allow the accountancy element to dictate policy rather than the other way round.

The Chamber is fairly sparsely attended, but I should tell my right hon. Friend the Chairman of the Committee that it is time that we had a deliberative session on the scope of the Committee, its relationship with Europe and the financial dimensions involved.

7.14 pm

Mr. Terry Davis (Birmingham, Hodge Hill): I should like to join other Committee members and say that I regret the tragic loss of Ian Gow from the Committee and the House. As several hon. Members have said, we shall all miss his incisive and perceptive style of questioning. The Committee benefited from his example, especially those of us who are younger and less experienced. I was a particular beneficiary because I sat next to Ian Gow and benefited from his whispered comments, many of which would not bear repetition in the House. He was always ready to say what he thought about a witness in terms that were as incisive and perceptive as his questioning.

I should like to join other Committee members in expressing my appreciation for the work of the National Audit Office. As years have gone by we have all learnt increasingly to appreciate its work. It is not patronising to say that the quality and standard of its reports and the work behind them has improved tremendously over the years. Every year we find that they are better and better and more informative. They go far beyond the old style of reports, which were concerned only with ensuring that civil servants did not abuse the taxpayer by taking his money. That is, of course, an important part of the work of the National Audit Office and it must ensure that there is no question of fraud. However, its work has gone beyond that now. We are concerned about value for money, as is the National Audit Office.

My right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) said that many of our recommendations are put into effect before we make them. The same can be said to a greater extent of the work of the National Audit Office. Many of the faults, defects and errors of Government Departments are corrected before the NAO reports on them. That is to be welcomed because we do not want a lapse of time. We want them to be corrected as quickly as possible. However, the NAO does not always receive the credit that it deserves. Having talked to members of staff, I know that they recognise and accept that. They do not resent it because they are inspired by the spirit of dedication to public service. They are happy to see that things are put right. Nevertheless, this is an occasion on which to point out that the full benefit of their work cannot always be appreciated because we do not always know how many stable doors have been shut before they have been opened.

I should like to join other Committee members in expressing our appreciation for the work of my right hon. Friend the Chairman. We all recognise his skill and the leadership that he provides. I would not say that both sides of the Committee appreciate his work because, as he said, we do not work in that way. We all appreciate his skill in choosing who shall ask a question next. In an unguarded moment he once confessed to me that he sees himself much as an American football coach, playing Committee members as appropriate and bringing them in when he thinks that a witness deserves them. I am sure that he will particularly miss Ian Gow's contribution in that respect. As the hon. Member for Scarborough (Sir M. Shaw) said, we all appreciated his contribution. He was much too self-effacing in his remarks. Also, we shall miss the hon. Member for Scarborough if he is to leave the House at the next election.

The hon. Member for Northampton, South (Mr. Morris) made some interesting suggestions about the way in which we can improve our work and the presentation of our reports. It is a great misfortune that we confine ourselves to one debate a year. In that debate we are expected to consider many reports. This year we are expected to consider 40 reports, but it is sometimes more. That is too much to digest and too much to debate. I am not suggesting that we should have a debate for every report, but some reports would merit their own debate. For example, the report on the quality control of road and bridge construction would have merited a debate. A case

can be made for having a series of debates in which we might take several reports together. This year, we have had several reports on the national health service, and it would have been useful to have a debate on those reports as a group, in which we could have drawn out common suggestions, themes and criticisms of NHS management.

The hon. Member for Northampton, South drew a comparison between the problems of the national health service and those of universities. That has been one of the themes of this year. The health service and universities are suffering from a similar problem, and too often we assume that it is overspending. I wish that we could spend more time asking whether they are underfunded rather than overspending, because that can produce the same result of expenditure exceeding income. Perhaps we should consider whether they are receiving enough money, not simply whether it is being overspent.

I link that with the objective of value for money. Too often, we fall into the trap of assuming, as sometimes do the National Audit Office reports, that value for money means spending less. Sometimes, we get better value for money by spending more. I give as an illustration a question that I put to the chief executive of the national health service management executive, and I was disappointed that he did not seem to understand the difference. If the national health service spends 2 per cent. more and treats 5 per cent. more patients, is not that better than spending 2 per cent. less and treating 5 per cent. fewer patients? It is a real cost improvement if more money is spent and more patients are treated because it comes from higher productivity and the unit cost is less. In our questioning and reports, we do not place the right emphasis on getting real value for money, which may result from increasing the amount spent by a Department or service.

I was delighted that my right hon. Friend the Member for Swansea, West (Mr. Williams) assured us that University college, Cardiff is doing much better and resolving its financial difficulties. However, that university is an example of it being better to take two reports together. Our first report, entitled "Financial Problems at Universities", was occasioned by the difficulties at University college, Cardiff, in which I took a personal interest. We have a Treasury minute, which is why it is included tonight, but we do not yet have the Treasury minute on the 36th report, entitled "Restructuring and Finances of Universities". Those reports would have made a good debate, because the report on University college, Cardiff and its problems leads naturally to the more general and wider problems of other universities.

Although many of the witnesses who appeared before us in the past year were rightly criticised, the Universities Funding Council was the least impressive of the bodies that we examined. I draw the attention of the House to some of the comments that we made in our first report, which arose from the difficulties at Cardiff. In the report, which was published on 15 January, we said:

"We believe strongly, however, that the UGC"—

as it was then called—

"should have taken earlier and more positive action to identify, appraise and tackle the financial difficulties at Cardiff. They were well aware of the difficulties facing universities as a result of grant levels; and indeed they assured our predecessors that they would be discussing with universities exactly the sort of staffing problems that lay at the heart of Cardiff's troubles. We consider that they took too passive a role in concluding that they were unable to challenge the College's view that no staff reductions were necessary."

We expressed our respect of the independence of universities and said that

"this does not mean that the UGC should have abjured sufficient control to be able to assure themselves of competent financial performance by universities."

We added:

"We also consider that the UGC made an error of judgment in not reporting these problems to Parliament in their annual survey at the first available opportunity."

We then commented on universities generally and said:

"We remain very concerned over serious financial difficulties facing many universities. We expect the new Universities Funding Council to monitor developments closely and to intervene as necessary to ensure a high standard of financial management . . . We expect the Council quickly to build up the planning arrangements, financial management and information systems, and the capacity for monitoring and analysis which are essential for the effective allocation and oversight of the grants to universities. We look to the Council to secure prompt and determined action where required by the public interest, whilst recognising also the responsibility and autonomy of the universities themselves in such matters."

We ordered that report to be published on 15 January 1990. The evidence on which it was based had been taken on 11 May 1988, and I revert to the point made by the hon. Member for Northampton, South that sometimes we should try to issue these reports more quickly. When we received the Treasury minutes in April 1990, the Treasury told us that

"The monitoring of all universities' financial position has been improved by: UFC requiring institutions to produce annual financial forecasts, which are then analysed; institutions presenting their accounts in a uniform format according to newly-agreed conventions so that they can readily be analysed and compared with previous forecasts; financial relations between UFC and the institutions being governed by financial memoranda which set out conditions under which Exchequer grant may be paid; and the UFC establishing an internal audit unit and generally strengthening its financial expertise."

Unfortunately for the Treasury, we had taken evidence between our report on the problems at Cardiff and their general application and the publication of its minute. We had taken evidence in February, only six weeks after we had prepared our report on Cardiff's problem. The Treasury minute published in April bears little relation to the evidence that we were given in February, only two months before, by the chairman of the Universities Funding Council, as is shown in our report, which came out quite recently.

In the report, we say:

"The Funding Council needs to act vigorously in discharging its new responsibilities and ensuring a high level of accountability to Parliament for the financial control exercised over university expenditure and the economic, efficient and effective use of resources."

We make other comments, conclusions and recommendations, culminating in the statement:

"The Funding Council must take vigorous, prompt and effective measures to resolve these matters."

The echoes of the first report are in our 36th report. Between May 1988 and February very little had improved or changed; indeed, I find it difficult to see any improvement or change. I do not believe that the Universities Funding Council has done anything like enough, and it did not have to wait for our report. If it had followed the suggestion and encouragement of my right hon. Friend the Member for Ashton-under-Lyne to put the greater part of recommendations into effect before they

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were made, we should have expected some progress to be made between May 1988 and February 1990, but I regret that we did not see such progress.

Therefore, it would be a good idea if, from time to time, we took reports together, as the hon. Member for Northampton, South suggested, to consider recommendations made a few years before and what happened when we took evidence at a later date. That would improve not only the work of the Committee but, much more important, the performance of Departments and accounting officers. Perhaps sometimes it is a good idea to go back to see what was recommended by our predecessors perhaps five or 10 years previously and how much has been done, rather than simply considering rather bland and flattering Treasury minutes that promise much but produce very little.

7.28 pm

Mr. Michael Latham (Rutland and Melton): I am pleased to follow the hon. Member for Birmingham, Hodge Hill (Mr. Davis), who makes a signal contribution to our discussions in the Public Accounts Committee. As he said, he sat next to our friend, Ian Gow. The highest tribute that I can pay the hon. Gentleman is that he and Ian made a fine team in putting witnesses on the spot, in the interests of taxpayers. They worked well together in our Committee. Ian might well have been speaking at this moment almost where I am standing.

Many hon. Members, particularly the Committee's Chairman, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), referred to Northern Ireland and the Northern Ireland report. One sentence in the 36th report sums up the way in which Ian Gow went straight to the kernel of the problem. On 14 June 1989, he asked the accounting officer, Mr. Blease:

"Does it come as a surprise to you if members of this Committee have read with disbelief the report of the Comptroller and Auditor General?"

Mr. Blease replied, "No." Ian put his finger on the deplorable failure of administration which had taken place in that case, and in many other cases—a failure described by the accounting officer as "appalling". I echo the comment of the right hon. Member for Ashton-under-Lyne—who was properly given support by the Ulster Unionist party as he said it—that we do not expect third-world standards of administration from parts of the United Kingdom. I used that expression in questioning as well. As the right hon. Gentleman said, we expect and demand as a Committee exactly the same standards of administration in any part of the United Kingdom and we trust the Comptroller and Auditor-General for Northern Ireland to bring these cases before us, as Dr. Jack does now and as his distinguished predecessor, Mr. Calvert, did before him. All of us remember debating the disgraceful events involving the De Lorean report, to which the right hon. Member for Ashton-under-Lyne referred. It was one of the most serious failures of administration and of spending control ever to come before the Committee in the more than 100 years of its existence. The Committee rightly drew attention to that failure in its lengthy report, which the House felt necessary to discuss in a separate debate.

I have listened carefully to this debate, as I have listened to many over the seven years in which I have been a member of the Committee. There is always a danger, which we have not wholly avoided today, of being like soldiers pinning medals on to our own chests. There is always a danger that we shall say, "We are all doing very well. Everyone is very happy. If people were not happy, the House would be packed and Members would be moaning about the Committee's failure. The fact that people are not doing that suggests that the Committee is doing its job well." I am glad that my hon. Friend the Member for Northampton, South (Mr. Morris) and other hon. Members have made it clear that, while we have important work to do, we must never be complacent about it. We must always look for ways of improving and refining it in conjunction with the National Audit Office, which does such a signal service on behalf of taxpayers, and under the guidance of our Chairman.

Other than my direct constituency work of bringing the problems of my constituents before the House—which we all have to do, as it is an essential part of our duties—I believe that the work that I do on the Public Accounts Committee is far and away the most important thing I do in the House. It is the only thing that makes any difference. About 80 per cent. of what I do in the House is probably wasted, and perhaps 50 per cent. is harmful. The work that I do on the Committee is beneficial to taxpayers generally, for only one reason: because of the structure of public service, the method by which the National Audit Act 1983 was drawn up and the Committee's work, the Committee can bring the accounting officer, the permanent secretary, the Sir Humphrey Appleby, before it, and he has to come personally.

One report which no one has discussed and which is probably not widely known is described as the second special report. It was published a few months ago and in it we set out the revised terms of appointment of accounting officers. Publishing the report provides a useful service to the public, who can see what accounting officers and permanent secretaries have to do. I should like to quote from paragraph 11, because it is an important point about which the public should know. The report states:

"If a course of action is in contemplation which raises an issue not of formal propriety or regularity but more widely of prudent and economical administration, it is the duty of the Accounting Officer to draw the relevant factors to the attention of his Minister and to advise him in whatever way he deems appropriate. He may think it right to refer to the possibility of criticism by the PAC. If his advice is overruled, he should ensure that both his advice and the overruling of it are apparent clearly from the papers."

I have talked to Ministers many times about that matter and several have said that that is no idle threat. On several occasions, they have made suggestions to the accounting officer, to the permanent secretary, who has said, "No, Minister. We cannot do that because I am the poor Charlie who has to go before the Public Accounts Committee and explain it away, not you. We must not do that." I asked Sir Peter Gregson when he appeared before us during the Rover inquiry whether the process of giving a written minute to the Minister had taken place. He said that it had not happened. I have asked that question on other occasions, for example, during the De Lorean affair. This is a strong power for members of the Committee. It enables an accounting officer to persuade politicians, of whatever Government, that they cannot take actions that would look bad in front of the Public Accounts Committee.

Perhaps the Committee's principal strength is not the unanimity to which the right hon. Member for

Ashton-under-Lyne referred or the back-up of the Comptroller and Auditor General, which is essential; it is the fact that the Committee is properly resourced. The House has devoted a lot of time—I remember the 1979 debates—to considering whether we should strengthen the Select Committee procedures. The debates took place when Lord St. John of Fawley was setting up these Committees as Leader of the House. Distinguished Members, such as Mr. Enoch Powell, took the view that such Committees were potentially detrimental to the House because they would take people away from the Chamber and allow for a consensus approach that would take away from the flow of party conflict. There are distinguished Members of the House now who still take that view and periodically express it.

There has been such a danger in the reports and the proceedings of some departmental Select Committees. To some extent, it depends on the subject that they have taken. If they take highly partisan subjects, they are likely to produce highly partisan reports or reports with a 7:6 majority. They often do so on the basis of the views of the expert witnesses and advisers who have been hired for the inquiry. By passing the National Audit Act and making the Comptroller and Auditor General's Department responsible to the House, the House has said, "Here is a properly resourced, fully staffed and efficient Department that does all the work in advance." On several occasions, led by the right hon. Member for Ashton-under-Lyne, the Committee has not been prepared to continue an inquiry because a Department has come to us disagreeing with the words in a green report. The Committee cannot operate on that basis. We have to have an agreed report in front of us. Then we can proceed.

As the right hon. Member for Ashton-under-Lyne and other members of the Committee remember, we have sent some of those great mandarins away with their tails between their legs because we have not been prepared to put up with them arguing about the text of the Comptroller and Auditor General's report when it should have been agreed in advance. On one occasion—no names, no pack drill—a permanent secretary took me out to lunch to get my advice on how to appear before a Public Accounts Committee. I gave him my advice, he thanked me very much for it, and shortly afterwards he retired from Government service.

Our work will become increasingly important. We often have to deal with the work of, for example, the Ministry of Defence, where billions of pounds have been wasted by inefficient procurement, poor management and so on. The Committee has greatly welcomed the appointment of Sir Peter Levene and much of his work as Chief of Defence Procurement.

As I sit in the Committee Room, under the chairmanship of the right hon. Member for Ashton-under-Lyne, two afternoons a week, most weeks of the year for the past seven years, it makes me mad to have to look again at examples of deplorably sloppy administration and of money being wasted, whether it is just a few hundred thousand pounds in Northern Ireland, such as happened in the nursery—which is none the less important—or billions of pounds in the Ministry of Defence. It is being wasted at a time when I, like all other hon. Members, have to go to surgeries in my constituency where I meet constituents who are not receiving pensions or social security and who are getting into difficulties over housing, over the community charge or in other areas. There is no money to deal with that because much of it is being wasted in faulty administration.

This may be my last speech in this debate. I believe that this is the role with which Members of Parliament especially have to deal. We have to go to the Committee and we have to read learned tomes from the National Audit Office. Finally, we have to say to ourselves that we are elected to represent ordinary people and it is their money that is being misspent. We must say, "I do not care, Sir Humphrey Appleby, whether you were there when it happened or not. You are the person who must explain to us why it went wrong and, above all, what you are going to do to get it right." That is why my hon. Friend the Paymaster General is sitting on the Treasury Bench now. That is why, when my hon. Friend the Financial Secretary winds up the debate, he and the Paymaster General will be taking governmental responsibility in their replies. I hope that when they go back to their Department they will say to their officials—who work very hard—and to all those in other Departments, "Look, at the end of the day, I have got to take the flak on the Government Front Bench. Please go away and smarten up your administration."

7.41 pm

Mr. David Trimble (Upper Bann): I congratulate the members of the Public Accounts Committee on their work. I am a new Member of this House. On making my first acquaintance with PAC reports and on reading through them, I have been greatly impressed. I have also been impressed by the way in which the Committee members have carried out one of the primary functions of the House—scrutinising the work of the Executive. Having read the high quality of the reports that they produce, it is slightly disappointing to come to this debate and to see acres of green on the Benches.

I intend to concentrate on the matters relating to Northern Ireland that are highlighted in the reports. However, before I come to those, I have a passing comment relating to the first report in 1989-90 on "Financial Problems at Universities". That has already been touched on by several hon. Members and there has been particular reference to University college, Cardiff. It has been said that it was remarkable that the University Grants Committee, as it then was, seemed to be either ignorant or reluctant to act when matters at Cardiff were getting out of control.

Belfast is a lot further away from Cardiff than London is. However, as a former university teacher, I must tell the House that the fact that Cardiff was running out of control was common knowledge in the common rooms of Belfast long before the UGC or the Government acted. I find it rather sad that matters turned out as they did. The Government bailed out University college, Cardiff on condition that many of the senior staff who were responsible for administration had to have their careers prematurely ended. I notice that the same penalties were not publicly applied to those in the UGC who had been turning a blind eye to the situation for several years.

The hon. Member for Rutland and Melton (Mr. Latham) referred to the comment made by the permanent secretary of the Department of the Environment in Northern Ireland on the cases mentioned in the 36th

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report, which related to the nursery. The permanent secretary said, "They are appalling cases." The chief executive of the Northern Ireland Housing Executive said:

"there had been a degree of negligence at every level involved in the management and control of the nursery . . . "

and that it

"did not receive adequate attention at the highest level."

He was asked:

"what was the highest level at which you regard responsibility? . . . Where did the buck stop?"

The chief executive replied:

"The buck stops with . . . "

The text peters out in three dots. He continued:

"If something similar were to happen now, the buck would stop with me".

The comment about "appalling" cases was made in reply to a question from the Chairman of the Public Accounts Committee. He said:

"These are two very bad cases. We hope we will not have to be dealing with this sort of thing again."

Eight months later, they were.

The 26th report of 1989-90 deals with the Northern Ireland Housing Executive's essential-car user scheme. Under the scheme, essential-car users were entitled to a high allowance per mile and to low-interest car loans. The executive was promiscuous in the number of people it designated as essential-car users. At first, there were 1,084, but after a while the executive realised that too many had been designated and the number was reduced to about 500. The 584 or so disappointed former essential-car users threatened legal action, which was settled by the executive at a cost of £1·2 million in compensation. The executive had handled the matter in such a sloppy way that it had to pay out that sum. That was far more than was lost through the nursery scheme, which was described in the 36th report.

The case of the Housing Executive is especially galling to hon. Members who sometimes have to press the executive about the housing needs in their constituencies, only to be told that insufficient funds are available for this or that development. It is galling to see the millions of pounds that the executive has managed to lose. Money has been lost in other places as well. Other hon. Members have referred to the claims made by people who have allegedly tripped while walking along the footpath. It would be wrong to give the impression that the fault lies with the courts in Northern Ireland. It lies with the executive and with the Department of the Environment for failing to defend cases that were plainly spurious. Once word got round that all one had to do was to make a claim and that, like "Monopoly," one could pass "go" and collect more than £200, everybody was on to it in some areas.

We see such cases occurring again and again. As well as commenting on the individual cases, we should say that there is a need for a more radical approach to the way in which the administration of the executive is conducted. The Chairman of the Public Accounts Committee commented on the De Lorean case and referred to the rather curious position of the two directors appointed by the Government to serve on the board of De Lorean. As hon. Members are aware, the Northern Ireland Housing Executive is not a normal housing authority. Unlike all the other housing authorities in the United Kingdom, it is not under the control of a local authority or of elected representatives. There are three elected representatives on the board, but the majority of the members are not elected, but appointed. The main criteria for selecting the persons to be appointed are that they will ignore the views of the elected representatives and will acquiesce in the views of the management of the executive. If one appoints to a board people whose chief qualifications are that they will do nothing and that they will acquiesce in what the administration does, it is not surprising that such situations develop.

Those familiar with the Upper Bann constituency will understand why I could not help feeling that there is a remarkable contrast between local councillors and Ministers, civil servants and chief executives, such as those of the Housing Executive, when it comes to the sort of negligence that leads to the losses with which we are dealing. If a local councillor were to act in a negligent manner he would be surcharged, but if a Minister ignores a situation—the hon. Member for Newry and Armagh (Mr. Mallon) told us that the nursery was the subject of his first parliamentary question when he came to the House, so Ministers were not ignorant of the situation—there is no surcharge, despite there being clear negligence. It is remarkable that people who serve without remuneration in local authorities can be exposed to considerable financial penalties, whereas persons who serve in the House and elsewhere, for a respectable financial reward and with considerable opportunities for earning on the side, should be responsible for the same or even worse losses without any penalty falling on them.

The hon. Member for Rutland and Melton referred to the penalty of having one's conduct adversely commented on by the Public Accounts Committee. That clearly is a penalty of sorts, but it is quite different from the penalty on councillors. Something should change in that respect.

I am sorry to refer to the hon. Gentleman again, but he said, and I entirely agree, that the Committee expects the same standards of administration in Northern Ireland as elsewhere. One way of achieving that is to ensure that Government Departments and other bodies in Northern Ireland are subject to the same disciplines as Departments elsewhere. The same standards will not be achieved without the same disciplines. Part of the problem in Northern Ireland is that bodies there are not subject to the same disciplines as bodies elsewhere. With the honourable exception of the Public Accounts Committee, the conduct of those Departments is largely ignored. Despite our continual efforts to persuade the Government to establish a Select Committee, as proposed by the Procedure Committee, nothing has been done. I hope that that road block will be removed so that we see the same disciplines applied in Northern Ireland as here.

The same report deals with cleaning and portering services in hospitals, which are the responsibility of the Department of Health and Social Services in Northern Ireland. My concern here is that the Department's response to the Public Accounts Committee's conclusions is weak in a couple of cases. The Committee refers to guidelines for the operation of the cleaning services and concludes that the DHSS should ensure that guidelines on good practice on any health-related subject are implemented. Unfortunately, the response is weak. The Department merely note the Committee's comments and says that where appropriate it will set up mechanisms to monitor the implementation of such guidelines. Such a weak response makes one unsure about whether such guidelines will be implemented.

The Committee's third conclusion on cleaning services in hospitals was that low unit costs, which in some areas are remarkably low, should be examined to ensure that a proper quality of service is being maintained. The Department's response to that conclusion was to remain virtually silent. It just says that the variations in high and low unit costs had been investigated and then goes on to refer, as if as a solution to the problem, to the present competitive tendering initiative imposing a discipline. I wish that it were possible to be confident that competitive tendering would cure the danger of a low quality of service, but, if anything, I fear that competitive tendering is likely to result in lower services than we have at the moment.

Looking through the minutes of evidence, I was struck by a comment made by the hon. Member for Rutland and Melton. He said that in England opposition to competitive tendering had been minimised because most tenders in NHS hospitals in England had been won by in-house organisations employing the same people who had done the work before. If only the same were the case in Northern Ireland. Far too often in Northern Ireland, the in-house tenders have been overridden in favour of outside tenders which gives real reason to believe that a lower quality of service will be delivered.

The Department's response to the Public Accounts Committee's conclusion on competitive tendering was that substantial savings were expected, but there is considerable doubt about whether there will be substantial savings and we fear that any savings that there may be will be swallowed up in other losses. For example, the Southern health and social services board in my constituency, which is responsible for cleaning and portering services in hospitals and which claims that it is achieving some savings through competitive tendering for cleaning and similar services, is moving to new headquarters. It decided not to move to new headquarters in Craigavon but instead to go to Armagh at a higher cost—some £2 million. I hope that the relevant Minister will take heed of that and act accordingly.

I conclude as I began, by congratulating the Committee on the thoroughness of its work, and I hope that more time will in future be devoted to its work.

7.56 pm

Mr. Michael Shersby (Uxbridge): I add my tribute to the late Ian Gow, a dear colleague whom we shall all miss for many years to come. My abiding memory of him on the Public Accounts Committee was asking the question that he used to ask the accounting officer at the very beginning of his contribution, "On what day did you take up your appointment?" By getting the answer to that question, he was able to fix firmly in the minds of members of the Committee the date from which that accounting officer had responsibility for his Department. His questions were always penetrating, and his contribution to the Committee's work is a great tribute to his memory.

Listening to the debate, it is evident to me that my hon. Friend the Member for Northampton, South (Mr. Morris) was right when he said that the Committee's role is changing. This is one of the more interesting debates that we have had because we have talked about the way in which the Committee works and that is of interest not just to us as Members of Parliament but to the British public and the British taxpayer.

It is all the more important that my hon. Friend should have made that point, because the British taxpayer can now watch the Committee at work and see what he or she is getting by way of value for money in return for the taxes that are paid. That must be one of the most important advances that has been made by Parliament since the Committee was set up in the last century.

One of the most interesting sessions that the public had the chance to watch on television was the Committee's examination of Sir Peter Gregson, the permanent secretary to the Department of Trade and Industry, when he was giving evidence on the sale of the Rover Group to British Aerospace. That episode rivalled anything in "Yes Minister". Sir Humphrey Appleby is in serious danger of being replaced or retired. Sir Peter gave a masterly performance in a remarkable session.

We have not yet published our final report on Rover Group, but we have published an interim report and a report on the leak of evidence which was published by *The Guardian*. This evening I am in the somewhat curious position of being able to comment on the sixth report of the Public Accounts Committee on the sale of Rover, but I do not have the advantage of having at my disposal the Treasury minute which sets out the Government's views. That will have to wait until the final report appears in due course.

Several of my colleagues have already referred to the effect of the Committee's work on the civil service. I am an occasional lecturer to the civil service college, and I have been impressed by the extent to which civil servants, as part of their training, are helped to understand the work of our Committee. That is valuable in maintaining the high standards in the British civil service.

I have just returned from Zimbabwe, where I had the privilege of being a member of the delegation to the 36th Commonwealth parliamentary conference. Together with several other members of the Public Accounts Committee who were also members of that delegation, I attended a fascinating session on the work of Public Accounts Committees in other Commonwealth Parliaments which proved to be one of our most interesting sessions. My hon. Friend the Member for Rutland and Melton (Mr. Latham) and I were fascinated to learn that, in Zimbabwe, the Committee has the power to have police present at hearings, to fine accounting officers who have not done their job properly and to have them arrested by the police afterwards. That has not proved necessary in Britain yet, and I hope that it will never be. However, it is interesting to note that some of our Commonwealth colleagues find it necessary to adopt more draconian measures than ours.

The most fascinating investigation which the Committee has carried out in recent times has been into the sale of Rover Group to British Aerospace. The motor industry and motor cars have provided us with some of our most interesting work over the past few years. I pay tribute to my hon. Friend the Member for Rutland and Melton for the quite extraordinarily effective work that he carried out when we investigated the affairs of the De Lorean motor company.

In our sixth report on the sale of Rover Group, we considered the fact that, in 1975, the British Leyland Motor Corporation was making heavy losses, was facing bankruptcy and was taken into public ownership. In August 1988, the Government sold their 99·8 per cent. shareholding in the company to British Aerospace for £150

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million, after providing a cash injection of £547 million in recognition of the company's debt and to support its investment programme.

From 1975 to the sale, the taxpayer had provided £2·9 billion in non-interest-bearing capital to support the company. My memory of my 18 years in this House is punctuated by periodic attendances in the Chamber to listen to debates in which Industry Ministers of both Labour and Conservative Governments sought to persuade hon. Members that they should vote yet another large tranche of our hard-pressed taxpayers' money to support British Leyland. A staggering sum of money was invested in that company—unfortunately to very little effect. We could all see the considerable difficulties which the company experienced until the time when the Government were obliged in August 1988 to take it into public ownership to prevent it from going bust.

When we came to the point of examining the sale of the company to British Aerospace for £150 million, it was perhaps not surprising that the Committee was anxious to be clear beyond all shadow of doubt that the Government's actions were justifiable and that the taxpayer was getting value for money for the sale of that very considerable asset. That was the basis of our investigation.

As I have said, the Committee has not yet published its final report, but the interim report is before us this evening and I can therefore pick out one or two of the salient points which will doubtless feature in the final report.

Last December, we examined the Department of Trade and Industry and its financial advisers on the sale and we had before us as witnesses the permanent secretary to the Department and his colleagues and a representative from Baring Brothers—otherwise known as Barings. We questioned them on the arrangements for the sale and the adequacy of the financial terms that were eventually agreed.

As the basis of our examination, we used a report and separate memorandum from the Comptroller and Auditor General which concluded that Rover Group was worth substantially more than the price that was agreed with British Aerospace. The purpose of the interim report is to deal only with the facts relating to the exclusivity and conduct of the Department's negotiations with British Aerospace and the handling of the relations with Parliament and the European Commission. As I have said, the conclusions will be set out in another report. The exclusive nature of the deal which the Department of Trade and Industry did with British Aerospace is the subject of this interim report.

British Aerospace first expressed interest to the Department in buying Rover Group in February 1988. We were told that its interest was conditional on the granting of exclusive negotiating rights, and the chairman of Rover Group told the Department that, in his view, such exclusivity would be in the company's interest. He was obviously very concerned that open competition would cause a repeat of the uncertainty that had damaged the business in 1986, during the negotiations with General Motors and Ford which, the House will recall, were abortive.

As a result of the chairman's view and the events that took place in 1986, the Department considered that competition would put the Government in a better negotiating position and might lead to better sales terms. However, it accepted that competitive bidding would lead to uncertainty and might so damage the company's prospects that the Government would have to consider extensive contingent liabilities under what are called the "Varley-Marshall-Joseph" assurances which are named after former Industry Ministers. The assurances would not allow Rover Group to be left in a position where it could not meet its obligations. They were worth £1·6 billion as the contingent liability. We must take that huge sum of money into account when trying to fathom out what determined the Secretary of State for Trade and Industry to agree to the exclusive deal and sell Rover Group to British Aerospace.

The Department received legal advice that the exclusive negotiating rights granted to British Aerospace should amount to no more than a statement of intent to deal exclusively. The negotiating rights would leave the Department free to take account of any other offers that it might receive from potential bidders. In fact, we were told that approaches were made by four other interested parties —Ford of Europe, Volkswagen, Lonrho and Melton Medes, which is a Nottinghamshire company.

The Committee asked the Department why it believed that the threat that competition posed more than outweighed the benefits of a limited competitive tender of the kind of which it and Barings had originally been in favour. In evidence, the Department told us that the Government had carefully considered whether to proceed on that basis. They recognised the advantage of competition in giving a benchmark against which to measure prices, but they concluded that a public auction would be damaging to the company.

That belief, which was shared by the company, was based on the experience of 1986, when interest by Ford and the consequent loss of confidence by dealers and customers resulted in a decline in the Rover Group's market share from 18·4 per cent. in January to 15·8 per cent. in February 1986. That market share was never recovered.

As I recall the evidence and the climate in the Public Accounts Committee, that information certainly had a substantial bearing on exclusivity—that the creation of uncertainty in relation to a motor company can result in a substantial and rapid loss of market share which it is extremely difficult ever to recover. The chairman of Barings made it clear to us that that decision was a matter of judgment by the Department. It is not a matter of certainty; it is a matter of judgment.

We found ourselves considering a very interesting matter indeed. We noted carefully that an initial deal for the Rover group was concluded with British Aerospace in one month. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) talked about the time that it takes to build a hospital—15 years—but the speed with which the Rover Group was sold to British Aerospace was quite breathtaking—one month.

We therefore asked the Department why it was in such a hurry to sell the company, given that it was simply the Government's wish to dispose of it within the lifetime of this Parliament. We were told that the Government took the view that, if they could end the uncertainty about the future of the Rover Group which had persisted for a considerable time, it would clearly benefit the company. Of course, they were anxious to relieve themselves at the

earliest opportunity of the contingent liabilities under the Varley-Marshall-Joseph assurances, which were very substantial indeed.

The taxpayers who watched the Public Accounts Committee taking evidence at the meeting on 4 December must have been aware for the first time that those large contingent liabilities still existed and that they might have had to put their hands into their pockets once again. That did not happen, because the company was sold.

We also pressed the Department of Trade and Industry on why it did not opt for a public flotation to test the market. That had been done before. We were told that, after extensive analysis, it had concluded that it was not a viable prospect and that trying to sell the shares on the open market was not really a serious runner.

We looked closely at the money involved. It has been talked about a great deal in the press and on radio and television. It was not just the £150 million that British Aerospace paid for the company that interested us: it was also the assets which the company acquired in return for the £150 million and what happened to them. At the end of the day, all that added up to a net cost of £460 million to the British taxpayer, because it included a debt write-off of £469 million, further assistance in the form of regional assistance, the easing of tax restrictions and the payment of British Aerospace's costs. It also included withdrawal by British Aerospace from the Columbus project.

We had to consider whether the spending of £460 million of British taxpayers' money could be justified in the very speedy disposal of that company to British Aerospace. We had it in mind that, because the Department did not have the benefit of competition to determine a fair price, it had nothing to act as a benchmark or a valuation of the assets in negotiations with British Aerospace. The Committee was told that the aim was to assess a fair price for the company on a going concern basis, taking account of past losses, including interest of £2·7 billion, injections of public funds of £2·9 billion, and potential liabilities under the Varley-Marshall-Joseph assurances of substantially more than the £1·6 billion that I have just mentioned.

The company had achieved a profit—not a very big one—of £27·9 million before tax and interest, which it hoped to improve in subsequent years, but only at the expense of a £1·5 billion capital expenditure and restructuring programme. In looking at the episode, one must take into account those two huge figures, the £1·6 billion contingent liability and the £1·5 billion capital expenditure and restructuring programme. They are very large sums of money indeed.

Clearly, any company considering the acquisition of the Rover Group from the Government would have had to think carefully about whether the modest profits of the company would justify taking what must be considered a fairly substantial commercial risk, bearing in mind the uncertainty of the motor industry, the fact that far more cars are being produced than there are customers to buy them, and the fact that, all over Europe, Governments are supporting and propping up motor companies by subsidies of one kind or another, whereas if there were no subsidies in the free market there would undoubtedly have been a considerable rationalisation of motor manufacturing capacity some time ago.

We had to look at all those figures and try to balance them. I cannot say more than that. I cannot pre-empt any decisions that the Committee may come to in its wisdom, on which it will report to the House in due course. However, I can refer to the sale of the company's assets, which were quite substantial. I think that they amounted to about £106 million. That matter must be considered, together with the purchase price of the company.

The right hon. Member for Ashton-under-Lyne referred to the absence of a clawback provision, something with which we are all familiar. When an asset which belongs to the taxpayer is disposed of and it is subsequently proved that it has been disposed of at a price lower than it should have been, there is often provision for clawback. We asked why, in the case of the sale of the Rover Group, no provision had been made in the sale and purchase agreement for clawback within a prescribed period.

In reply to our questioning, the Department of Trade and Industry told us that the Government had imposed a repayment clause in relation to the main core of the Rover Group's business and on the tax losses on the company's trading, but they had not extended those arrangements to the disposal of surplus sites and the disposal of stakes in the associated companies. I should not be at all surprised if the Public Accounts Committee had more to say about that when it eventually makes its final report on this matter.

It was therefore with considerable concern that the Committee, in studying the final memorandum from the Comptroller and Auditor General, noted that the £150 million price of the Rover Group did not have to be paid until 30 March 1990. We are all familiar with the offers that are made nowadays by just about every motor company—one does not have to pay any interest for a year. We are not so familiar with such a situation when it comes to disposing of public assets, yet it appears that that is virtually what happened—the company did not have to pay until the end of March. I can only guess that there must have been some considerable arm twisting to persuade British Aerospace to buy it and for the Government to have accepted that condition.

The Committee asked why that fact had not been publicly announced. We were told that those matters were referred to in the proper place in relation to parliamentary scrutiny and control of the estimates and expenditure under various legislation. Vigilant though Members of Parliament are, it has been known that perhaps not all of them scrutinise the estimates as carefully as they should; they may therefore miss, deep within them, a fact such as that which we felt was so material to our consideration of the Rover Group. If such a sale is ever again contemplated, the date on which payment is due should be made known to the House. Hon. Members should not be left to discover it by accident from a close scrutiny of the estimates with a large magnifying glass.

The House will have to await the final chapters of this interesting episode. I believe that the Committee did a powerful job in flushing out much of the information that the public had a right to know. On this occasion, it did so with the television cameras switched on. I have subsequently met many people who are not as well informed about what we do here in Parliament as hon. Members, but who said that they found it the most fascinating investigation by a parliamentary Committee.

That greatly encouraged me. It convinced me that television has been a welcome innovation into the proceedings of the House and the Standing Committees. I hope that we shall see far more of the work of our Select

[Mr. Michael Shersby]

Committees and our Standing Committees on television in future, because many people who cannot easily come to London to sit in the Strangers' Gallery can take a great deal of interest in what is going on. That is of considerable benefit to us, because they often send us information that we can use when questioning witnesses.

In conclusion, I pay tribute to our Chairman for the most skilful way in which he conducts our proceedings. I hope that this will not be the last such debate in which we shall hear a speech from my hon. Friend the Member for Scarborough (Sir M. Shaw), who is a wonderful colleague, and a skilful member of the Committee. I hope that we shall have another such debate before the end of this Parliament. I make the same remarks about my hon. Friend the Member for Rutland and Melton (Mr. Latham), who said in passing that this might be his last such debate because he is not seeking re-election to Parliament. I shall never forget his powerful contribution in our six-month inquiry into the De Lorean affair. It was a substantial contribution to parliamentary scrutiny of the Executive.

8.22 pm

Mr. John Battle (Leeds, West): Unlike most hon. Members who have spoken in the debate, I have never been a member of the Public Accounts Committee, but I believe that its work is vital to good government and to the well-being of our constituents. This collection of reports has an impact on some of the poorest of our constituents, such as those on housing benefit, pensioners and those living in rented housing. The Committee's reports should be taken seriously by all hon. Members. I agree with the comments made by the hon. Member for Northampton, South (Mr. Morris) on the presentation of the reports and their number. He said that many of the reports are lost to time, buried in filing cabinets, and that they are not linked to later reports. As a result, the recommendations are not connected and are not taken as seriously as they should be.

I shall concentrate on four of the reports—the retail prices index report, which is the 34th report of the 1989-90 Session; the report on housing benefit, which is the third report of the 1989-90 Session; the report on housing association grant and housing needs allocation which is the 27th report; and the 16th report, which deals with financial management in the national health service.

I recall that a recent Government press release used the retail prices index almost as a unique selling point because the Government were anxious to claim that, because increases in social security and pensions which are to be announced in the forthcoming uprating statement, will be set at current inflation rates—at the rate this October—the poorest pensioners and those in receipt of social security benefits will receive a bumper bonus in April. However, that relies on the crucial assumption that inflation will be reduced by then. Furthermore, the briefing failed to mention that in the previous five years the rate of inflation when the benefits were fixed in October was lower than the actual rate of inflation when the benefit payments started the following April. In other words, for five years those on pensions and benefits have, in effect, been shortchanged.

If that is seen as a strong statement of the case, I refer hon. Members to the report on the retail prices index. In paragraphs 30, 31 and 32 the Committee draws attention to a computer error that led to an understatement of the retail prices index in 1986 and again in 1987. As the report states, that led to

"many millions of people receiving lower pensions and benefits than they were entitled to receive."

Paragraph 32 states:

"The Government considered that the Exchequer should not benefit from the error and special compensation payments, totalling some £102 million, were made to recipients of specified pension and social security benefits. In addition, donations totalling £14 million were made to appropriate charities to reflect small underpayments to a large number of beneficiaries rather than incur disproportionate administration costs in meeting individual payments. Nevertheless, the estimated administrative cost of the compensation exercise was some £5 million."

In other words, the cost of correcting the error and of giving the money to charities was £5 million. Although the report states that it involved

"small entitlements to a large number",

we are talking about weekly amounts being deducted from people's pensions and benefits, which could have had significant effects. It meant that the poorest in our society were paying the price for that computer error.

The language of inflation is changing. We do not just have inflation now; we have "headline inflation" and the "underlying rate" of inflation. It is almost as if there is a deliberate attempt to split the concept of inflation. We have already heard proposals to take mortgages out of the retail prices index. The Public Accounts Committee report refers to that—I am glad that it recognised the difficulties of doing so. There have also been proposals to remove all housing costs from the RPI. When that proposal is advanced, it might be worth reflecting on the fact that there is a rampant rents explosion. Rents are increasing far too quickly and beyond the rate of inflation, yet we now hear that housing costs may be deducted when calculating the rate of inflation.

There have recently been proposals to ignore oil price rises when calculating inflation. It seems logical to some —perhaps to those who believe that inflation could be brought down to zero—that if everything in life that increases in price were excluded from the calculation, inflation could be reduced. The easy way of bringing down inflation is by deflating the way in which it is assessed. Of course, we need a realistic measure of the price changes in goods and services. That is basic to any assessment, whether of housing benefit payments or hospital budgets. It is essential that people know where they stand, so that budgets can be assessed in the first place. But one does not arrive at that realistic measure by manipulating inflation down because its actual rise is so deeply embarrassing to a Government who are committed to abolishing it entirely.

We are awaiting the Treasury response to that report from the Public Accounts Committee. We should look forward to it but when the new means of defining the retail prices index is brought before us we should not forget that many millions of people depend on that assessment for their pay and their pensions. It is absolutely crucial to get it right.

There is a clear link between the report on the retail prices index and the third report of the Committee on housing benefit. In the Treasury minute in response to the housing benefit report, it is more than clear that there has been enormous difficulty with housing benefits because of a mismatch between Government policies in the Department of the Environment, which deals with the whole structure of housing and rent costs, and the practice

in the Department of Social Security. I quote the conclusion of the Public Accounts Committee, which appears in the Treasury minutes:

"We find it unfortunate that an important measure . . . of controlling Housing Benefit expenditure—the power to ask the Rent Officer to determine a fair rent for tenancies entered into before April 1989—was withdrawn. We recognise, however, that policy in this area is mainly the responsibility of the Department of the Environment."

The Treasury minute did not go on to add the conclusion of the sentence which said:

"and trust that they were aware of the considerations which were of importance to the Department of Social Security."

I remind the House that in March 1988 there were two Bills before the House on which I had the fortune or misfortune to serve in Standing Committee practically simultaneously. One was the Local Government and Housing Bill which dealt with the deregulation of rents. The other was the Social Security Bill, which dealt with fixing the formula for housing benefit repayments to local authorities. In another Treasury minute we read:

"DSS and the Department of the Environment maintain close liaison on issues such as this where their policies interact. The Government decided to repeal the power of local authorities to apply for registration of a fair rent for a regulated tenancy".

The difficulty was that the boxed thinking of the Departments meant that one Standing Committee did not know the policy measures being dealt with by the other and which were incorporated in the Bill, which later became an Act. It was pointed out at the time that simply to deregulate rents would result in housing benefits being paid on astronomically high rents. That was not regarded as a problem in the Department of the Environment Bill but the DSS had not realised the impact of deregulating rents on its budget.

When one Department does not know what the other is doing, it is crucial that such matters are ironed out for one simple reason. If there is a difference between the level of the rent and the amount of housing benefit paid to those who are means tested in order to receive assistance to pay their rent, it is crucial to know who pays the difference. Is it the tenant, who is means tested and may be on full housing benefit? If such tenants find that they get rent increases they cannot pay they may receive notice to quit and are evicted. Or must the local authority pay the difference? In that case, other local authority tenants make up the difference because the amount falls on the local authority housing budget. I am glad that at last the issue of the abolition of fair rents has been picked up and that it has been acknowledged that a space has been opened up for exploitation of housing benefit by unscrupulous landlords. The report referred to

"abuse by landlords who require tenants to pay unreasonably high rents on which benefit is then paid."

The key question of who pays the difference—the tenant or the local authority—must be answered because those entitled to full housing benefit as a result of means testing of their already low incomes should be the last people to pick up the difference.

In the report on housing association grants and housing needs and allocations we read a clear policy statement:

"Social housing is intended for those who cannot afford market prices or rents".

Again, there is a clear conflict of policy. The Government encourage market rents, which in turn undermine social housing. In practice social housing is being priced out. Even housing association housing is driven to cut costs and increase rents. Although the Treasury response cannot and has not taken account of the recent instruction from the Housing Corporation to housing associations that they must compete for housing association grants, the impact of that action will be an increase in rents.

The assessment of housing needs is the assessment that local authorities make of their local housing resources. They must assess what their area needs. The assessment is submitted to national Government. Local authorities are then given, not a grant, but permission to borrow, in order to get on with the job of providing and maintaining the housing stock in their area. The assessment is based on the general needs index. I draw attention to the report, which stresses that the index is not sufficiently locally sensitive to changing needs and improvements and developments in housing. To give a practical example, if an authority in an inner city area such as Leeds has many houses with outside toilets it is given a weighting, because the houses need to be provided with inside toilets. But if the authority improves all those houses it will be penalised in the allocation. In practice, it is better to keep the houses with outside toilets because that increases the local authority's weighting.

I am glad that the issue of the general needs index has been raised, but the key is in paragraph 14 of the report. It shows beyond a doubt that the crucial issue is that of resources. It says:

"Because resources had been too limited and the process of 'damping' operated since 1986 had limited changes in the Index scores, the Department had only used the Index in an attenuated form since 1986."

Paragraph 15 says:

"We regard it as unsatisfactory that the distribution of housing resources to local authorities has been based for so long on out-dated assessment of needs."

That focus is most welcome. Again, the emphasis must be on the general lack of resources. I accept that, as the Chairman of the Committee made clear, the reports are written in restrained language. However, there has been a deliberate reduction in local authority housing budgets of two thirds in the past 10 years. My own authority needs and has asked for £112 million for this year's programme. It will be interesting to see what response we receive in the weeks and months ahead. In the meantime, I hope that when we consider housing needs we take account of the absolute shortage of housing and the needs of people for a decent, appropriate and affordable home.

Lastly, I wish to glance at the report on the health service. In the general statement in the Treasury minute paragraph 59 says:

"The Department of Health considers it most important that health authorities should be in a sound financial position when the White Paper changes are introduced and has made elimination of deficits a priority for 1990-91 through flexible and realistic planning."

It seems that the entire response of the Treasury to the Public Accounts Committee report is based on the future projections for the White Paper. We are entitled to ask what that statement means. The Public Accounts Committee could be drastically overworked in the next few years examining health service reports precisely because of the changes in the White Paper. The issue at root is balancing the books for the deadline of next April when hospitals put forward their bids to be self-governing trusts and to opt out.

The PAC recognises the difficulties of planning using estimated pay and price inflation, which is calculated a long time in advance. The current policy that has been implemented augurs no real change in practice from the

[Mr. John Battle]

proposals in the report. For example, Leeds general infirmary—the LGI—has put in for self-governing status and it must balance its books by April. It has, however, overspent its budget for the first five months of this year and across the entire district health authority the deficit has now reached £500,000. That deficit has largely arisen from funding for Leeds general infirmary.

Unit general managers have been instructed to freeze staff appointments and to cut spending on drugs and equipment, and catering and portering services are to be reduced at Chapel Allerton and Newton Green hospitals. The director of finance has instructed that vacancies in hospital administration are not to be filled and that payments of bills are to be delayed where possible. That is precisely the opposite of the recommendation in the PAC report and the response to it by the Department of Health recorded in the Treasury minute. That minute makes it clear that where possible the payment of bills is not to be delayed. It is clear from the current budget plans and their implementation that ward closures and cuts in essential services represent the only option for Leeds general infirmary if it is to get its budget deficit under control or anywhere near balanced by next April.

The PAC report devoted a great deal of attention to condemning "crisis management". Paragraph 66 of the Treasury minute records that the Department of Health

"shares the Committee's condemnation for the crisis management measures used in the NHS; such measures are never acceptable."

Crisis management is happening now, but what of the future? The inflation estimates in the documents provided for the opting out of Leeds general infirmary and St. James's are miles from reality and the inflation figures for two areas of the same city have been estimated at between 5, 3·5 and 3 per cent. for the LGI and 7, 5·5 and 5 per cent. for St. James's for the years 1990-93. There is a real discrepancy and that is especially important when one considers that if the estimated inflation figure is not met the expected impact of the actual inflation will be provided for by

"a reduction in service levels".

Recently the Leeds Western health authority has had to pay out about £1 million in compensation. I understand that only one third of a million may be met out of the local budget, but even that will mean a reduction in local services.

The Leeds health authority budget could be balanced if land and property were sold—the houses that Leeds general infirmary owns—but site sales to balance the books cannot be the way out of crisis management in the short term. That is not an appropriate programme for an expansion of services.

I hope that, before the trust proposals are put forward, the Department of Health will seriously consider the PAC report and the Treasury minute on it. I hope that those reports will be sent to the regional health authority so that it can consider them before submitting its details. If that does not happen, the same mistakes that arose over housing benefit and the computer error and housing rents will be repeated. Despite advance warnings, we shall find that, surprise, surprise, in future years the accounts of the self-governing hospital trusts and declining health service provision will provide the bulk of the work for the PAC. I hope that the Treasury will advise the Department of Health to look carefully again at the authority's proposals before they are proceeded with.

8.43 pm

Mr. Richard Page (Hertfordshire, South-West): First, I should like to endorse all the references that have been made by the Chairman of the Committee and other Committee members to our late colleague Ian Gow. Nothing that I can say can add to what has already been said, but we have a duty to ensure that his memory never fades so that the murderous creatures who brought about his death realise that they will never be able to achieve their aims with the bomb but only through the ballot box.

I am always surprised that this debate is not better attended and not subject to greater demand by hon. Members because the material source is rich and varied, as the hon. Member for Leeds, West (Mr. Battle) has just illustrated. There is no danger of galloping over the same old ground for the sixth or seventh time. One should never call the speeches of hon. Members boring, but a debate on a narrower subject tends to be somewhat repetitive when the same fact is examined in a variety of different ways. Perhaps we could learn something from the Bundestag, where debates that take us six or seven hours are limited to just three hours.

I cannot compete with the long service medals that have been paraded this evening. In comparison with 20 years or so of service, my three years on the Committee makes me a relative new boy. I was, however, taken by the speech of my hon. Friend the Member for Northampton, South (Mr. Morris), who spoke of the need to examine our procedures to see how they could link with the European Court of Auditors. The work of the PAC is subject to continual review and perhaps we should examine whether there should be a closer link with European methods of examining how various Government Departments work.

In the three years that I have served on the Committee I have seen various Departments and topics come round and round—I hesitate to say, like bad pennies. One issue, however, that does not come round time and again is the retail prices index, to which the hon. Member for Leeds, West has already drawn attention. I believe that it is some 10 years since it was subject to the scrutiny of the PAC. Apart from some criticism of the methods by which some information is collated—something that can be easily put right—the PAC noted:

"The assurance of the Central Statistical Office that the basic framework of the RPI ensures an extremely robust indicator for measuring consumer price inflation."

It goes on to say, however, that it welcomes

"the consideration currently being given to the development of a statistical reliability model"

for the index and the efforts to develop

"a systematic methodology for assessing possible enhancements".

That addresses the question whether the basket of goods representative of family spending four years ago is still accurate. It also leads one to question whether there is any regional balance or shopping types that should be taken into consideration. Perhaps the RPI should be targeted relative to the group to which it is applied. The obvious example is the pensioner whose weekly basket of purchases may not be identical to that of the average family. I do not wish to say anything further, but if we use an RPI on which

decisions are made, it is appropriate that it relates to the group subject to those decisions rather than being a general index that may not be accurate.

The 29th report of the PAC concerns the Customs and Excise and specifically the disposal of drug smugglers' assets. I believe that that subject illustrates that constant dripping wears away the stone, as I first raised the disposal of drug smugglers' assets through Customs and Excise in the 22nd report of 1989-90. The response then was to the effect that the Treasury was not yet persuaded of the merits of the scheme, mainly because it did not think that it would be right that the resources devoted to drug smuggling

"should depend on an unpredictable and fluctuating level of proceeds from seizures"

and we were told that the discussions were continuing.

The matter having been re-examined this year, I am glad to note that it has moved on somewhat. The response now seems to be that Treasury Ministers have agreed to a scheme by which a proportion of the sums from drug smugglers' assets could be used in the anti-drugs context. We are told that, although 13 international confiscation agreements have been made, as yet no funds are flowing from the initiative. We can only hope that such procedures will be developed with the passage of time.

I appreciate the desire of the Minister to be cautious, wanting to proceed year by year. I hope that his efforts will be successful and will help to protect the youth of the country from the trafficking scum who would destroy it.

One of the most damning reports of the year was on the Energy Efficiency Office. Any body that sets itself up with such a title is leading with its chin, and I regret to say that we found little efficiency and not much energy. The report is damning because it questions whether the Energy Efficiency Office should have been in existence for the past five or six years. No targets were set, monitoring was suspect, to say the least, and there was no co-ordination among Departments to see whether there was any relative progress or whether best practice was spreading. The situation was summed up in a sentence in paragraph 10 of the report, which said, with that typical understatment that is part of the PAC's raison d'etre:

"we question whether the Energy Efficiency Office as presently constituted and run can secure the objectives set out by the Secretary of State and achieve value for money."

I read that to mean that it has been wasting its time, and nothing that came out of the evidence convinced me to the contrary. But in the belief that hope springs eternal, the Committee added:

"We emphasise that we expect the Energy Efficiency Office to exercise close central direction and monitoring of the initiative and to provide advice to departments on best energy efficiency and practices."

That must happen if that office, which should be a vital organisation, is to have any purpose, and need exist, in the future.

The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) referred to the 31st report, entitled "Quality Control of Road and Bridge Construction", which links, in my view, with the 28th report of the previous year on the backlog of maintenance of motorways and trunk roads. Like other hon. Members, I raise the issue because of the main roads that run through our constituencies and cause grief and aggravation. My constituency is bisected by the M25, at times the largest car park in the United Kingdom. I share my constituents' anguish and aggravation because of their belief that they are paying the price for the sins of the forerunners in the Department of Transport.

The saga of deferred maintenance continues. The problem was highlighted in the report of two years ago. Our last report showed more clearly that not sufficient attention had been given to design life and quality of maintenance. The hon. Member for Birmingham, Perry Barr (Mr. Rooker), a member of the Committee exposed the lack of quality of maintenance. I recommend hon. Members in all parts of the House to read his cross-examining on page 7 of that report. He highlighted two cases, one of plinth-bearing replacements and the other of spaghetti junction, where there were impressive overruns—if one can regard any excess of expenditure of public money as impressive—of taxpayers' money.

Although sanctions are available to the Department, there is a feeling that they are being used sparingly. For example, we noted that, despite the many failures in producing the correct level of support in exercising maintenance contracts, the reliance by the Department on the sanction of banning contractors or consulting engineers from tendering had been imposed only once in recent years and that few warnings had been issued. I suggest that the Department takes a tougher line when dealing with overruns on contracts and with faulty and shoddy work.

The right hon. Member for Ashton-under-Lyne took issue with the Treasury minute on design life and the relevant cost of quality improvement on initial installation. I support him in that. The matter remains unresolved. I fear that the saga will continue to run as the whole question of the maintenance and repair of roads and bridges returns for consideration by our Committee.

I shall not go over that ground again, except to say that I found it remarkably callous that the Department's calculations did not take into account the heavy cost of delays incurred by the travelling public and industry. We must treat the travelling public with the correct attitude because they pay for the maintenance that in turn pays for all the jobs connected with the Department. More consideration of those who use the roads would not go amiss.

As I said, this whole debate contains a rich vein of information that need never run out in the time scale available to us. I have highlighted a few issues that are of importance and that I found interesting during the year. Other hon. Members have adduced their thoughts. I join others in expressing appreciation to our Chairman, the right hon. Member for Ashton-under-Lyne, for the gentle yet firm way in which he guides us. I am sorry that occasionally he finds it necessary to issue the 15-minute warning, but if he did not do so we should on many occasions not conclude our deliberations before midnight.

8.58 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): Let me associate myself and my hon. Friends with the remarks made by hon. Members on both sides of the House about the late Ian Gow. Ian was cruelly murdered, and I condemn unreservedly both the murder and the murderers.

The Chairman of the Public Accounts Committee described Ian Gow as a valuable member of the Committee, and also referred to his hard work and wise counsel. He was an able parliamentary opponent. Following his resignation from the Government on a point of principle, he took a particular interest in Treasury

[Mr. Nicholas Brown]

matters, and was always available to bat for the Government side in our little skirmishes over taxation policies.

I shall miss Ian's contributions to Treasury debates very much. I found out that, as well as being a tough and formidable opponent, he was—as has already been said—a very kind and a very nice man. We are diminished by his death, and also by the manner of it.

I welcome the Financial Secretary to his new job. I hope that he is not offended by the level of attendance tonight; it is actually quite good for the concluding stages of a Public Accounts Committee debate, and I am sure that that is a tribute to him. We have all come to hear his debut from the Treasury Front Bench. I welcome him on behalf of the Opposition, and look forward to hearing his contribution later.

Let me also express my thanks to the Committee for its work, as I have done in the last three Public Accounts Committee debates in which I have replied for the Opposition. I especially thank the Chairman of the Committee, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon). The PAC is a hard-working Committee, but it is kept going by his diligence and enthusiasm as Chairman: that is very much appreciated. We also appreciate his approach to the work of the Committee—work that is considered, reflective and courteous, and brings about the unanimity that is so important to the integrity and power that the Committee's reports carry.

I congratulate my hon. Friend the Member for Leeds, West (Mr. Battle) on having got his hands on the Committee's papers, and also on being the only non-member of the Committee to take part in this debate. [HON. MEMBERS: "What about David Trimble?"] It seems that I am mistaken: the hon. Member for Upper Bann (Mr. Trimble) is also to be congratulated.

It was quite difficult to obtain copies of the Committee papers during the summer. While I realise that Committee members are familiar with them, if they were more easily available to those who do not serve on the Committee, perhaps other hon. Members would be more likely to take part in our debates. I rather agree with the hon. Member for Hertfordshire, South-West (Mr. Page): if more hon. Members realised what a seam there is to tap, there might be a better attendance and a broader range of contributions.

I was sorry to learn that the hon. Member for Scarborough (Sir M. Shaw) is retiring at the next general election; I wish him well in his retirement. He has been a regular contributor to our debates in this Parliament, and, if he is here for the next debate, I shall be able to wish him well again.

The Chairman described the Committee as a kind of "training scheme" for Labour Members from the 1983-87 intake who have gone on to take starring roles in our Front-Bench team. I am now something of an old lag: this is my fourth year of responding to these debates, and my third Financial Secretary. I do not think that I am wearing them down, as they have all gone on to greater things, and I am sure that the new one will as well.

There are certain recurring themes in these debates. The Ministry of Defence figures prominently this year, as it has previously; so do the affairs of Northern Ireland. The issue of fraud is perhaps not quite as prominent as it was in the previous two years, but it nevertheless features in some of the reports.

There are two further issues that are defined not by Department or by type, but in a more general way. The first is the issue of public expenditure foolishly forgone, which is dealt with in several reports. I am trying to introduce the word "Lamontable" into the English language to describe such public expenditure foollishly forgone, and I shall continue to do so. The word has not been taken up yet but, with grit and determination, I shall manage to get it into the dictionary.

The other feature which becomes all too clear from the reports is implementation of Government policy clashing with the best interests of the public purse. That is especially noticeable in the reports dealing with privatisation.

First, I shall deal with the report on matters relating to Northern Ireland. The Chairman of the Public Accounts Committee took us all back when he referred to the report on the De Lorean affair. He then invited us to get inside one of those De Loreans and go "Back to the Future", to examine similar affairs.

Reference was made to the paving stone accident claims in Northern Ireland. Hon. Members may recall that there was a time when just about every house in Belfast seemed to contain someone who had fallen down and had a claim against the state for injuring their knees. The previous Public Accounts Committee report dealing with social security matters in the Province could have been mentioned. That report set out the problems clearly, but conclusions seemed to be a little further away. I notice that the Treasury response to that report was not very encouraging either.

Other issues that the Public Accounts Committee will have to consider in future will certainly include progress on the AOR1 contract, compared with the original promises made.

The hon. Member for Scarborough referred to the land registry in Northern Ireland, which failed to put up the fees to cover its costs. That is a simple problem, but it should have been picked up long before it was.

Another report before us today deals with plants and with microfilm. Although the sum of money involved is not vast when compared to sums mentioned in other reports, the word "astonished" is used—and that is strong language from the Public Accounts Committee.

When studying all these issues, I found a key theme—it is supervision: checking and monitoring and intense and continuing audit. I suspect that that is not as easy to achieve in Northern Ireland as it is to say in a debate. I strongly support the hon. Member for Scarborough, who said that the tests that we apply to Northern Ireland should be no different from those we apply elsewhere in Britain. That is right but it is not easy, and the House should be aware of the difficulties while we keep that purpose firmly in front of us.

Before leaving the subject of Northern Ireland, it is worth referring briefly to the 30th report of the Public Accounts Committee about collection of the broadcast receiving licence fee—the BBC TV licence. It says:

"We are very concerned at the current level of licence evasion and regard it as unacceptable."

I suspect that that was also said back in 1985. The report goes on to point out:

"We note that, although only some 1 million households have black and white televisions 1·8 million monochrome licences were issued last year."

That fact caught my attention and I am sure that of other hon. Members. What conclusions are we to draw from it? The Public Accounts Committee drew the obvious conclusion. When I read through that report I was reminded of the debate that we had earlier about the road fund licence and its collection. It said that the penalty for non-payment is less severe than paying the licence fee. We have been told that events have not moved on since the Public Accounts Committee last considered the matter. We seem to be getting stuck. I hope that the Committee will not come forward in the next Parliament, or three years into it, and tell us that it is worried about the level of licence evasion and regards it as unacceptable.

There must be a response to these licence issues, whether it be the road fund licence or the BBC's television licence, that goes further than letting the problem drift and noting that it is still a problem in two or three years' time. The problem is not unrelated to the problems in Northern Ireland, where the level of evasion is substantially higher than it is in other parts of the United Kingdom.

The most important report before us is the Public Accounts Committee's sixth report on the sale of Rover Group plc to British Aerospace plc. Both the hon. Member for Uxbridge (Mr. Shersby) and my right hon. Friend the Member for Ashton-under-Lyne said that this is an interim report which poses questions; it does not reach definitive conclusions about them. I fully accept that the Public Accounts Committee has more work to do. Nevertheless, they are powerful questions and to some extent almost lead to their own conclusions. Good and plausible answers will have to be given to them. The hon. Member for Uxbridge did his best to provide them in his speech.

The questions that my right hon. Friend the Member for Ashton-under-Lyne, the Chairman of the Public Accounts Committee, rightly raised were: why not accept competition in order to obtain the best price? There is a departmental response to that question, although how convincing the Committee finds it will be a matter for further consideration. The Department needs to justify its policy of exclusivity.

My right hon. Friend also asked what evidence there was that the public option would be damaging and why the other offers were not followed up in a closed competition. The Department said that competitive tendering involves risk. That is not the line that Conservative Governments usually adopt. Normally we are told that competitive tendering is good and that it should be embraced rather than thoroughly avoided, as it was in this case.

A number of other questions were asked. Since the Department did not have the benefit of competition to determine a fair price, the Committee asked why it did not carry out an evaluation of all the assets of the company. That was a fair question, and there was a response to it. The Public Accounts Committee will have to consider carefully precisely what assessment to make of that response.

A number of other questions fall into the same category. The Public Accounts Committee asked the Department why it was prepared to accept a settlement that the European Commission showed it was possible to improve. It asked the Department why it had based all its negotiations on profit forecasts at the lower end of the Rover Group's profit forecasts when the company was forecasting a range of profits in 1988 of between £37·5 million and £65 million. The Committee also asked about the Rover Group's stakes in nine associated companies.

A question that in particular caught my eye was the one which was put to the chairman of Barings. He was asked to explain the disparity between his company's evaluation of Istel at £8 million to £10 million and the fact that it was disposed of shortly after the sale for £39 million.

The Committee also asked the Department why it had not sold off the surplus land that was not connected with making motor cars before the Rover Group was put up for sale. The Department told the PAC that, at the time of the sale, there was only one such site—Bathgate—and that that remained the case. In subsequent written evidence, the Department confirmed that it had been aware of moves to close down a further three sites in time.

The Department told the PAC that it did not carry out an evaluation of the Rover Group's shares in these companies early in 1988 when British Aerospace made its initial offer for the company. The Department was unable to put a precise figure on the value to British Aerospace of the Rover Group's tax benefits—a significant issue.

My right hon. Friend also referred to the fact that, in the case of the sale of the Rover Group, no provision was made for the Government to claw back from British Aerospace within a prescribed period some part of any unforeseen financial benefits accruing from the sale of surplus sites or shareholdings, or the use of tax benefits.

The hon Member for Uxbridge referred to the date for final payment. He seemed to take that particularly seriously, and I share his view. The Public Accounts Committee asked the Department why it had not been announced publicly. The replies that the Department is giving to that and other questions relating to our relationship with the European Community do not show our country in a very good light. The Public Accounts Committee inquired why details of the additional £38 million were not reported to the European Commission. The Department replied that it thought it better not to draw attention to them at the time, since it did not want to take the risk of reopening the deal.

Anything that gives our Common Market partners misgivings about the way in which we conduct public administration is to be deplored. I seem to remember saying this to the hon. Member for Uxbridge last year, but, while I do not want to pre-empt the eventual findings of the Public Accounts Committee, there is clearly enormous cause for concern. I look forward with considerable interest to the outcome.

On the question of land sales and the valuation of assets, I must say that the Department could have been warned by the previous inquiry that the Public Accounts Committee carried out, into the sale, again to British Aerospace, of the royal ordnance factories. In its 13th report, the Committee concluded:

"Nevertheless, we consider that the Department might have been in a better position to evaluate the bids received if they had: (a) carried out a further revaluation as at about December 1986; (b) invited bids for the Company both with and without a clawback provision; (c) obtained an estimate of potential development values, particularly for Waltham Abbey and Enfield".

It is bad enough for the issues to appear in the sale of the Royal Ordnance factories. To have those aspects reappear in a further privatisation exercise will take a great deal of defending before the Committee.

[Mr. Nicholas Brown]

In an effort to get the word "Lamontable" into the English language—it is a worthy cause, which I am sure has the wholehearted support of the House—I turn to the 31st report of the Public Accounts Committee, to which my right hon. Friend the Member for Swansea, West (Mr. Williams) referred. As he said, it is not simply a matter of inconvenience to road users when they find that the road or bridge on which they are travelling is taken up for maintenance. There are enormous costs for industry, not least the cost of lorry drivers who are on fixed time and are being delayed. As my right hon. Friend said, the whole thing is unnecessary. As he pointed out, the Treasury minute dealing with premature corrosion is almost Sir Humphrey Appleby "Yes Minister" stuff.

One of the advantages of having had to respond for the Opposition every year for four years is that I was able to consider the report alongside an earlier report on the maintenance and construction of motorways. The Department of Transport will have to take seriously the conclusions of the Public Accounts Committee's reports. In paragraph 2(iii), the Public Accounts Committee says:

"We are concerned that since there has been little systematic investigation of the causes and costs of premature maintenance, the Department may not be in a position to take full account of unforeseen repairs and premature maintenance in their cost benefit analysis or in setting standards for road construction."

That is extraordinarily serious. We heard something similar to that when we were considering the motorway programme. I hope that that is taken seriously in both the Department of Transport and the Treasury. It surely represents public expenditure that should have been made to avoid substantially greater sums of public expenditure later.

Similarly, my right hon. Friend the Member for Swansea, West referred to the report on financial problems at universities, and my hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) made an important point when he said that this report echoes an earlier report and referred to the gap between May 1988 and February 1990. It is not sufficient to know what is going wrong; we must address it and put it right. The tributes that were paid to those who are currently struggling with the problems at University college, Cardiff, were justified. Efforts are being made to respond to the specific problems that the report outlined.

A report that struck a chord with me because it related to an earlier report was the one on the Metropolitan police estate. Two years ago, one of the most horrific Public Accounts Committee reports that I have seen was produced on the financing of the Metropolitan police. The current report complements that earlier investigation. The Public Accounts Committee said:

"We consider that the poor condition of the Metropolitan Police's operational estate is unacceptable, and that this almost certainly hinders efficiency and effectiveness."

That comment was made at a time when public concern about crime was rising substantially, as is crime itself.

The report continues:

"We are not satisfied that even within the funds available, effective management of the estate has been given the care and attention it clearly requires . . . We endorse the Metropolitan Police's acceptance of the fact that, though cutting back on maintenance seems an immediate, easy option, it is in the long term a damaging and expensive one."

That is a message that I try to convey to the Department of Transport; it is certainly right in this context.

The report continues:

"We are concerned that the Metropolitan Police have over the years built up an extensive land bank of valuable sites without having determined a clear strategy and timetable for bringing them into use."

The Government's response to that and further points made in the report is to accept most of the Public Accounts Committee's findings and say that all will be put right when money is available. Money will have to be made available, or substantially higher sums will have to be made available later. Again, a little public expenditure that is forgone now will cost the public purse much more later.

Mr. Shersby: The report of the Metropolitan police estate was of considerable interest—I declare my interest as parliamentary adviser to the Police Federation. It has resulted in several sites that were held by the Metropolitan police estate either being developed for the purpose for which they were originally intended or being disposed of as part of a disposal programme. There are too many rundown police stations in London that need urgent attention, and money realised as a result of sales can be used for that purpose.

It might amuse the hon. Gentleman that, on one famous occasion, two members of staff were standing in the window of the National Audit Office. One said to the other, "I wonder who owns that site across the road." They decided to find out and discovered that it was owned by the Metropolitan police and that it was being used as a car park. The hon. Gentleman will be glad to know that it will be redeveloped as the new Gerald road police station, the purpose for which it was originally intended.

Mr. Brown: That is pleasing news. It is particularly pleasing that proceeds from the sale of those sites can be used to improve police stations or to develop other police stations. That is an obvious answer to the problem, but it is not one that obtains throughout public administration, as any councillor could tell the hon. Gentleman.

As it is "after eight", I shall briefly consider the report on the Royal Mint. I was much taken by this report because I originally thought that the idea was pretty daft. The report tells us:

"In 1987 the Mint launched the Britannia gold coin, which they expected to make a major contribution to their sales and profits. However, they significantly overestimated the demand for it and, despite advertising and promotion expenditure of over £3·5 million, it produced a profit of only £100,000 on sales of £63-64 million in 1987-88. We therefore asked the Mint why they had embarked on this enterprise."

That seems a fair question. The answer is in the following paragraph:

"We were told that it was a Ministerial decision taken in the early part of 1987".

In other words, this was some daft idea of the former Chancellor of the Exchequer, the right hon. Member for Blaby (Mr. Lawson). It might have had a better chance of success if the right hon. Gentleman had not gone on to slap VAT on gold coins and if there had not been a fall in the price of gold which reduced the bullion market overnight. These are the people to whom we entrust the management of the economy!

Mr. Robert Sheldon: Since then, it has become clear that the statement that we received from the Department concerned was in error about VAT. VAT had changed some years before.

Mr. Brown: That spoils what was otherwise quite a good shot. Never mind, the principle remains true—the idea was daft. Better care should be taken in weighing up the commercial prospects of these ventures before embarking on them, regardless of when VAT was imposed.

The last report to which I want to refer is of particular sadness to me. In the last Parliament, I served my right hon. and learned Friend the Member for Aberavon (Mr. Morris) as his deputy in the Labour party's legal affairs team. That duty brought me to serve on the Committee on the Prosecution of Offences Bill which set up the Crown prosecution service. The Financial Secretary to the Treasury will perhaps remember all that fairly well. I think that he was involved at some stage, although I cannot remember whether he was on the Committee.

The Crown prosecution service was set up in a bipartisan spirit. It was approved by both sides of the House. We all made speeches wishing it and the Bill well. Although there were questions we wanted to ask and points we wanted to explore with the Government, the Bill's passage was not unduly obstructed. However, the Opposition were worried about rates of pay for solicitors who were to work in the service. We felt that the Government had underestimated the costs of staffing and were underfunding the service. We expressed particular concern about the way in which the relationship between chief police officers and the Crown prosecution service would develop.

All those points have been picked up by the Public Accounts Committee. It saddens me that aspects that we thought would go wrong have gone wrong. The report states:

"We are disturbed at the very high cost of employing agent lawyers, especially where their performance has been less satisfactory".

We hoped that staff of the Crown prosecution service would be wholly in-house and that it would not be necessary to employ agent lawyers, except in special circumstances.

The report continues:

"We were concerned to learn that, despite the steps taken to establish effective liaison between the Crown Prosecution Service and the police, consultation and feedback were still being hindered by inadequate communication and, in the view of the Crown Prosecution Service, the late delivery of files from the police."

It was always important for the functioning of the new Crown prosecution service that the service and the police helped each other and understood the new relationship that was supposed to exist between the two. Clearly, that has not worked out as well as the Government and the Opposition hoped.

The Public Accounts Committee continues:

"We are disturbed at the large proportion of discontinued cases which were not dropped until the court hearing."

The cost of that must be substantial. Clearly, it is up to the Crown prosecution service, to the police and to the court authorities to co-operate to ensure that there is a substantial reduction of such cases. I wholeheartedly endorse that recommendation by the Committee, which also says:

"We were disappointed to learn that the Crown Prosecution Service had failed to secure the improved standard of case preparation it was expected to achieve over previous prosecution arrangements."

Perhaps the most serious and worrying point in the report is when the Committee says that the estimates have proved to be far too low. It says:

"Nevertheless, we are concerned that the estimates proved to be far too low and that the Service appears to be costing almost twice as much as the previous prosecution arrangements, with a staff requirement practically double the size originally envisaged. In these circumstances we find it surprising that, more than two and a half years after becoming operational, the service has not fully met the initial objectives set by the Government mainly because it still did not have enough staff."

The Public Accounts Committee is exploring a worrying point there.

The duty of replying on such matters in the House falls to the Attorney-General, although, of course, the Crown prosecution service is still administered from the Lord Chancellor's Department. I hope that heed is taken of the report. The whole House wishes the Crown prosecution service well, but we want our wishes to be put into effect and not undermined, as seems to be happening.

I want again to express our wholehearted gratitude to the Committee for the substantial time that it has put into examining these matters on our behalf. I reiterate our thanks to the Chairman of the Public Accounts Committee for his leadership, and for the sense of direction and of unity of purpose with which he provides his fellow Committee members.

9.31 pm

The Financial Secretary to the Treasury (Mr. Francis Maude): I join all those who have paid tribute to the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) for the distinguished chairmanship that he has brought to the Committee over the past seven years. Several members of the Public Accounts Committee and others have said that the role of the Committee may never have been more important. I have no doubt that that owes a great deal to the objective and determined way in which the right hon. Gentleman conducts his business. The whole House owes him a debt of gratitude for the work that he leads in that way.

The right hon. Gentleman referred to the high turnover of members of the Public Accounts Committee—especially of Opposition Members—and the hon. Member for Newcastle upon Tyne, East (Mr. Brown) referred to the high turnover of Financial Secretaries. He seems to have accounted for three so far in the course of the four debates in which he has taken part. I look forward to taking part in a great many more of these debates as Financial Secretary. I enjoyed this debate because it demonstrated how seriously the members of the Public Accounts Committee take their work and it emphasised the importance of that work.

There is one former member of the Public Accounts Committee whose absence tonight is conspicuous and tragic. I refer, of course, to our friend Ian Gow. I was proud to count him a friend and a colleague. He leaves a gap in our hearts that can never be filled.

My hon. Friends the Members for Scarborough (Sir M. Shaw) and for Rutland and Melton (Mr. Latham) predicted—I do not know whether gloomily or otherwise—that this debate may be their valedictory occasion as members of the Public Accounts Committee speaking in such a debate. The House owes both of them a debt of gratitude for their work. They have been distinguished members of the Committee and have brought to it great

[Mr. Francis Maude]

clarity of mind and expertise. I know that the Committee will miss that. I was going to say, "we". I believe that I am now a member of the Public Accounts Committee. I hope that I may be forgiven for not yet having appeared at a sitting as I became a member of it only on Tuesday of this week. I believe that I have a respectable alibi.

All Ministers, particularly Treasury Ministers, are conscious of the need to ensure propriety and value for money in the spending of taxpayers' money. The Public Accounts Committee has an exceptionally important role to play in both those areas. In the area of propriety and regularity, it is rightly concerned to ensure that the funds that the House votes to the Executive are spent only for the purposes that the House has authorised and are properly accounted for.

On value for money, it has been a major objective of the Government since they came to power to improve the economy, efficiency and effectiveness of public spending. In that respect also, the Government and the Public Accounts Committee have common objectives. The financial management initiative launched in 1982 is a continuing programme to promote efficiency and value for money by placing responsibility as far as possible at the level where operations and activities are managed and delivered. It therefore seeks to provide managers with a framework of objectives of output and performance measures, cost information, training and expert advice. Within that framework, managers are responsible for making the best use of resources and achieving the greatest value for money.

The right hon. Member for Ashton-under-Lyne referred in particular to six reports and I shall deal first with Northern Ireland and the nursery and the microfilming contract. All who have spoken recognise that the Housing Executive carries out a substantial and successful housing programme, sometimes in exceptionally difficult circumstances. But the Committee's criticisms were clear and stark and have been accepted. Remedial steps have been taken to ensure that nothing similar happens in future. The right hon. Gentleman said that it was unusual for the Committee to express its astonishment. I concede that astonishment registers high on the Committee's Richter scale. If I may say so, the words were not misused. The Government accept that there were important lessons to be learnt from that episode and I assure the House and the Committee that they have been learnt.

The second report referred to by the right hon. Gentleman related to the financial problems at universities, particularly at University college, Cardiff. The circumstances that led to the Department of Education and Science's intervention in the affairs of University college, Cardiff, were exceptional. Mismanagement by senior college staff put the institution in severe financial difficulties with an increasingly great deficit. As the Committee's first report acknowledged, when the Department had incontrovertible evidence in late 1985 of those exceptional circumstances from the then University Grants Committee, decisive action to remedy that was instigated.

It became clear that the only route to effective survival was the merger, which I understand had been long mooted with the University of Wales Institute of Science and Technology. That merger took place in 1989. It was supported by some extra funds, but subject to stringent conditions, to ensure a fresh start. Of the £11 million new funds, £4·4 million was in the form of a repayable grant to be repaid by the new institution using its best endeavours to sell surplus assets and by the recovery of certain other sums. The new institution has made a good start from difficult origins. To date, some £1 million of that £4·4 million loan has been repaid to the Exchequer.

Since the education reforms, monitoring has been undertaken by the Universities Funding Council and there have been several key changes. The lines of accountability have been clarified. The UFC has its own accounting officer and its relations with the universities are governed by financial memoranda. Universities are required to provide appropriate financial monitoring data and, in any case, now have a standard format for their accounts. The UFC has strengthened its financial expertise, including the establishment of an internal audit unit, to scrutinise all of those. In the unlikely event of another institution beginning to suffer the same kind of mismanagement, the UFC should be able to detect that quickly and act appropriately. However, under the Education Reform Act 1988, its powers of intervention are not unfettered. Parliament insisted that proper allowance should be made for the autonomy of universities.

I want now to consider the sixth interim report on the sale of Rover Group to British Aerospace. I have no doubt that the Government acted wholly in the national interest by conducting that sale. I also have no doubt that it was carried out in a correct, defensible and justifiable way.

The sale fulfilled our objective of privatising the company within the lifetime of the current Parliament. It was our aim to relieve the taxpayer of the liability represented by the Varley-Marshall-Joseph assurances, which at the end of March 1988 were estimated at £1·6 billion and which were set to increase substantially. It was our aim to achieve that sale on the best possible terms and to achieve a clean break that would protect from further risk the taxpayer who had, it is worth remembering, already contributed some £2·9 billion to Rover Group.

We also aimed to achieve privatisation without exposing Rover Group to the uncertainty to which it had proved so vulnerable in the past. All our objectives have been achieved and, most importantly, Rover Group is now flourishing in the private sector. It has committed £500 million of new capital investment. Its new range of models has been highly successful and, with the introduction of three-shift working at Longbridge, record productivity levels have been attained. The contrast with British Leyland's miserable and depressing history in the public sector could hardly be sharper.

Mr. Terry Davis: Is not it true that Rover Group was already making substantial profits when it was publicly owned?

Mr. Maude: It was making a very modest operating profit, but that took no account of the wider financial circumstances, which were still pretty dire.

The right hon. Member for Ashton-under-Lyne referred particularly to price and exclusivity. It is worth pointing out that Rover Group was sold for £150 million and one of the conditions of sale was the implementation

of the corporate plan involving £1·6 billion of new capital investment and the undertaking that no further public assistance would be given to the group.

Exclusive negotiating rights were therefore granted to British Aerospace and the reason for that exclusivity was perfectly clear. Competitive bidding would almost certainly have given rise to political controversy which, we must remember, had previously been extremely damaging to the commercial prospects of Rover Group. It would have undermined the realisable value of the business and put the broader objectives seriously at risk. The European Commission decided that £150 million was a reasonable purchase price for the company and that the granting of exclusive negotiating rights to British Aerospace had been justified. I have no doubt that the terms of sale represented the best that could realistically have been achieved.

When talking about clawback, the right hon. Member for Ashton-under-Lyne made a good point. He said that there is a difference between public and private money. I cannot remember his precise words, but I shall check on them because they expressed a good deal of truth. Broadly speaking, he said that one should not take risks with public money and that is precisely the point about the exclusivity. He went on to say, I think, that one should not take risks even if that means that one might receive slightly less as a result. That is the whole point about the exclusivity. We had been through the unhappy episode of a possible sale to Ford and General Motors, with all the uncertainty and the political controversy, which, if I may say so, was prompted to a large extent by Opposition Members, and which had caused serious damage to British Leyland as the group was then known. It was perfectly justifiable, in the interests of the taxpayer and of the company, to avoid such controversy being renewed.

Over recent years, the PAC has taken a close interest in the privatisation of royal ordnance factories. We welcome that interest. It is right that, when public companies are privatised, the Committee should consider whether a fair return has been obtained for the taxpayer. I particularly welcome the Committee's 13th report. Its considered conclusions about the sale provide a welcome corrective to the more sensational claims that appeared in the media.

The company was sold as a going concern after a wide-ranging and open bidding competition. We are confident that the price that we received was a true reflection of its market value. Not one of the major commercial companies involved in the bidding thought it worth paying more than that for the company with all its assets and liabilities.

I now refer to the 16th report on financial management in the national health service. Like management as a whole in the NHS, financial management is now focused on implementing the recent reforms. The Committee's observations about financial management in the NHS have been at the forefront of planning for the reformed NHS. The reforms will demand sharply improved financial management. That requirement has been a feature of all aspects of their implementation. An upgraded system of financial planning and monitoring is being put in place, supported by a substantial investment of time and effort in staff training.

A principal objective of the new systems is to provide the means to ensure that health authorities keep in financial balance in the new competitive environment. An NHS that has its finances in balance will not seek to fund its activities at the expense of creditors. The monitoring of efficiency savings is part of the financial monitoring package. An objective of the reforms is to achieve better value for money. Continued pursuit and achievement of efficiency savings will play an important part in securing that goal.

Good financial management in the NHS requires the commitment of all managers from the management executive down, a clear expression from the top of the priority of such financial management, translation of that commitment and priority into systems that will support management in that task, and the recruitment, retention and training of suitable staff to operate the systems.

Mr. Michael Morris: My hon. Friend will be aware that in the recommendations is the poignant point that the health service has previously been a bad payer, particularly in relation to small businesses. May we have an assurance that, in respect of the Treasury, in the difficult financial climate at the moment, when a level playing field is supposed to be achieved, it will not be to the disadvantage of suppliers to the health service?

Mr. Maude: We should certainly expect it not to be such a problem in future.

I now refer to the value of the land and concern about whether the NHS knew of the value of its estate. One of the reforms to be introduced from April next year is capital charges intended to make the NHS take account of the value of its capital assets. As part of the preparation for the introduction of capital charges, all district health authorities have had to draw up asset registers recording the value of their land and other capital assets. The land has been valued by district valuers.

I now refer to the last report—the 31st report—on road and bridge construction. I first deal with the Chairman's point about delay in the most recent Treasury minute. It was laid before the House, and copies were provided for members of the Committee on Monday of this week, on the first day after the recess. As a newcomer, I understand that it is the long-standing practice not to issue Treasury minutes responding to Committee reports during the recess. I am sorry if the rather earlier timing of the debate after the recess has caused a difficulty.

There was criticism of maintenance being carried out earlier than forecast at the time of construction. There are three important general points to make about this premature maintenance. Premature maintenance costs are very small in relation to the cost of construction, and simply spending more money on the construction does not necessarily avoid premature maintenance.

Civil engineering, of course, inevitably involves risks. The bulk of premature maintenance referred to in the report was caused by factors that were unforseeable or uncertain at the time of construction. We do not knowingly or avoidably build defective roads and bridges.

A certain amount of action was taken in any event before the PAC report was published. Standards, specifications, materials and techniques were kept under constant review and improvements were regularly introduced when justified. A good deal of action has been taken since the publication of the report, including the introduction of an improved computerised reporting system for all defects and all premature maintenance, concentrating on the few cases where there is substantial evidence of significant failure, by consulting engineers or contractors to obtain all costs that are legally recoverable.

[Mr. Maude]

An independent consultant was appointed to carry out a wide-ranging review of the means of redress of poor supervision and workmanship, including the use of sanctions.

Certainly problems have arisen after constructing some sections of modern trunk roads and bridges, but many of the problems identified by the Committee will not recur. We must not overlook the fact that maintenance of many roads and bridges is completely trouble-free. Government constantly strive to secure better value from the huge current investment in the roads programme. To meet the demands of modern traffic flows, we work at the frontier of engineering knowledge. New materials and techniques normally still offer significant net benefits, even after allowing for premature maintenance.

This has been a useful debate in focusing attention on the valuable work of the PAC. I should like to pay a final tribute to the work of the Committee and to that of the Comptroller and Auditor General and to the National Audit Office for its essential support. I thank all members of the Committee who have spoken in the debate and the two gallant hon. Members who are not members of the Committee but who have also made valuable speeches.

Question put and agreed to.

Resolved,

That this House takes note of the 34th to 41st Reports of the Committee of Public Accounts of Session 1988-89, of the 1st to 32nd Reports of Session 1989-90, and of the Treasury Minutes and Northern Ireland Department of Finance and Personnel Memoranda on those Reports (Cm. 963, 964, 1057, 1101, 1150, 1235 and 1247) with particular reference to the following Reports:

1988-89

Thirty-sixth, Further matters relating to Northern Ireland;

1989-90

First, Financial problems at universities;

Sixth, Sale of Rover Group to British Aerospace plc;

Thirteenth, Ministry of Defence: Further examination of the Sale of Royal Ordnance plc;

Sixteenth, Financial Management in the National Health Service;

Thirty-first, Quality control of road and bridge construction.

Mecca Tunnel Disaster

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kirkhope.]*

9.52 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): I wish to raise in this brief Adjournment debate a subject which is probably the saddest constituency case that I have raised in my 17 years' membership of the House.

On 2 July there was a widely reported disaster at Mecca involving religious pilgrims in a pedestrian tunnel. The first reports that I saw—I have since checked them—indicated that up to 100 people had died, but this figure climbed within a day to well over 1,400.

King Fahd of Saudi Arabia caused additional news coverage of the disaster by his remark that the disaster was "God's will" and

"had the victims not died in the tunnel they would have died elsewhere at the same predestined moment".

The Saudi authorities were quoted on 3 July as saying, "Everything is under control". That statement can be taken several ways, but that is not the purpose of this debate and neither can I go into the reasons for the disaster. What I want to raise is the involvement of British citizens as victims—injured or missing—in the disaster. Given the nature of the pilgrimage, it is clear that other nationalities must likewise be affected.

On the evening of 20 September, I was contacted by my constituent, 17-year-old Zubia Waheed, on behalf of her family. The following day I met Zubia and learned that she and her five brothers and sisters aged between four and 13 had not heard from their mother and father since 2 July. Their parents are British citizens, Mr. Abdul Whaid Khan and his wife, Mrs. Munawar Sultana. The couple had arrived for the pilgrimage in Saudi Arabia on 19 June and were due back home on 23 July. They had telephoned home virtually every day since their arrival to make sure that things were okay. However, since 2 July their names have not appeared on any list of the dead or injured.

They have not been located in any of the hospitals. Furthermore, they have not been identified or located by friends and relatives from photographs taken of the victims. Relatives of the family have travelled from Pakistan to check the photographs in Saudi Arabia because friends of the family living in the United Kingdom have been refused visas to visit Saudi Arabia to check for themselves.

The only figure that I have seen for the number of victims is 1,426 but more than 3,500 photographs of victims have been checked to try to trace the couple. I understand that the counting stopped at 3,500. There were still more photographs to count, although all the photographs had been checked. Last Friday I was given a similar figure for the number of victims by a friend in Birmingham. He was the leader of a group of pilgrims in Saudi Arabia at the same time. He told me that it was common knowledge that over 3,000 people died in the tunnel disaster.

I have met my young constituent Zubia on three occasions. She is a credit to her parents and to the youth of this country—a view shared by every member of the statutory authorities that have come into contact with the young lady in recent weeks. She has given up her course at

the local college to look after the other children. But they all, including Zubia, have two simple questions—"Where are mum and dad? When are they coming back?"

Within an hour of my first meeting with the family I telephoned the Foreign Office. Like many people, I remember the press reports of the disaster in July. After that there was nothing at all. There was no reason to suppose that British citizens had been involved. There had been no press reports and no investigations. When I telephoned the Foreign Office and said who I was and that I was telephoning about the Mecca tunnel disaster, Jacqueline Walder of the consular section told me who I was phoning about. She told me the names of my constituents before I gave them. That indicated clearly to me that the Foreign Office staff in London were on top of the matter. The issue was clearly on the desk. Obviously, the family and friends of my constituents had been in contact with the Foreign Office before approaching me in September. That must be contrasted with the attitude of the Saudi Arabian authorities, particularly the Saudi embassy in London. It was asked by *The Independent* newspaper on 5 October about the disaster and the questions that obviously flow about the dead and injured were put to it. The response from the press office of the Saudi embassy was

"God, what's brought this back?"

I believe, as would anyone who read the article, that the matter should never have gone away in the first place. It is clear that there are disputes about the number of victims and that people cannot be accounted for and are missing.

I have subsequently discovered that several other British citizens were involved in the disaster. I presume that the Minister will give us the latest available figures. I have spoken to people in other parts of the country. I spoke at the weekend to Mrs. Shamin, of Nelson in Lancashire, whose husband Mr. Nadir Ali Khan, a British citizen, also disappeared on 2 July without trace. She was with her husband on the pilgrimage but she was not with him that day because her health is not good. She remained behind for several weeks in Saudi Arabia to search for her husband. She also, bless her, came across friends of my constituents and arranged for photographs of Zubia's parents to be sent out to her so that she could look among the photographs when she was searching for her husband —also to no avail.

I contacted the Saudi embassy in London on Monday morning to inform it as a matter of courtesy that I intended to raise this issue tonight. In my letter, I gave an indication of the type of questions that I expected the Minister to be able to answer. What was the final death toll? Given that there were between 4,000 and 5,000 people in the tunnel and having seen the photographs, it is inconceivable that all the injured survived, but no figure beyond the first published has ever been given. How many of the dead and injured were British citizens? Above all, why are some British citizens totally unaccounted for? I told the embassy that Zubia and her brothers and sisters had received no help from the Saudi Government and that they had convinced themselves that their parents are alive.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kirkhope.]*

Mr. Rooker: Zubia and her brothers are convinced that their parents are alive and held in some kind of camp or in slavery. In recent months they have spent a small fortune telephoning the authorities in Saudi Arabia.

The fears of Zubia and her brothers are backed up by a known case of another citizen of Birmingham who went on a pilgrimage last year but could not get back to this country until this year. A woman in another part of Birmingham—not in my constituency—was forced to skivvy in a hotel for several months to make ends meet. The local community in Birmingham knows about such cases and thus there are great fears when people go missing.

I told the ambassador that I am not a diplomat but that my job is to push the case of my constituent as hard as I can so that the Foreign Office tells the Saudi Government that this problem must be settled. I told the ambassador that the lack of information from his Government is bound to give rise to fears in this country that Saudis believe that human life is cheap—one might say too cheap to count.

The Saudi Government have contributed to the lack of reporting by the media of the consequences of the disaster, its aftermath and its effect on the families because they do not allow journalists in to make inquiries. Journalists who asked questions after the disaster were thrown out.

People of Birmingham who visit Saudi Arabia regularly are of the opinion that the Saudi Government are incompetent and arrogant when dealing with visitors. It is certain that no Saudi Member of Parliament will raise this matter in the Saudi Parliament.

We also need to know what inquiries and investigations have taken place inside Saudi Arabia. Where were the dead and injured taken? Has the Foreign Office sent any formal notes to the Saudi Ministry of Foreign Affairs? Has the ambassador in London been called to the Foreign Office to try to explain why British citizens are unaccounted for? It is also reasonable to ask whether our Government have had any contact with any other Governments whose citizens were similarly affected. The nature of the pilgrimages means that millions visit the holy places and, by and large, they are not citizens of Saudi Arabia, but come from all over the world.

It is now virtually on record that British citizens died in the disaster. Their families grieve and we grieve with them, but other British citizens have disappeared without trace. What are their families supposed to do? What of the future? What about documentation and compensation? The facts about what happenened to those citizens are crucial to their relatives so that they are able to live in the future.

Many other natural practical questions come to mind about the circumstances of the six children in my constituency. I do not want to raise the questions in public, but I put on record my grateful thanks for the speed and care with which the statutory authorities responded once alerted to the situation.

I cannot accept that constituents of mine and of other hon. Members—I am referring to British citizens—can simply disappear in an allied and friendly country such as that. The tunnel disaster of July 2 occurred a clear month before the invasion of Kuwait. While the invasion has, of course, put extra pressure on Government arrangements there, that is no excuse for inaction, delay and lack of response.

[Mr. Rooker]

I appreciate—one could not have been in public life and a Member of the House for nearly 17 years without appreciating—that Britain gives the Saudi Government the kid glove treatment on many issues. But I warn that grave offence will be caused to, and taken by, British citizens if we do not receive information and knowledge about what happened to our citizens in that country.

I hope that the Foreign Office has made that abundantly clear to the Saudi authorities. British citizens carrying British passports rely when the chips are down on those famous words on the inside cover of the passport. If those words are to have any meaning, the Saudi Government must realise that the issue will not go away until we know what has happened to the British citizens involved.

10.6 pm

The Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): I wish at the outset to thank the hon. Member for Birmingham, Perry Barr (Mr. Rooker) for raising the question of the tragic incident at Mecca on 2 July and express, through him, my sympathy with the families of his two constituents who failed to return from this year's Haj but about whom there is still no information, and to the family of one other British pilgrim who are in the same situation. I can well understand how they feel.

I wish also to express my deep sympathy to the families of the British pilgrims who so tragically died, and to those who were injured in the disaster in the Mowaisem tunnel. We were all stunned by the news of this terrible disaster, affecting so many pilgrims who were carrying out an act of the highest religious devotion.

Her Majesty the Queen and my right hon. Friend the Prime Minister immediately sent messages of condolence to His Majesty King Fahd. That was before we knew of any British victims. My right hon. Friend the Foreign Secretary sent a similar message to the Saudi Foreign Minister, His Royal Highness Prince Saud al Faisal. We did not know at that stage whether any British pilgrims had been involved.

The disaster struck when the pilgrims were returning from Muzdalifa to Mina, close outside the city of Mecca, on the day of sacrifice, the Eid al Adha. This journey takes pilgrims through the Mowaisem tunnel.

From what we learned from the Saudi authorities, a crowd built up just before 8 o'clock on the morning of 2 July in the area of the tunnel. The 600-metre tunnel, opened in 1979, had previously coped well enough with two-way crowd movements, but, tragically, the volume of traffic proved too much on this occasion.

Apparently, two major waves of people going in opposite directions converged just inside the western mouth of the tunnel. This led to a stampede and the death of many pilgrims. Many were suffocated or trampled in the crush. Some died when they were forced off the raised walkway at the tunnel's western approach. The Saudi authorities have put the total number of deaths at 1,426. Unofficial estimates put the death toll much higher.

I understand that the Saudi authorities have begun an inquiry to determine the causes of the tragedy. They have a difficult task. In the meantime, it would be wrong, indeed impossible, for me to try to anticipate their findings.

The numbers of pilgrims visiting Mecca for the Haj are of course very great indeed. Unofficial sources put the number of pilgrims at this year's Haj at between 1 and 2 million, half from overseas. The Haj authorities give the figure for British pilgrims as about 5,700, based on the number of United Kingdom passports; but many of the British pilgrims are dual nationals, and choose to travel to the holy places on their other passports. Our best estimate of the number of British pilgrims is about 10,000 people.

It may be helpful if I give the House an account of the action taken by our posts in Saudi Arabia in response to this tragic disaster. I am grateful to the hon. Member for Perry Barr for his words about the activities and support of the consular section of the Foreign Office. However, I should like to take the opportunity to rebut recent suggestions in the press of official indifference, and to tackle the implication that the Government are unconcerned about the fate of British Moslems killed in Mecca. I can refute that allegation totally.

As soon as we learned of the disaster on the afternoon of 2 July, before we had any knowledge of British casualties, the consulate in Jeddah tried to find out from the Saudi authorities and others exactly what had happened. Non-Moslems are not allowed into Mecca, so we were unable to send a United Kingdom-based member of staff; none the less, on the following day, 3 July, we sent the pro-consul—who is a Kenyan Moslem—to Mecca to gather first-hand information on the tragedy.

During his visits to Mecca in the days immediately following the tragedy, the pro-consul visited hospitals to look for United Kingdom pilgrims who might be injured. He made contact in Mecca with British pilgrim tour leaders, and was also in touch with the Saudi Haj Ministry. He had no reports of British deaths or injuries until 4 July, when he was able to confirm one death. A further six British deaths were confirmed on 5 July.

In the succeeding days, further casualties and deaths were reported and confirmed. We kept in close contact with the Haj Ministry. The pro-consul visited Mecca again on 11 July; in fact, he visited Mecca almost daily during the first fortnight of July.

Our ambassador in Riyadh subsequently called on the head of the Ministry of Foreign Affairs' consular department and on the Deputy Minister of the Interior. The consulate-general in Jeddah remained in constant touch with both the European section of the Haj Ministry and the Indian and Pakistan sections in an effort to track down dual passport holders. Follow-up action with the Saudi Haj Ministry and with hospital authorities continued during August and September.

There were of course many telephone calls from the public to the Foreign and Commonwealth Office and to our posts in Saudi Arabia. The hon. Member for Perry Barr has generously paid tribute to the service provided by our consular department, which kept in regular touch with relatives in the United Kingdom in the weeks succeeding the tragedy.

The British casualty figures now stand at 20 dead, and a further 14 British pilgrims were injured and treated in well equipped hospitals in Mecca; all, I am happy to say, have now been released.

Our posts in Riyadh and Jeddah are continuing, and will continue, to press the Haj authorities for more details. They have built up regular personal contacts with the Saudi officials involved: in our experience, that is the key to successful handling of a problem such as this. Most

recently, the consul in Riyadh delivered personally a formal note to the Ministry of Foreign Affairs requesting urgent assistance in tracing the British citizens still missing. The Saudi authorities promised speedy action; we will press them on that.

As to compensation, which the hon. Member for Perry Barr mentioned, that is, of course, a matter for the Saudi authorities. However, the consulate general in Jeddah is pressing to establish where matters stand.

Until recently, six British pilgrims were unaccounted for. That number is now reduced to three. It is, of course, regrettable that any of the missing should remain unidentified, despite the best endeavours of our consular staff, who have pressed the Saudi authorities on every possible occasion, but we must recognise that the Saudi authorities have been working in very difficult conditions. They have been having to try to identify those buried by comparing photographs taken of the bodies before burial with those in the victims' passports.

This has been a difficult and lengthy task—not least because of the numbers involved. What is more, the pilgrims would have handed in their own passports to the Haj authorities, so would not have been carrying them at the time of the disaster. I have already mentioned the further complication that some British pilgrims have dual nationality and were travelling on other passports.

While there has been criticism of the way in which the Saudi authorities handled the disaster, we have also had reports from relatives that they were very helpful to those who were attempting to identify the bodies of their kin.

In conclusion, while I fully understand and share the concern of the hon. Member for Perry Barr, I must recall the very large number of victims of this disaster and the enormous difficulty the Saudis are having in identifying them. For our part, we are dependent on the Saudi authorities for information.

None of this, however, detracts from the pain which the relatives of those who are still unidentified must feel. The Government fully understand their wish to be able to satisfy themselves about this tragedy, so we shall continue to press the Saudi authorities, through the consulate-general in Jeddah and the embassy in Riyadh, and we shall, of course, pass on at once any information they receive to the relatives in this country. The Saudis have assured us that they will grant visas and assist families who wish to continue searching for information in Mecca themselves, and we will be glad to assist those applying for visas if necessary. Our consular staff in Jeddah will of course do everything possible to help, too.

Question put and agreed to.

Adjourned accordingly at sixteen minutes past Ten o'clock.

House of Commons

Friday 19 October 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Points of Order

9.34 am

Mr. Stanley Orme (Salford, East): On a point of order, Mr. Speaker. Yesterday when a question was raised about the Prime Minister calling my right hon. Friend the Leader of the Opposition a "crypto-communist", you said:

"Allow me to reflect upon the matter to see what can be done."—[*Official Report*, 18 October 1990; Vol. 177, c. 1394.]

Have you had a word from the Prime Minister about withdrawing that remark?

Mr. Speaker: I have not had a word from the Prime Minister, but I have reflected upon the matter. I have discovered a specific ruling on this point. On 5 May 1948 the Speaker ruled that it was not out of order for one hon. Member to refer to another as a crypto-communist. However, he deprecated personalised attacks. As I said when the matter was raised yesterday, it appeared to me that the Leader of the Opposition was amused rather than offended by what the Prime Minister said and I took the precaution of seeing the action replay on television this morning. Perhaps we should leave the matter there.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker.

Mr. Speaker: No. I have not yet finished. I must add that I do deprecate personal aspersions between hon. Members. For the benefit of the House I shall quote page 380 of "Erskine May" which states:

"Good temper and moderation are the characteristics of parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of his opponents in debate."

Mr. Skinner: Further to that point of order, Mr. Speaker. It is well known that in the House hon. Members comment about others and that on occasion hon. Members are penalised for making those remarks. I referred yesterday to the time when I was thrown out of the House for calling Doctor Death a pompous sod. It seems that the rules are changed according to who makes the remark. For example, what would your reaction be——

Mr. Speaker: Order.

Mr. Skinner: —If I called——

Mr. Speaker: Order.

Mr. Skinner: —the Prime Minister a crypto-fascist? Is that in "Erskine May"?

Mr. Speaker: Order. Will the hon. Gentleman sit down? I refer him to the precedents on this matter. If he looks up *Hansard* of 5 May 1948, he will see the exchanges that took place. Times have changed since 1948 and I repeat again——

Mr. Skinner: It depends who says it.

Mr. Speaker: Order.

Mr. Skinner: You dare not throw them out.

Mr. Speaker: Order. I again draw the attention of the whole House to the excerpt from "Erskine May" that I have just quoted. We should not cast personal aspersions on each other. I deprecate it. Hon. Members who saw the action replay on television this morning will have noted that there was a great deal of noise. The microphones amplify noise coming from the Back Benches on each side. It is not always possible in the Chair to hear remarks made in a soft voice.

Mr. Orme: Thank you for your comments, Mr. Speaker. It might benefit the House if the Prime Minister reads what has been said today. I see that the deputy Prime Minister is present. The Prime Minister might reconsider her remark and let the House know accordingly.

Mr. Speaker: I am sure that the matter will be drawn to the Prime Minister's attention.

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Speaker. You will recall that two days ago I raised a point of order because my name had been added in error to a number of early-day motions, including 1398 which is entitled "Massacre in Jerusalem". Some of my remarks at that time about the naivety or anti-semitic nature of the contents of the motion could have been taken as a personal remark about the hon. Member for Aberdeen, North (Mr. Hughes), who shares my name. I should like to make it clear to the House that that was not my intention, nor is it my view. Naturally I withdraw my remarks so far as the hon. Gentleman is concerned.

Mr. Speaker: That is in the best traditions of the House, and I thank the hon. Member.

German Unification

[Relevant documents: Fourth Report from the Foreign Affairs Committee on German Unification: Some Immediate Issues (House of Commons Paper No. 335), the Observations by the Government on the Report (CM. 1246), and the Seventh Report from the Treasury and Civil Service Committee on International Monetary Arrangements: Eastern Europe (House of Commons Paper No. 431) and the Seventh Special Report from the Committee: the Government's Observations on the Seventh Report (House of Commons Paper No. 645) so far as they relate to German Economic and Monetary Union.]

9.39 am

The Minister of State, Foreign and Commonwealth Office (Mr. Tristan Garel-Jones): I beg to move,

That this House takes note of European Community Documents Nos. COM(90) 400 on transitional measures consequent upon German unification and 8782/90 on revision of the Community's financial perspective in the light of German unification; and endorses the Government's approach to these negotiations.

The House will be aware that I have spent most of my parliamentary life in the genteel and rather sheltered world of the usual channels. To that extent, in relation to the House, I claim to be an innocent abroad. The hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) kindly arranged a little outing on the nursery slopes for me by placing an Adjournment debate on the Order Paper just before the recess—a typically thoughtful gesture on his part—so I cannot even claim the House's indulgence as a novice performer at the Dispatch Box.

Today's main business is to debate the European Community's package of legislative proposals integrating the former German Democratic Republic into the European Community. That matter cannot be divorced from the wider background of the enormous changes that have swept across Europe in the past year. Nothing has symbolised those changes more than completion of the "Treaty on the Final Settlement with respect to Germany" and the achievement of German unification.

The unification of Germany is without doubt one of the single most important events to take place in our lifetime. It is a triumph for the German people and a vindication of the steadfastness of the allies throughout the cold war. And it is a tribute to President Gorbachev and his new Soviet Union.

German unification has heralded in an exciting prospect of a different and more hopeful world—a world not without danger and difficulty, but a world where it is possible for the community of nations—faced with the challenge of Saddam Hussein—to unite in a way that would have been unimaginable a year ago.

On a more prosaic level may I make a general House of Commons point? Those great events were triggered a year ago by the collapse of the Berlin wall; they gathered pace and moved on at a speed that is a salutary reminder to us politicians that, quite frequently, it is not we who shape events—but people themselves. The most that we can claim to do sometimes is to run along behind, trying to place these events in some kind of order. In essence, that is what we are doing in the House today.

The treaty, unification, and the EC reaction to it all took place while the House was in recess. I place on record my thanks for the co-operative response I received from the hon. Member for Hamilton (Mr. Robertson), who leads for the Opposition on EC matters, and from the hon. Member for Newham, South (Mr. Spearing) who chairs the Scrutiny Committee, when I expressed to them my anxiety that the House was not able to discuss these matters as and when they arose.

Equally my right hon. Friend the Member for Guildford (Mr. Howell)—whose Select Committee report is one of the documents relevant to today's debate—has taken great pains to keep in close touch with my right hon. Friend the Secretary of State throughout this fast moving drama. The Secretary of State has twice given evidence on German unification to the Select Committee on Foreign Affairs. The Government's reply to the Committee's report was published on 10 October.

I am grateful to all three Members for the interest they took in those matters during the recess, and I hope that the House itself will recognise that Her Majesty's Government have taken the earliest possible opportunity to enable the House to address itself to those matters.

In my speech, I shall remind the House briefly of the process of German unification, including two-plus-four talks and related matters. I shall then examine the EC implications of German unification, focusing in particular on the Commission's proposals for integrating the former GDR into the Community. In doing so, I shall draw attention to two detailed points that I expect to be of interest to the House: the interim arrangements now in force and the financial consequences of the overall package.

Let me turn first to the remarkable events of the past year in Germany. The process of unification began at the moment the Berlin wall was breached. From then on, the pressure for unification grew ever more intense as the bankruptcy of the GDR's economic and political system became clearer. Once the people of the GDR had voted on 18 March for unification, democracy and a market economy, work began in earnest. A decisive step was the introduction of German economic and monetary union —GEMU—on 1 July. I draw the attention of hon. Members to the report on this by the Select Committee on the Treasury and Civil Service and the Government's reply. GEMU initiated a period of economic and social adjustment which will no doubt take some time to be resolved. The economic and social upheaval in turn gave rise to political pressures which led to the decision to unify on 3 October. Therefore, I shall deal first with the non-EC aspects.

At Ottawa in February my right hon. Friend the Foreign Secretary and his colleagues agreed on the framework of the so-called two-plus-four talks, which brought together the two German states and the four wartime allies—Britain, France, the United States and the USSR—to discuss the external aspects of German unification. That proved to be a successful piece of machinery. Throughout the two-plus-four process the Government took the view that unification itself was something for the Germans themselves to decide. But we were concerned to ensure that the external aspects, which considerably affected our interests and which included a number of rights and responsibilities, were properly addressed and dealt with.

Two-plus-four Ministers met four times: in Bonn on 5 May, in East Berlin on 22 June, in Paris on 17 July and in Moscow on 12 September. The Polish Foreign Minister took part in the Paris meeting when Germany's border with Poland was discussed.

The outcome of those meetings was the treaty to which I referred earlier. The treaty ends four-power rights and responsibilities relating to Germany as a whole and to Berlin, makes Germany's borders definitive, spells out that Soviet troops will leave Germany by the end of 1994, reaffirms Germany's right to belong to whatever alliances it chooses and deals with security arrangements for the territory of the former GDR. It is a good treaty, which meets our objectives while taking account of legitimate Soviet concerns.

The treaty comes into force when all signatories have ratified it. Germany and the United States have already done so. Our own ratification will be complete soon. It has been laid before the House in the normal way, for clearance under the Ponsonby rules. To cover the period between unification and entry into force of the treaty Foreign Ministers of the two-plus-four countries agreed in New York on 1 October that four-power rights and responsibilities would be suspended from the date of unification, 3 October, so that Germany would enjoy full sovereignty from the outset.

Two-plus-four was limited to those areas of business that the four powers and Germany needed to resolve together. We have also been active in negotiations with the Germans, the French and the Americans over issues that concern the western allies. The outcome of those is a series of agreements dealing with: the stationing of forces in Germany, the stationing of forces in Berlin, the 1952-54 relations and settlement conventions, and air services to Berlin. The purpose of those agreements is to put in place the practical arrangements needed to replace those that fell away with the ending of four-power rights and responsibilities. They will all be published as Command Papers.

Sir Geoffrey Finsberg (Hampstead and Highgate): My hon. Friend the Minister mentioned a document on air services. Will he say now or during the winding-up speech whether the ridiculous height limitation on flights into Berlin have been abolished?

Mr. Garel-Jones: I shall ask my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who is to wind up the debate, to answer the question of my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg).

The background that I have outlined is, of course, directly relevant to the central purpose of our debate—the EC implications of German unification. The two-plus-four negotiations did not address the integration of the former GDR into the European Community. That is a matter for all EC member states. The United Kingdom has, from the outset, worked for the smooth and rapid integration of the GDR into the European Community. At the Dublin European Council in April, the Prime Minister was instrumental in securing conclusions that set the Community machine in motion. The European Council tasked the Commission to prepare proposals paving the way for EC-GDR integration. The Commission produced a detailed and thorough set of proposals in August. They landed on my desk, all 322 pages of them, at a time when many right hon. and hon. Members had other seasonal distractions. Those proposals are the focus of today's debate.

The leitmotif—hon. Members will forgive Watford a little Wagner today—of the Commission's approach was to ensure that, in principle, the territories of the former GDR became part of the European Community upon unification. That meant EC law had to be applied there as from 3 October.

Dr. Norman A. Godman (Greenock and Port Glasgow): I hope that the hon. Gentleman or the Minister who is to reply to the debate will say something about the implications of unification for some of those whom I represent—the fishermen in Scotland. I have not met a single person in Scotland who has not wholeheartedly welcomed unification, but our fishing communities are deeply concerned about the implications of an enlarged German fishing fleet being allowed to fish in the so-called free waters west of Scotland and in the North sea.

Mr. Garel-Jones: The hon. Gentleman raised that question with my right hon. and learned Friend the Leader of the House when he made his business statement on Monday. I know that the hon. Gentleman will be relieved to hear that the reply that my hon. Friend the Minister will make at the end of the debate will satisfy both the hon. Gentleman and those whom he represents.

It was not possible for EC law to apply in its entirety in the former GDR immediately; environmental and other standards were well below the Community norm. A transitional period was clearly required before such standards could be applied. A limited number of derogations were necessary. The Commission's package therefore contains a series of substantive proposals for legislation. Each of them has been described for the House in an explanatory memorandum deposited with the Scrutiny Committee during the recess.

Mr. Dennis Skinner (Bolsover): How much will they cost?

Mr. Garel-Jones: I shall deal with that later in my remarks.

The main areas covered are trade, agriculture, environment and transport. When the Commission prepared its package, it was assumed that German unification would take place towards the end of the year. The telescoping of the timetable for German unification meant that European Community institutions could not complete their handling of the package before 3 October. It was therefore necessary to adopt interim procedural arrangements that would cater for the period between unification on 3 October and final adoption by the Council of the Commission's proposals. We expect that to happen in late November or early December.

We had a unique problem during that interregnum. No one wanted the ex-GDR integrated into the Community but unable to apply the acquis in full and with no constraint on the extent of its non-compliance. The Commission package therefore also contained two draft Council instruments that authorised the Commission to apply the proposed measures during the interim period as if they had already been adopted. That was of course without prejudice to the final Council decisions on the individual legislative proposals.

I submitted explanatory memorandums on those measures to the House on 10 September. I discussed them with the Chairman of the Scrutiny Committee on 7 September, and wrote to him on that date. It is fair to say that he, too, recognised the need for an interim arrangement, and the impossibility of holding up a

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decision until after the House reassembled some two weeks after unification. The Foreign Affairs Council discussed the draft instruments on 12 September, and finally adopted them on 17 September.

I regret that, because of the recess, it was not possible to meet normal scrutiny arrangements for those measures. Our purpose was to set a limit to the extent of derogations permissible during the interregnum. An absence of specific legislation would have risked a free-for-all which would have been in no one's interest. The procedure also allows the Commission to act, during the interim phase, as if its proposals were in force. Negotiations so far have shown that there are no major problems for Britain in the Commission's proposals. I hope that the House will agree that under the circumstances the Government were right to take a decision on those measures during the recess.

I now come to the main package of transitional measures. European Community—GDR integration poses a number of detailed technical issues across a range of EC policies, of interest to several Whitehall Departments. The Commission's proposals are the subject of intense negotiations in Brussels. A special working group has been dealing with the package in uninterrupted session. There will be a brief discussion of the package at the Foreign Affairs Council next Monday and probably also at the Council in November. Now is, therefore, an ideal opportunity for the House to express its views on the substance.

The task of integrating the GDR into the European Community throws up no institutional problems. The German Government have not sought amendments to the treaties establishing the Community—only to secondary legislation. Nor have the German Government sought amendments to the provisions for German weighting in qualified majority voting or an increase in the number of German members of the European Parliament to reflect German unification. I am sure that the whole House will welcome that.

Mr. Harry Barnes (Derbyshire, North-East): Does not the German lack of interest in extending its representation in the European Parliament show the weakness of the European Parliament? It is like joining nothing, so there will not be any great pressure to take additional seats. Additional seats will be required only if the European Parliament begins to be of significance—the more significant it is, the more pressure there will be from the Germans to take additional seats.

Mr. Garel-Jones: I am interested in the hon. Gentleman's comments. I suppose that he is a crypto-member of the Labour party in these matters. His view on the Community and on the European Parliament is not, as I now understand it, the view taken by the Labour Front Bench. I do not think that it is even remotely plausible to accuse the Federal Republic of Germany of a lack of interest either in the European Parliament or in the Community.

Mr. Skinner: The truth is that the Minister is a crypto-Euro fanatic and always has been. When he entered this place, his main intention was to become further embroiled in the Common Market, but I do not think that he told the electors of Watford about his intention. Now he has an opportunity to prove it. He is saying something quite appalling to the House today. Germany has a £36 billion surplus on its trade with the rest of the world, and we are up to the neck in debt, yet the Minister is proposing that British taxpayers, who are already saddled with £16 per family to prop up the common agricultural policy, should hand out more of their money so that Germany can be even more powerful than it already is. I think that the Minister is a crypto-jackboot.

Mr. Garel-Jones: It is an important moment in the life of any Front-Bench spokesman when he receives his first intervention from the hon. Member for Bolsover (Mr. Skinner). It was a characteristically cosmopolitan intervention. If I am a crypto-Euro fanatic, he is a crypto-member of the Labour party in these matters.

Mr. Harry Barnes: On a point of order, Mr. Deputy Speaker. I do not intend to raise a point of order about being called a crypto-member of the Labour party—nor, I imagine, will my hon. Friend the Member for Bolsover (Mr. Skinner).

Mr. Garel-Jones: The House may find it helpful if I highlight the major substantive issues under negotiation in Brussels. One area of discussion in Brussels so far has been trade. It is extremely encouraging that the Commission estimates that about 80 per cent. of single market legislation can apply to the ex-GDR immediately, including that on public procurement, financial services, company law, indirect taxation and intellectual property.

The Community does, however, have to take some account of the very different trading environment within which the GDR has been operating until only very recently. It would, for example, cause considerable difficulties for the East Germans if goods produced in the former GDR were suddenly banned from sale in their own markets on the ground that they did not comply with EC standards. The Commission has, therefore, proposed that such goods may continue to be sold in the territory of the former GDR for a limited period. That does not, of course, affect other EC goods, which may circulate freely in the former GDR.

While many trade agreements between the former GDR and her traditional trading partners in eastern Europe, including the Soviet Union, expire at the end of this year, others will need to be renegotiated. The normal application of the EC rules would mean the immediate imposition of EC tariffs and standards on imports into the former GDR. Not only would that cause difficulties for GDR businesses, but it might also cause economic problems for the third countries involved that we and others are trying to assist. The Commission has, therefore, proposed that the derogations allowed for sub-standard GDR goods may also be extended to traditional eastern European imports, and that tariffs on east European imports may be suspended up to the maximum quantities and value of traditional patterns of trade.

We support those proposals. They should not cause any distortion to UK trade, because the transitional periods are so short—only limited derogations are allowed beyond 1992—and the goods benefiting from these derogations will only be traded within the territory of the former GDR.

We must of course ensure that the goods benefiting from those transitional arrangements do not circulate elsewhere in the Community, which would risk distorting trade. We have had particularly close contact with the German Government on that point, and, I am pleased to

say, have reached a satisfactory agreement. We are confident that the risk of leakage is small—but were any problem to arise, arrangements have been put in place to ensure very rapid action to end it.

I have already mentioned briefly the length of the derogations. The Commission's aim, in line with the conclusions of Dublin Council in April—reported to the House by my right hon. Friend the Prime Minister immediately afterwards—is to keep the number of transitional derogations from EC law as few, and as short, as possible. Quite rightly so. In practice, most derogations are for two years—until the end of December 1992. In some areas, however—notably the environment—longer derogations are unavoidable. Rt. hon. and hon. Members will need no reminding of the appalling state of environmental decline in the GDR—as good a symbol as one could hope to find of the failure of the communist system.

With derogations proposed until the end of 1995 at the latest, GDR industry will need to make considerable and rapid efforts to meet EC requirements, and the Commission also wisely ensured that new infrastructural investment in the GDR will be excluded from these derogations. So from now on, for example, any new power stations there will have to be built to EC standards. Again, we are satisfied that there is little risk of distortions to competition, but any difficulties could be taken up with the Commission.

Mr. Tony Banks (Newham, North-West): Does the Minister have any calculations about the cost of cleaning up East Germany? I have heard a figure mentioned, for a 10-year period, of $140 billion to $150 billion.

Mr. Garel-Jones: The cost, which will be substantial, will fall on the Federal Republic. I do not know what the exact figure will be, but that is the price that the former citizens of the GDR must pay for 40 years of the kind of rule that some Opposition Members below the Gangway would support for our own country.

Competition policy and state aids are, of course, of particular interest and concern to us. One great advantage of bringing forward the date of unification is that the full force of the EC treaty in those areas will now apply to the former GDR. That is important at a crucial time in the economic development of the territory, with massive new investment flowing in. We have now moved to a position where the competition policy Commissioner, Sir Leon Brittan, has direct responsibility for applying the treaty of Rome in a country which a year ago was a communist state.

The Commission package includes proposals to allow derogations from secondary legislation on state aids, by allowing assistance to the shipbuilding and steel sectors. But we are satisfied that the current provisions of the sixth shipbuilding directive, which will apply to the ex-GDR and will be extended to the seventh Directive, protect the interest of other member states, and we have successfully pressed for assurances from the Commission that they will closely supervise the provision of aids to the steel sector, and take urgent action should any distortions of competition arise.

Agriculture is of course a key area, too, and one with immediate financial implications for the Community. My hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, will speak later in the debate, if he catches your eye, Mr. Deputy Speaker, and will cover those matters in some detail.

The United Kingdom has worked hard in the Brussels negotiations to resolve issues of potential concern. I am glad to be able to report that virtually all the areas of concern to us have been worked out to our satisfaction. Subject to approval by the House today, I hope that the Council will be able to reach a common position on the Commission's package before the end of the month. Final adoption should be by early December at the latest, following the Second Reading in the European Parliament.

That decision will, in effect, complete the handling of the external aspects of German unification. The rapid pace at which the package will have been handled in Brussels and Strasbourg is a tribute to the effectiveness of all the Community institutions.

I turn to the financial implications, in which the hon. Member for Bolsover expressed an interest. Volume III of the main commission package, which I am sure the hon. Member for Bolsover has read, covers that aspect, and the financial implications are updated by the Commission's proposal for revision of financial perspective, which also forms part of this debate. It is, of course, for the German Government to cope with the costs of unification. It has always been clear that they would bear the lion's share of the cost of adjustment.

There will, however, also be both expenditure and revenue on the EC budget as a result of integrating the GDR into the Community. As I have already made clear, EC law applies to the former GDR from unification. That includes the own resources decision. There will, therefore, be an immediate new source of income to the Community as a result of integration. However, the former GDR territories will also be eligible for Community expenditure —for example, from the structural funds and on agriculture.

Overall, the budgetary costs of EC-GDR integration should be well within the revenue ceiling set out in the 1988 own resources decision. Precise estimates are difficult, but the Commission estimates a net cost to the Community of about 500 mecu in 1991, peaking at a maximum of 1 becu —about £700 million—in 1992.

Our latest estimate is of a net cost to the Community of some 650 mecu in 1991, peaking at a maximum of some 1·2 becu—around £835 million—in 1992.

Thanks to the Fontainebleau mechanism—I know that the hon. Member for Bolsover is closely attached to that because it has involved substantial savings for Britain over the years, thanks to the intervention of my right hon. Friend the Prime Minister, savings which the Labour Government were prepared to forgo—the net cost to the United Kingdom of EC-GDR integration will be small —on these figures, nil in 1990 and about £32 million in respect of 1991. I should stress that these figures can only be indicative at this stage.

Mr. Skinner: We have heard all this before about the Prime Minister going to the Common Market and coming back with barrowloads of money. The truth is that since the Government got in in 1979, it has cost the British taxpayer £14 billion to be a member of the Common Market, so where are the barrowloads of money? The Minister now says that the cost will be nil this year and

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about £32 million next year. The truth is that those figures are fiddled like all the other Government figures.. Here we are with the British taxpayer paying £16 a week for every family in Britain to prop up the common agricultural policy. We are now giving money to make the German regime more powerful. The Minister also said that the Government are going to prop up shipbuilding yards in east Germany and elsewhere—while they are shutting down shipbuilding yards in Sunderland and Birkenhead. What a scandal.

Mr. Garel-Jones: The truth is that the cost to the United Kingdom is considerably less than the British taxpayer has been spending for the past 20 years on propping up the industry that the hon. Gentleman is so interested in. If the Commission needed any advice on cooking the books, I think that it would know where to go.

This small cost to the United Kingdom will, we hope, be offset by greater opportunities for United Kingdom firms to do business in the German Democratic Republic. My right hon. Friend the Secretary of State for Trade and Industry is encouraging United Kingdom businesses to explore for themselves the important opportunities created by German unification. There are now 16 million new consumers in the single market. It is vital that we do not leave these new investment opportunities for others. The former German Democratic Republic territories must certainly come to terms with massive economic problems as a result of the transformation of their economies, but we believe that rapid growth is likely in due course.

At the outset of the debate I referred to the historic importance of these events that the House is now debating. As the Foreign Affairs Committee report points out,

"the re-emergence of a great unified German state is a development which alters the structure of world power".

A year ago East Germany was a communist country with all that that meant politically, economically and in terms of human rights. Today, with the documents before the House, we have in our hands the tools which bind that ex-communist territory into our democratic system, into our single market.

The new united democratic Germany makes the Community stronger and larger than it was before the recess. Yes, it is a challenge, too, because Germany will carry—and deserves to carry—a lot of weight within the Community institutions. But those challenges will be met on the level playing field increasingly provided by the single market. We in Britain must meet them because it is the challenge of the market place for which we have fought for so long within the Community.

But there is another challenge that all nations now face, and that is the wider challenge of the new world order, in which the new Germany will play an important role. As we have seen in the Gulf, it is an order which is not without danger and risk, but the very response the world has made to the situation there underlines the hopes that we all have for the future.

I have no doubt that the House will want to play its part in pressing forward with the process of EC-GDR integration which is a small part of the wider process of European integration after the collapse of communist ideology. I commend the proposals to the House.

10.14 am

Mr. George Robertson (Hamilton): I offer a warm welcome to the Dispatch Box to the hon. Member for Watford (Mr. Garel-Jones). He comes with a remarkable reputation, forged in the smoke-filled heat of the Whips' Office, and the delight of his right-wing friends at his movement to the Foreign Office—perhaps he will be replaced by some of them—tells its own tale of his background.

I offer the Minister a salutary warning—he should not get to like his job, because it is not an especially safe post. Since I was appointed to the Opposition Front Bench to speak on foreign affairs, nine years ago this month, I have watched no fewer than 23 Foreign Office Ministers come and go. The last tranche of three lasted one day less than a year. The hon. Gentleman's predecessor, the hon. Member for Warwickshire, North (Mr. Maude), the Minister for Europe, was one of those who managed one day less than a year. In the light of certain events last night in the south of England, it is likely that the hon. Member for Watford will be back in the Opposition Whips' Office before that record can be broken.

I welcome the debate because the subject is of enormous and momentous importance, but I must enter one caveat. I note the congratulations and thanks that the hon. Member for Watford gave for the co-operation he had received. The Scrutiny Committee, to whose work he paid testimony, does an enormously valuable job and has produced two reports on the documents that we are considering. I became aware of those reports as I sat listening to the Minister's speech. The reports are extremely important and apparently they were in the Vote Office at some point during the week—perhaps late on Wednesday—though they are not on the Table of the House for hon. Members this morning. I know that this is not directly the Minister's responsibility, but when the House is asked to consider documents running to more than 320 pages at very short notice and when the Scrutiny Committee goes to the time and trouble of going through them, making recommendations and drawing conclusions, the House should at least be made aware that its report is available in the Vote Office. The attention of Front-Bench spokesmen, as well as those responsible for the issue, should be drawn to that fact. It is a matter of some regret to me that that did not happen and I point it out for the future.

Mr. Nigel Spearing (Newham, South): I am grateful that my hon. Friend has drawn our attention to reports, which hon. Members on the Scrutiny Committee feel are important. For the record, the Committee considered these documents after receiving them in the post during the recess. I pay tribute to the Minister for his excellent communications to Committee members during the recess. The Committee met on Tuesday morning at 10.30 and we hoped that our report would be made available. I am grateful to my hon. Friend for advertising the importance of our reports. Ultimately they will be published as our 32nd report of the Session. When debates arise at short notice we put the typescript of our reports in the Vote Office and we hope that these reports are a succinct summary of the content and import of many important documents.

Mr. Robertson: I pay tribute to my hon. Friend and to the work that his Committee has done by glancing through

these documents. In the limited time available I have found that the report offers a helpful and useful gloss on the matter that we are considering. The authorities of the House should consider how Scrutiny Committee reports can be made more generally available to hon. Members.

Although it is the European Community implications of German reunification that we are considering today, that act of uniting the two German states, brutally and artificially divided for the last 40 years, marks the final end of the second world war and puts a line under the cold war itself. Those of us, such as the Minister and myself, who have known only the days of a divided Europe, and a continent divided on that fault line which ran through Germany from the Baltic sea to the borders of Czechoslovakia, can especially savour the final act of a chilling and paralysing play which went on for so long.

I still retain memories of seeing the Berlin wall for the first time. Few people, in my experience, found it easy to take in. It seemed, at exactly the same time, to be both obscene and absurd, with concrete, guns, guards, dogs, traffic traps and searchlights all the way down the centre of a city in the modern world. It struck me then, and it still does, as incredible and sinister. I cannot imagine such an absurdity surviving the derisive vandalism of a couple of days of Glaswegian hostility. It survived, however, for far too long. Its asbestos-riddled chill will have entered the soul of a generation of Germans and others. It will not, and never should be, forgotten. The wall has now gone, but it is not yet a full year since that emotional 9 November when the pack of rotten cards that was the edifice of the German Democratic Republic finally crumbled.

Today is a day for marking in this Parliament our joy at the end of a divided Germany, a day when this Parliament of our United Kingdom can pay tribute to those brave people in the former German Democratic Republic who stood for freedom, decency and self-respect against a corrupt, corrosive communist dictatorship and whose real sacrifices laid the foundation for people to be free for the first time in almost 60 years.

We can, and we should, also pay tribute to the robustness of West Germany's democratic institutions. Some of them were certainly influenced and built by us after the second world war, but all of them were made to work by Germans who were determined not to repeat the horrors perpetrated by former generations. The success, both economic and political, of the Federal Republic of Germany is a testimony to the achievement of the post-war German generations in building a new nation which is peaceful, prosperous, generous and friendly, and that may be a moral for the new world order to which we all aspire.

We should also pay tribute in the debate to some others who transformed science fiction into political science during the last 12 momentous months—to the Hungarians, whose decision to open their borders to the refugees from Herr Honecker's "workers' paradise" kicked the final crutch from under the regime; to the Poles, whose devotion to Solidarity, even after martial law was imposed, kick-started the whole process that led to the end of the walls, the wires and the communist ruling classes; and to Mikhail Gorbachev, justifiably the recipient this week of the Nobel peace prize. who gave the signal that force would no longer be the means of tying the satellite states to mother Russia and who now sees mother Russia herself disintegrating into a dozen potential Lebanons.

Although the debate gives us a chance to recognise and debate the new era that German unification, more than any other single event, symbolises, I recognise that it is also about the pain that the transition will involve. The 320 pages of the document before the House are a blow-by-blow description of the complexities and problems that this one act of political progress will mean for our 12-nation Community.

The Opposition endorse the general position that the Government have taken, reflecting, as it does, the collective position of the Council of Ministers, the Commission and the European Parliament. The pace of unification took everyone, including many Germans, by surprise. The measures that have been outlined are clearly necessary in the special circumstances, even though we all realise that more time, were it available, would make the transition easier and more digestible.

Before I deal with the Commission's document, I wish to refer to the important implications that the unification of Germany will have for our bilateral relations with Germany. Germany was and, in its larger form, will continue to be Britain's major European partner. The united Germany's eventual economic and political strength will make that relationship more and more important, so how we build our friendship and partnership with Germany will very largely determine what sort of role we ourselves play in the new Europe. That should be a self-evident and blindingly obvious truth. That it has to be said at all is a measure of just how hopelessly the Government of this country, and especially its Prime Minister, have managed their dealings with Germany in the past year.

The Prime Minister started with hostility to the very idea of unification; then she obstructed it; then she regretted it, even when it was inevitable; then she harked back to former German sins to disparage it. When, at last, she accepted the inevitable and was forced into grudging acceptance of it, her lack of warmth for it and her absence of pleasure at its symbolism blighted and injured the crucial relationship between our two countries. The disaster that was the Ridley fiasco simply put the icing on an already-poisoned cake. After his humiliating and disgraced resignation the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley) still boasted in the *Sunday Express* in August:

"I believe that what I have said to you is not very far away at all from the position of the British Government."

That came from a man who was sitting in the British Cabinet in July. When, as he said, he was

"still at the top of the political tree"

he was asked by Dominic Lawson:

"But surely Herr Kohl is preferable to Herr Hitler? He's not going to bomb us after all."

The right hon. Gentleman could not, however, reply with the word no. Instead he said:

"I'm not sure I wouldn't rather have the shelters and the chance to fight back, than simply being taken over by economics."

As the right hon. Member for Shropshire, North (Mr. Biffen) said, revealingly, in *The Guardian* shortly afterwards, the former Secretary of State for Trade and Industry had

"momentarily possessed a gift in communication that eludes most front benchers."

Some gift; some Front Bench.

Mr. Hugh Dykes (Harrow, East): After those remarks and the subsequent resignation of a certain person, did the

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hon. Gentleman regard it as a little bizarre that although a small number of people in this country said, slightly behind their hands, "Of course that person was correct; the Germans are bombastic and arrogant and wish to seize the whole of Europe and tell the rest of us what to do", the same people, several weeks later, in respect of the Gulf crisis said, "Why aren't the Germans with us in the Gulf with their forces? Why are they so pathetic and timid?" Was not it a strange double act by the same set of people?

Mr. Robertson: I could not have put it better myself. There are double standards. The hon. Gentleman points the finger unerringly in the direction that has probably kept him below the Gangway for much longer than he deserves.

At a time when bilateral relations really matter, if Britain's view and our special circumstances are to prevail at the European Community's intergovernmental conference in December, the Prime Minister's insensitivity and hooligan diplomacy have made us, first, a laughing stock and, secondly, a sadly ignored passenger in Europe. She may say, as she said in February:

"We dared to say the realities and talk the sense which other people are fearful to say, lest they be misinterpreted."

However, what grates with those who may even share her gut apprehensions is the crudely counter-productive effect of her ill-chosen words and her careless talk.

I ask the House to consider the Prime Minister's boastful approach last November at the Lord Mayor's banquet when she said:

"We re-established respect for Britain abroad and more and more we found the ideas that we had rediscovered were spreading to other countries as they began to free up their economies and return to the values which across the years had made Europe one of the greatest civilisations of the world."

Contrast that with the words of Chancellor Kohl in October, who said:

"At the beginning of the last decade of this century we see new opportunities for a world which solves its problems through reconciliation and understanding, and remains committed to the principles of international law. Our country stands shoulder to shoulder with all of those who are committed to peace, respect for human rights and fundamental freedoms as well as individual well being."

That contrast of tone and content shows the true measure of those who constantly hark back to the sins of the past and those, including the majority of people in this country, who look forward to the opportunities and promises of the future. Let the Prime Minister reflect on how worried this world would be, and with some justification, if Germany were adopting her brand of know-all nationalism.

I should like to touch on one particular aspect of the unification process concerning the lessons that some secessionist elements in Scotland take from the entry of east Germany into the community. The Scottish National party is trying to make out that the accession of the eastern Länder of Germany to the European Community proves its bogus prospectus on automatic membership of the Community for a separate Scotland. As usual, it deliberately misses the point. First, the constitution of the federal republic always allowed for the accession of East Germany, individually or collectively, to that state. Secondly, rapid unification was a economic imperative for the two Germanys, where, in effect, the German Democratic Republic was collapsing into the federal republic. Thirdly, and crucially, the European Commission has made it clear in the document before us that

"It views the integration of the GDR into a united Germany, and hence into the Community, as a special case. It will have to be done by stages. However, it does not necessarily require any amendments to the Treaties."

The secession of a part of the United Kingdom and its application to join the European Community would also be a special case, but, in contrast, would necessitate a major treaty change. That would require messy negotiations with vetoes possible, indeed almost inevitable, from other countries naturally worried by similar secessionist aspirations. Once again, the Scottish National party seeks to twist the events alive in Europe today to camouflage a policy which sounds attractive, but which if embarked on would threaten Scotland with chilly isolation from the European family.

This amazing report is right to warn us of the sizeable consequences for the European economy of German unification. Those consequences will reach well beyond the borders of the new Federal Republic, and will, as hon. Members will show later in the debate, penetrate into many aspects of British life—for example, into agriculture, shipbuilding, the environment and, as my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) will show if he catches your eye, Mr. Deputy Speaker, the fishing industry.

I had the pleasure of attending the debate in the European Parliament in Strasbourg last month when its committee on unification was considering this issue. It was a spirited and informed debate, watched with vigilance and interest from beside me by the Soviet ambassador to the European Community as well as by members of the now disbanded Volkskammer of the German Democratic Republic. I pay tribute to the European Parliament for its thorough work on the subject, especially to my friend and colleague Alan Donnelly, the Member of the European Parliament for Tyne and Wear, who was a most able rapporteur to the committee. He carried out an onerous and prestigious task to plaudits from all sides of that assembly and most countries involved.

A German newspaper reporting the debate concluded with this sentiment:

"There was only one thing lacking, the European Members of parliament in Strasbourg had only a vague idea of the real situation in the GDR."

That was not a fair or accurate reservation. The MEPs appreciate, as the German people are slowly realising, the enormity of the problems being exposed in the former German Democratic Republic. It is an environmental nightmare, an economic basket case, an investment Eiger wall and a social disaster zone——

Mr. Garel-Jones: Socialism.

Mr. Robertson: —caused by 40 years of communism; it has nothing whatsoever to do with socialism.

All those problems appear in the 320 pages of the report and much of it was predicted in the excellent report of the Select Committee on Foreign Affairs earlier this year and in the report on the monetary aspects from the Treasury and Civil Service Select Committee.

Mr. Andrew Rowe (Mid-Kent): I have been listening to the hon. Gentleman's extremely generous praise of Chancellor Kohl and his recent remark that the former Democratic Republic's problems had nothing whatever to

do with socialism. Do not the recent results of the German elections reveal that the Germans are not as positive about that as he is?

Mr. Robertson: The real test of German opinion will be on 2 December. It remains to be seen how strong the Conservative elements will be in that country, but it does not come well from a member of a party that is 13 per cent. behind in the opinion polls in this country and which stunningly lost a safe Conservative seat last night to tell us about the success of the Labour party or of the German Social Democratic party.

The Conservative party is slipping into an era of desperation. When the Prime Minister clambers to the Dispatch Box to call the Leader of the Opposition "a crypto-communist" and a party political broadcast parades various eastern European luminaries across the screen to try to prop up the collapsing edifice of Thatcherism, people in this country will not be confused and will not be conned by the cheap propaganda or by the uncalculated desperation of the Prime Minister when she makes such accusations.

As the Minister amply displayed in his speech, we do not know the full facts. Years of statistical intervention and corruption in the GDR have left behind a wholly distorted picture. In their response to the Select Committee on Foreign Affairs, the Government say that unemployment in the former GDR in August was 1·75 million people, or 20 per cent. of the work force. On 4 October, the German federal labour office in Bonn put joblessness in the German Democratic Republic at 440,000, or 5 per cent. of the labour force. There is, therefore, a contradiction in the statistics that are being produced.

Even the costs of unification to the German taxpayer are obscured and perhaps will become public knowledge only after the all-German elections on 2 December. The Government's response to the Select Committee puts the cost at DM 100 billion per year, but on 4 October Chancellor Kohl put the overall cost at

"a four figure billion sum".

It would appear that these costs alone will eliminate the total external surplus of the Federal Republic of Germany —a matter which exercises my hon. Friend the Member for Bolsover (Mr. Skinner)—which is a major prop to the trade deficit in the United States of America. The knock-on effects of German unification will go well beyond the borders of that country.

There will be worrying costs to the European Community, as the lengthy financial memorandum outlines. Although the Minister expresses confidence, there is no real assurance that it is justified. The costs are calculated at DM 4 billion per year, with a net addition to the Community budget from Germany of DM 3 billion. We are told that the other DM 1 billion can be found without cost to the present budget, but there will inevitably be an increasing long-term budget for the European Community as a result of unification, which must be worrying to the German Government and other Governments.

Germany is again one state and the symbolic importance of that to the German people should not be underestimated. In the short term, that state—saddled by the legacy of the past 40 wasted years in the east—will have problems aplenty and it will need our support, help and guidance to get through that period. Thereafter, we had better be in no doubt that the new Germany will be a formidable power—economically, politically, but certainly not militarily—in our continent. However, inside the embrace of the European Community and sharing and participating in the pooled sovereignty that the Community represents, it will and must be a power for good. It will, though, pose one threat to this country and to our economy, enfeebled by these past 11 years, and that is a threat that we and we alone can meet and counter if we want to do so. It is up to us, the fortunate generation which is alive and in public life as the continent unites again, to see that our people get the means to join equally in that formidable competition.

10.41 am

Mr. David Howell (Guildford): The recent report on German unification by the Foreign Affairs Select Committee, to which my hon. Friend the Minister and the hon. Member for Hamilton (Mr. Robertson) referred, began with these words:

"The re-emergence of a great unified German state is a development which alters the structure of world power. For Europe it is the most profound event since the division of the continent at the onset of the Cold War. Taken together, the decline of the Soviet 'empire' and dominance in Eastern Europe and the related coming together of the two German States are creating a new political map of Europe. The United Kingdom, as a prominent nation in Europe, as well as being one of the four occupying powers of post-war Germany, is fundamentally affected by these momentous and rapid changes."

Whether one looks on the reunification process with enthusiasm, as many do, or with mixed feelings, as many others do, the fact is that it became inevitable. The second the wall came down—perhaps some in the Federal Republic and elsewhere should have seen this more quickly than they did—it became inevitable that there would be a high-speed movement not merely towards monetary and economic unification but towards full political unification. With the perspective of last spring, we pointed out in our Select Committee report that, however fast the process already seemed then, it would be faster still and would become a top-speed operation. That has proved to be the case. The process has moved so quickly that, in a sense, it has gone ahead of the capacity of the European Community institutions and its members to make the necessary changes in time to admit the GDR to the Community. That is why we have this interregnum, about which my hon. Friend the Minister talked.

The reason for the speed lay in the fact that the disparities between the Federal Republic and East Germany were so vast that there was a possibility that, the moment the wall was down, millions of people would move across from East Germany to the west, unless there was a positive reassurance that East Germany would be quickly embraced in the West German economic system and in the values and support of the European Community. Even so, there was a colossal migratory movement and many thousands began to cross. That would have become an uncontrollable flood, utterly destabilising West Germany, unless there had been rapid acceleration of the timetable.

Unification has taken place. It is now our task in the House and in this country, as it is in other legislatures throughout the world, to meet the considerable challenges with immense vigour and to understand and respond to them. In our report, we put those challenges into a number of groups. We said that, first, there were the problems of

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welcoming a vastly enlarged Germany—much the largest member—into the European Community, and of recognising the inevitable changes that would be imposed on West Germany and East Germany and on the Community's procedures and structures by the arrival of that large new member state. Secondly, we discussed external aspects—the effect of a united Germany on broader questions of security in Europe and in the post-cold war security order.

On the first group of problems, we began in our Select Committee report to look at the issues which we are specifically considering today and which are raised by the proposals and documents before us—the cost to the European Community and individual members. There seems to be a little confusion as to whether a cost arises in 1990. It is clear from every document that a cost will arise in 1991 and 1992 for the whole Community and the United Kingdom. The documents state that the estimated cost to the United Kingdom could be about £50 million in 1991 and perhaps more in 1992.

The Scrutiny Committee, which does a superb job in keeping an eagle eye on these matters, reports in one of its papers the Commission's view that there will be no immediate cost impact in 1990, whereas the Foreign Office memorandum and explanatory note says that there will be an immediate cost. It is important for Ministers to clarify whether there is an immediate cost to the Community or United Kingdom budget. As hon. Members will recognise, there seems to be a flat contradiction between the Commission's view and statements by the Foreign and Commonwealth Office. Has the Commission just got it wrong? That seems probable.

The costs to the Federal Republic are enormous. I thank my hon. Friend the Minister and his colleagues for the unusually full reply by the Foreign and Commonwealth Office and the Government to the Select Committee's report. That useful reply went into interesting detail and recorded the staggering fact that the West Germans, who were expecting to pay about DM40 billion in 1990 out of their budget for the extra costs of unification, now face the prospect of paying DM100 billion—an overshoot of 150 per cent. in the current year. That is a staggering extra burden, even if it falls on one of the world's most powerful and richest economies, and it is bound to create enormous tensions not merely in that economy but in terms of funds being less available from Germany, one of the great capital engines of the 1980s.

Those funds will increasingly be diverted to East Germany and to internal matters, and the rest of the world will have to go without them. That will inevitably put new challenges in front of those who manage the deutschmark. It might not have worried us quite so much before we were in a fixed or semi-floating relationship to the deutschmark, but we are now within the ERM. It is important for us to be able to monitor closely the effect of the unification process on the deutschmark.

On the whole, I draw confidence from what the managers of the deutschmark in Frankfurt—the Bundesbank—are doing. They were overruled on many aspects of German monetary union and reunification. They argued, rightly, that the exchange rate was absurdly high and would inflict appalling and rapid damage on large swathes of East German industry. That has happened, but the bill has to be picked up in vastly increased welfare and unemployment benefits. That is where the extra DM60 billion has been generated.

Nevertheless, at the Bundesbank, people are clearly determined, despite the huge extra impost on the budget, to put one aim above all else—to maintain the integrity of the deutschmark. It is an interesting aside—and we shall come back to this in our debate next week—to ask why we are so confident that, despite all the extra strains, the deutschmark will maintain its soundness as a currency. The answer is that it has behind it a well-tested, immensely reliable and proven structure—the Bundesbank. It is an independent, central monetary authority, which puts the soundness of the German currency first. If it did not, it would create chaos for the rest of us.

If there is a lesson to be drawn for our own adventure into the exchange rate mechanism, it is that we shall not be able to operate effectively the disciplines in the ERM unless we, too, have a central monetary authority with the status and reputation in world currency markets that the Bundesbank has. That is a fundamental condition if we are to be part of the system as well. I have digressed slightly from our central concern about the effect on the deutschmark of the reunification process. As a result of the Bundesbank's commitment and the Germans' determination to put the soundness of their currency first, they will manage, although the strains will be great.

There are costs for eastern Europe, which we tend to overlook in the excitement of looking at the unification process. We must remember that Czechoslovakia, Poland, Hungary and Bulgaria are going through the same liberalising, free market cold shower. However, they have no rich uncle, no West Germany to pour in billions to cushion the enormous effect of moving into market economics. One of the repercussions of the rapid integration process—which, on the whole, I welcome—is that the new democracies, which are just struggling to get out from their old, planned framework and into a free market environment and which are just dipping the first toe into that ice-cold water, are being hit by the most appalling series of problems, one of which is the rapidity with which they have lost their East German markets.

In the Commission documents there is some provision to ensure that at least over the interregnum of a few weeks ahead, the absence of tariffs governing the exports from Czechoslovakia, Hungary and Poland into East Germany continues, but thereafter—and the Czechs take this view—those countries will have to say goodbye to many of their East German markets. That is happening at a moment when they are also saying goodbye to many of their markets in the Soviet Union, which is about to break up and disappear down a black hole. It comes at a time when their oil costs are soaring to the skies, although oil prices, I am glad to see, are at last beginning to return to sanity. It comes at a time when they are still not sure what access they will have to the rest of the European Community.

That change also comes at a time—and this is very much a matter for the United Kingdom—when there is a definite push to expand the use of the German language. The dominance of German business arrangements runs right through eastern Europe. We already have a true inner deutschmark zone, not only in the countries in the ERM, but in the countries that have said publicly that they will link their currencies absolutely at fixed rates to the deutschmark. Among those countries are Austria,

Switzerland, Holland, Belgium, Luxembourg and, of course, the former German Democratic Republic. I know that the German authorities hope that, in due course, Czechoslovakia will join the deutschmark zone and that a convertible currency can somehow be achieved.

Our eyes would be tightly shut if we did not realise how the reunification process is changing all the balances and trade relationships in eastern Europe, and creating the most colossal challenges for the new democracies there. We must respond to that and, in my personal view, far more vigorously than we have so far, not least because the success or failure of the other bits of eastern Europe, apart from eastern Germany, will be our success or failure. We cannot merely watch and assume that everything will be taken care of by the invisible hand and by market forces now that communism has been destroyed. It will not necessarily happen that way unless there is vigorous and active western intervention and support on a scale higher than we have envisaged so far. If that does not happen, the opportunity for open and free economies to stretch from this side of Europe into Soviet Asia will be thrown over and history will judge us unkindly on that score.

When we studied these matters earlier in the year, we were worried that the Soviets might be a little difficult and that there would be arguments about the pace at which the Red Army of the west, encircling Berlin with its 350,000 soldiers and 200,000 dependants, would go and when it would go. To the great credit of all those involved in the two-plus-four process, of the Bonn Government and of those in Moscow, those problems have broadly been sorted out. They have been sorted out partly by the simple process of the Red Army of the west, like the East German army, beginning to disintegrate. Desertions have increased and it is becoming harder for the armies to be held together at all. The East German army has gone through an amazing process of self-shrinking as more and more of its members have simply failed to turn up for work. That is one way of carrying out the disarmament and weapons control process.

The Soviet army is also suffering huge desertions. That will become a major social problem, and will cost West Germany DM12 billion. It will have to spend money in keeping the troops round Berlin for a while, then shipping them home to Russia and then providing them with housing there. The housing will be built by German construction firms with German money. The problem of the armies has resolved itself by a melting process and the difficulties that might have arisen and the possibility of the Soviet army's presence being used as a bargaining counter by Mr. Gorbachev have gone away.

The reunification will change NATO. The two Germanies are fully in NATO, although on several conditions, such as a limit to the size of the Bundeswehr and how operations are carried out in what was formerly East German territory. There are also unspoken conditions in the minds of the Germans.

This is not the end of the process, but the beginning. We must ask ourselves to what extent Germany, like the other great defeated, but now super-economic power, Japan, will be a positive, active and willing member of the international security community. There is a danger, and there may have been a sign of this over the Gulf issue. The Germans failed to rally as quickly as some had hoped to an obvious threat to European and world interests. Some people felt that we might have been seeing a sign of another sort of Germany—not a militarist Germany, but an anti-militarist Germany, which would be inward looking and uninterested in playing its part in world affairs. I do not think that that is in the minds of the present leaders in Bonn, who have been sturdy and solid in their commitment, but it is silly to pretend that that is not a possibility and that we must not keep on our guard. There is a fear that the huge new Germany may become so preoccupied with itself that it may become increasingly reluctant to have nuclear weapons on its soil—a matter that has yet to be fully worked out—and that it may begin to drift not to the neutralism that we feared in the past —which meant anti-western neutralism—but to a passive non-commitment to world affairs that we could ill afford, bearing in mind the fact that it is such a huge country at the centre of European and world affairs. That is a word of warning only.

Mr. John Browne (Winchester): Does not my right hon. Friend think that the German idea at which he hinted in his speech—that Germany sees its future in terms of economic rather than military growth—could be the seed of that theory?

Mr. Howell: My hon. Friend touches on a point that is understandable from the German point of view. The Germans have had two military adventures in this century and one in the 1870s, which appeared marvellous at the time but have all ended in the most miserable deprivation, and in total disaster and catastrophe for their society. Many of them are immunised and inoculated against engaging in any kind of military activity ever again. However, the process can go too far the other way, and become detachment and non-responsibility rather than proper commitment to the world security order.

Finally, I should like to refer to the other external change that the reunification process is bringing about—a change that affects the whole architecture of Europe, and especially the development of the European Community in the broader sense. There is a phrase that one hears in Paris a lot: it is said that the whole aim of Community policy must now be to "lock in" the new united Germany. That phrase is, I feel mistaken: it implies somehow that that huge power is a sort of dangerous bear that must be kept on a chain by the rest of the European Community, which will teach it a thing or two about balance and democracy. Such a line of thought is insulting to the Germans, who have shown—as was emphasised by the hon. Member for Hamilton—that they are some of the best practitioners of democracy in the post-war world. They do not need "locking in"; they need to find their place—a central and important place—in the new European structure. Whatever some people in western Europe may say about "locking in", and about the need to concentrate on developing and deepening the existing Community structure, the plain fact is that Europe's centre of gravity has moved eastwards as a result of the GDR's joining the Federal Republic and creating the new Germany.

By accepting East Germany into the Community, we have also brought into our perspective the affairs and problems of the other European states of eastern Europe in a most intimate way; unless we recognise that, we shall lead ourselves into many errors. That is why I disagree with those who argue that, for the time being, we should think of European Community development as excluding the eastern European countries—that they should come along later, but should not be a priority now. If we are

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truly set on the process of European construction and development, that process must embrace as soon as possible not just the GDR—as it has done with amazing speed in a matter of a few weeks—but the neighbouring powers east of East Germany. If we do not do that, we shall be sowing dragons' teeth: the instability and chaos, the social pressures and the defeat of all western aims and policies will be very great.

It must be understood that the success of the new democracies—like the success of East Germany—is our success, and their failure is our failure. That is the spirit in which we must act if we wish to see open societies develop from here deep into Russian Asia—which, after all, is what we fought the second world war to do and failed, and what we persisted through a 40-year cold war to do and succeeded. That is the way in which to consolidate our earlier success.

11.3 am

Mr. Nigel Spearing (Newham, South): I am pleased to follow the Chairman of the Foreign Affairs Committee, to whom we are indebted for a forward look on German unification—which, as he says, has now almost been overtaken by events. His was a useful contribution: he mentioned one aspect that might otherwise have been forgotten—the effect of the change in the status of the Länder of the GDR in relation to other emerging eastern European democracies.

The documents that we are considering contain the treaty arrangements and derogations that allow trade between those eastern European countries. I almost referred to them as "formerly members of COMECON"; I suppose that they are still formally members, although "formerly", with an "er", is pretty appropriate, too. The documents define in legislation the relationship between eastern Germany—indeed, the whole of the federal republic, and perhaps even the EEC—and the members of COMECON that are now changing their political arrangements.

Clearly, 1990 will go down in history—in the lifetime of all of us—as something of a political Clapham Junction, and this very month may mark both an end and a beginning. We are seeing the end of the post-war era in the peace treaty that will at last come as a result of German unification; the entry of Britain into the European exchange rate mechanism, which is the subject of controversy on both sides of the House and cannot be seen as a party matter; and the specific EEC legislation that we are considering this morning.

Before I deal with those topics, let me return to something that had been said about the European exchange rate mechanism—for all these mattters have been mentioned in Parliament this week. A reference was made to drivers' cabs. Surely, if we use the Clapham Junction theory of history, the comparison is not entirely accurate: on a railway the driver can go only where the lines are laid, and the route that he can choose—there is usually only one, not 12—will depend on the route set by the signalman, and on the speed of the signals. There is not the element of choice that some people might infer from such an analogy. But—if we are not talking about the driver—who, we must ask, will be the person or persons in the signal box? That is merely a passing comment—which I hope and trust is objectively correct—on the announcements made by the Government last week.

What we are debating today is the legislation consequent on political unification. Ours is a formidable agenda; an hon. Member whom I met earlier in the week asked, "Why a whole day on this?", but I fear that he may not have understood the total conspectus of history.

We are confronting a substantial legislative and documentary "meal". First, we have the four documents that we might regard as the hors d'oeuvres: the report of the Select Committee on Foreign Affairs, HC 335; the report of the Select Committee on Trade and Industry, HC 431; and the replies from the Government to those reports, in Cmnd 1246 and HC 645. We could engage in a whole day's debate on those documents alone. Next, we have the main meal—the vast COM(90)400, which, in the Minister's words, "banged on to his desk" during the recess: it is in three volumes, and contains 300-odd pages. That is the necessary legislation that the Select Committee on European Legislation has considered and attempted to summarise; our report is in the Vote Office, and will be printed as the 32nd report of our Committee this Session.

If we continue the meal analogy, we find ourselves faced with the bill—in the form of EEC document 8782/90, which is also being considered today. The total cost is probably prospective, and has been the subject of dispute between my hon. Friend the Member for Bolsover (Mr. Skinner) and the Minister. Ultimately—as with all financial matters—we shall have to wait and see.

The central document, COM(90)400, has three elements, which the Minister has in part described. On 17 September the Council of Ministers decided to adopt parts of the documents. The problem with this document is that, although it has one number—COM(90)400—there are about 34 elements within it, each of which, in more normal circumstances, might have been a single document. Two of the prime elements are procedural and constitutional. The document gave the Commission authority, as from 3 October, to produce documents which, until they were amended, became the law of the EEC and, therefore, the law of the United Kingdom. As the Minister has described, subsequent to that date they have been looked at one by one, and most of them have been either adjusted or agreed as acceptable to the United Kingdom.

Many of the documents would have been subject to majority voting or qualified majority voting anyway, even if they had not been accepted. However, it is reassuring to know that no substantial changes are envisaged at the moment, although, of course, we may discover that some things in the documents may have effects that we did not anticipate. I shall refer to that matter in a moment.

The 32 legislative documents—the Government have deposited in the Vote Office an explanatory memorandum on each—are in the process of being agreed. If agreed, they will last until the end of 1992 when the transitional period will come to an end. It will be assumed that, unless further transitional arrangements are made, the Länder of the former GDR will be fully integrated into the Community.

The third element in the document is volume 3, which outlines the financial considerations that are further followed up in document 8782/90. The Minister said that the net cost would be about 1,000 million ecu and that the net cost to this country will probably be about £30 million. Perhaps the Minister will confirm that the gross cost, as estimated in that document is about £3,000 million, and

that the outcome will depend, of course, on what expenditure is made and what income is collected under the formula. Although the Government may be a little optimistic in their figures, the actual net cost to this country may not be as great as it looks at the moment.

The next aspect to which I draw attention is the unprecedented nature of the documents. I make no complaint about the necessity for them. Such legislation had to be in place by 3 October or there would have been a legislative vacuum. There can be no doubt about that. By agreement in Germany, unification was brought forward by about three months, and Her Majesty's Government had to act.

The legislation that had to fill the gap is not the sort to which we are used in this House, to which the nation as a whole has got used, and which we perhaps take for granted —certainly in the United Kingdom. When a Bill comes before us, certainly now in respect of private legislation and in procedural terms for public legislation, we hear of a petition for a Bill. The idea is that if we are to have a statute, or if the state is to invade common law or the freedom of the individual—that matter is very dear to the hearts of Conservative Members—there must be a petition stating why we need the legislation, why the monarch should do one thing and why Parliament should do the other. The purpose of the legislation is enshrined in the short and long titles. We then look at it and ask, "Are these powers necessary? Is this the right method? Is it the right policy?" After a long period of digestion, the legislation is agreed.

Legislation may give powers to the Executive of the day to exercise power in execution of the purposes of the necessary Act. As a result of that, regulations come before Parliament in statutory instruments. A Select Committee looks at them to ensure that they come within the scope of the powers given. In this House they are occasionally looked at on their merits when they are affirmative.

However, in this instance—again I make no complaint; the Government had no choice whatsoever—as the Minister properly said, the use of the prerogative, which has been habitually used by this Government and agreed by the House in respect of foreign affairs, was used in the Council of Ministers, again constitutionally properly, initially to validate legislation produced by the Commission, and subsequently, after a certain second look by the Council of Ministers, to become the new law of the Community. It fixes the relationship of businesses, firms and multitudinous matters in the United Kingdom with the new emerging Germany, and indeed with all our colleagues in the EEC.

That procedure has not been done by the due processes of the legislation to which we are habitually used. It has come about as a result of a prerogative act not only by the Government but by the Commission itself, for the Council of Ministers was incapable of producing that legislation. There was no petition and no consultation by the Council. It has to reject or accept the Commission's proposals. Therefore, to this extent it is fair to say that this set of regulations and directives, although inevitable, marks the most extensive example yet of a different sort of legislation being looked at by the House.

What, then, of the role of scrutiny? That will be discussed on Wednesday of next week, and I hope that many hon. Members will be present. Until now, scrutiny in this House has been of matters in which powers have been given by the House when the effects have been known and the merits have been debated. But scrutiny of EEC legislation is not quite of the same character. On this occasion we have a problem through speed, which is almost inevitable arising out of this political situation.

If a future problem were to arise—of course it is unlikely to be of the same nature—or if there were an economic problem of great significance to the work of the Community, perhaps arising out of the Gulf situation—let us hope that it would be solved—or some other world cataclysm, similar types of legislation, but perhaps not on such a grand scale, relating to energy or some other matter, could be put before us in a similar way.

I now refer to the problem that was highlighted by my hon. Friend the Member for Hamiliton (Mr. Robertson). We did our best with the documents and had our report out late on Tuesday evening or early on Wednesday for the debate today. If we are to have proper scrutiny and fulfil our part of what is sometimes called the democratic deficit there must be sufficient time. Almost as important, if not more important, is sufficient publicity of the proposals. My hon. Friend referred to our report, which we released as fast as we could, but there is sometimes a lack of distribution of reports of the Select Committee on European Legislation to the nation as a whole. If firms, organisations and interests are to be aware of what is proposed, they must have access to reports to the House which are publicly available from Her Majesty's Stationery Office. People often complain about the secrecy of official matters. A great deal of information about that kind of legislation is publicly available in reports of the Select Committee on European Legislation.

Unfortunately, events have not allowed time for the normal digestion of the meal that I have outlined on this occasion. That has been inevitable. However, having drawn the attention of the House to the ambit of the proposals and their context, I hope that I have been able to advertise the work of the Select Committee on European Legislation and the reports which its members and staff produce.

11.19 am

Sir Geoffrey Finsberg (Hampstead and Highgate): I want to make two or three points about the broader aspects rather than concentrate on the detailed regulations. I am not sure what contacts the hon. Member for Hamilton (Mr. Robertson) has had. I can only say that over the past four years I have mixed with West German politicians of all parties, I have visited Poland and I have had discussions with Bulgarians and Yugoslavs who are part of the new democratic process. They paid tribute to the work of this country and this Government. If the hon. Member for Hamilton had spoken to people on the spot, he would realise that his comments about my right hon. Friend the Prime Minister bear no relation to reality. The hon. Gentleman may mix in strange circles comprising crypto-socialists. I can assure him that people from behind the iron curtain say that they defeated socialism in action and not just communism and that comes from the people who live in the area, some of whom have been in prison for 20 years. Listening to those people moved me greatly and I realised how lucky we are to live in a democratic institution such as this.

Mr. Robertson: I do not deny that the hon. Gentleman is entitled to his opinion. However, in most of those communist countries, if someone was a democratic

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socialist like many Opposition Members of this House, that person could have been imprisoned just like a Thatcherite right-winger. The rejection of communism does not mean a rejection of democratic socialism in any of those countries or in western Europe as a whole.

Sir Geoffrey Finsberg: I fear that that view is not shared by many people who live in those countries. However, I do not deny that socialists and trade unionists as well as Church people were imprisoned, but the basic fact is that socialism was put into action. I thought that the hon. Member for Hamilton spoilt a very good speech by his unnecessary attacks on my right hon. Friend the Prime Minister and he moved away from reality. That was a great pity.

Mr. Tony Banks: Oh!

Sir Geoffrey Finsberg: If the hon. Member for Newham, North-West (Mr. Banks) wants to intervene, he can, but he will isolate himself as he has done so often in the Council of Europe in the company of one other of his colleagues.

Sir Alan Glyn (Windsor and Maidenhead): Does my hon. Friend agree that the beginning of the process of democratisation occurred when my right hon. Friend the Prime Minister visited Poland and set alight the torch for freedom?

Sir Geoffrey Finsberg: Indeed, and I pay tribute to the Poles for the part that they played in that process. I am only sad that in the process of democratisation they are taking somewhat longer to have full and free elections than I had hoped. As a rapporteur for the Council of Europe, I visited Poland several times and I was saddened that the process has taken longer there than many of us had wanted.

Over the next 12 months several eastern and central European countries will become members of the Council of Europe. I take slight issue with my right hon. Friend the Member for Guildford (Mr. Howell) who is the Chairman of the Select Committee on Foreign Affairs. Before those countries can be admitted to the Community, we must be satisfied that they are democracies fully observing human rights. That is why the Council of Europe has been and is a far better bridge than the Community. Once they are inside the Council of Europe they can go forward a stage further. We must recognise that the Community is a Community of 12. The Council of Europe now has 23 members with six guest members and it will soon be a Council of 30. We cannot ignore what has happened in that institution over the past two years. I recognise how fortunate many of us have been to have taken part in the work of the Council of Europe and of the Western European Union, both of which are playing their part in pushing democracy forward.

Mr. David Howell: I do not dispute for a moment what my hon. Friend has said about the immensely important role of the Council of Europe and we should all recognise his substantial contribution to the Council's work and development. It is clearly more than a staging post. It is part of the process by which the construction and development of Europe will be carried forward. He was right to emphasise the human rights and democratisation aspects, which must progress still further in all those countries, and the Council of Europe plays a central role in that. I fully endorse what my hon. Friend said.

Mr. Dykes: I echo the tributes to my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) for his work as head of the Council of Europe delegation from this country. I wholeheartedly agree with him that the Council of Europe is the ideal first bridge for those countries. Does he agree that that also helps the resolution of a possible dispute between the widening and deepening of the Community? It will take time for those countries to begin to become established parliamentary democracies and to show that they can continue to be such democracies without upsets, coups d'état or developing military regimes, which may occur because of their often very sad political histories in recent decades. Does my hon. Friend agree that there need be no built-in contradiction between the deepening of the Community, which so many members of the existing 12 now want to go ahead with political, economic and monetary union, starting from the December conferences, and the widening that will occur later? Inevitably, we must wait for those new fledgling democracies to prove their durability as democracies—and I do not say that in a spirit of condescension—and those countries will need long transitional periods because of the weakness of their economies.

Sir Geoffrey Finsberg: I should be wise not to enter the morass of widening and deepening and simply stick by what I have already said. Stage one must be full membership of the Council of Europe. Stages two and three may well follow, but I do not want to look that far ahead.

Today's debate is about Germany and I went there as chairman of the election observers of the Council of Europe. I want to relate some of my experiences because they throw into sharp relief what happened suddenly in the German Democratic Republic.

I went out to Germany on the Wednesday before election day. I drove in my taxi to the nearest crossing point to my hotel, but the taxi was sent back by the East German border guard. We were told that we could go only through checkpoint Charlie. We went through checkpoint Charlie and my money was entered on a form and my passport carefully scrutinsed by a very grim-faced guard and we eventually got through.

I left on the Monday, having issued a press statement saying that we were satisfied that the elections were fully fair and free. We went back through checkpoint Charlie and a smiling East German guard wanted to see neither passport nor money form. That was a very sudden change. I hope that it reflected the fact that the guard was merely anticipating the orders that he was to be given by the new Government. That memory remains with me.

I also remember going to a polling station in a small country village about 60 miles outside east Berlin. I saw an old lady enter the polling station. She took a piece of paper and marked her ballot form. She came out in tears. I have only schoolboy German, so with the help of an interpreter I asked why she had burst into tears. I was told that she had come to vote freely for the first time since the early 1930s and that her husband had died the previous day, so had not had the chance to vote. That has made me realise how fortunate we are to be able to go to polling stations with no worries when elections are called.

On the night of the election results I was in the Volkskammer. At the end of the evening I was asked to go on German television with a representative of the West German Christian Democrats. The commentator asked both of us, "How long do you think it will be before there is full unification?" I deferred to my West German colleague, who replied, "About 18 months or two years at the very earliest." I said that I could not argue with that, but that it would take some time to complete all the formalities. Nobody anticipated the speed with which unification would take place. As my hon. Friend the Minister and my right hon. Friend the Chairman of the Foreign Affairs Select Committee said, exchange rates and the economic situation forced an amazing change in speed. As we look back with the most valuable asset of politicians, hindsight, we might have realised that a sudden rush was inevitable. In those circumstances, we have made remarkable progress and everybody is to be congratulated on the speed and apparent smoothness with which we have seen unification take place.

Paragraph 12 of the Government's observations on the fourth report deals with the Conference on Security and Co-operation in Europe and concludes:

"One of the CSCE's most important roles . . . will be to allow the East Europeans a forum in which to discuss their security concerns. The report touches on the question of security guarantees for them. The CSCE could not provide these: it is a political, not a military organisation, and lacks the common purpose necessary to become the latter."

If it is a political institution, its one lack is a democratic wing. I pay enormous tribute to all that CSCE has done since its inception and the Helsinki agreement. Without the agreement I am not sure whether the logjam would suddenly have disappeared. The fact that the Soviets agreed to allow other countries to discuss human rights issues in the Soviet Union, focused the spotlight on what was happening. Much has flowed from that.

CSCE is operating successfully, but there is no political check on its work. Ministers meet and take decisions. Civil servants meet and take decisions—sometimes in anticipation of what their Ministers may want and at other times assuming delegated powers. There is not an institution composed of democratically elected Members of Parliament from the 35 CSCE nations where Ministers can be asked what they are doing, why they are doing it and be questioned on a wide variety of issues. I believe and the Council of Europe believes that it is necessary for such a democratic wing to be formed quickly. In September the Council of Europe took the initiative and devoted a day and a half to CSCE matters under its auspices, but as a separate legal entity.

Mr. Tony Banks: What has been the British Government's response to the discussions that took place in Strasbourg on the creation of a parliamentary wing of the CSCE process? For the record, can the hon. Gentleman justify how he believes that for the CSCE process, which is based on a wider Europe, we should have a parliamentary wing that also includes elected representatives from the United States of America and Canada?

Sir Geoffrey Finsberg: The hon. Gentleman, who is a valuable and valued colleague on the United Kingdom delegation to the Council of Europe, occasionally expresses his own views. The difference between this Parliament and the Council of Europe is that his superb sedentary interventions are never translated there. It is a pity that they do not have some sort of simultaneous translation from the seat.

The British Government are sympathetic to the need for some sort of democratic body. Mr. Gorbachev, and everybody else, recognises that there is a vital link with north America. He has said that he recognises that the common European house needs a north American input. As major contributors to the work of CSCE, it is right that the Americans and Canadians should participate fully in a parliamentary wing.

During the day and a half on CSCE we tried to invite all 35 countries to the Council of Europe. I was fortunate enough to be made chairman of the working party organising it. In the end we had every country except the United States. The President of the Council of Europe was told that the United States could not come because in September it was in the middle of budget discussions and having a difficult time.

The Canadian representative was also in difficulty because although he was personally in favour of the concept, he had not had an opportunity to discuss it with his colleagues. He abstained from what was otherwise an almost unanimous vote, passing the resolution calling for the creation of a parliamentary wing of CSCE and a set of guidelines. I know from my conversations with him that he was returning to Canada with the intention of selling the idea to the Canadians.

Mr. Tony Banks: The hon. Gentleman recounts how the Canadian representative could not vote because his Parliament had not discussed the matter. Will he say when we shall have an opportunity to discuss the proposal for a parliamentary wing of CSCE, so that we can decide whether we want to progress towards it?

Sir Geoffrey Finsberg: I can give the hon. Gentleman a two-part answer. First, I have never been part of the usual channels who are responsible for organising such debates. Secondly, I am certain that with his immense influence in the Labour party the hon. Gentleman can persuade his Chief Whip to devote an Opposition day to the matter. That is entirely up to him.

Many other hon. Members wish to speak, so I shall conclude. I am convinced that if we are to see democracies fully established in eastern and central Europe and to avoid coups d'état and the like, such as my hon. Friend the Member for Harrow, East (Mr. Dykes) mentioned earlier —I see that he has temporarily left us—we must look at what is happening and see what support our political parties can provide. All parties can help their opposite numbers in those countries. We must try to show them not that it is fairly simple to have a party, which it is—at present there are some 78 parties in the Ukraine, one of the Soviet republics. Goodness knows how many parties there will be to fight the elections for the Polish lower House, but few of them will be recognisable parties in our scale of knowledge.

In Poland, Solidarity encompassed everyone. Perhaps the greatest contribution, other than that of Mr. Gorbachev, who made it clear that no force would be used, came from the Churches, both Protestant and Catholic, under whose embrella it was possible to discuss human rights, whether in East Germany, Poland or Hungary. Poland's ambrella organisation, Solidarity, represented all from left to right. As Solidarity begins to wonder how to

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fight coming elections—the presidential election and the elections for the Sejm in April or May—a factionalism will begin to arise in that country. It will surely be then, if we can identify a party close to our own, that we can give it whatever guidance it seeks about how to build up the grassroots organisation that is needed. It is true that in Poland there have been fully fair and free municipal elections, but there have not been the sort of grassroots organisations that we know. We must help Poland to build up such organisations, as we must in Hungary and other countries.

My hon. Friend the Minister of State was absolutely right when he said at the beginning of the debate that, following the unification of Germany, we have an opportunity to have a future that is secure for at least two generations to come. A new Germany, a democratic Germany, as part of a variety of communities—the Community, the Council of Europe, the Western European Union and the North Atlantic Treaty Organisation—provides opportunities for co-operation between the powers of the west and the east. It is not far-fetched to say that within a decade there may well be a security organisation encompassing both east and west. As we have seen in the Gulf, the real dangers against both east and west lie in unexpected quarters.

We must watch carefully to ensure that we do not have a euphoria of disarmament that goes so far that it leaves us at the mercy of blackmailers from insignificant, fourth-world countries that may possess chemical or nuclear weapons. If we in the east and west get rid of those, we could be blackmailed and should have little choice in what we had to do. Let us not be too euphoric, but at the same time take the opportunities that arise from the unification of Germany to establish a firm working relationship with the Soviet Union and the countries of eastern and central Europe. In that way, we can enter the 21st century with a large degree of confidence.

11.43 am

Dr. Norman A. Godman (Greenock and Port Glasgow): My speech will be much more parochial than that of the hon. Member for Hampstead and Highgate (Sir G. Finsberg) , though not chauvinistic. My concern focuses on the economic and social implications of German unification for various maritime communities in Scotland and elsewhere in the United Kingdom.

When I served as a young national service man in the then British zone of West Germany, facing members of the Volkspolizei, a few yards across the border, I never dreamed that I would live to see a united Germany. I thought that there would always be some sort of iron curtain during my lifetime. As a young national service man, I visited Berlin about a year before the horrible wall was built. As a young man, trade unionist and socialist, I could not envisage that those awful barriers would be dismantled.

I welcome the unification of Germany, as wholeheartedly and warmly as any hon. Member, but that process could—I stress "could"—present formidable economic and social problems for a number of coastal communities scattered around the Scottish coastline and its islands. I shall comment on three matters related to German unification that are arousing considerable concern in Scotland. The first is the distribution of structural funds. The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Curry), who is present has some knowledge of that subject. Secondly, I am concerned about our shipbuilding industry, or should I say the vestigial remnants of our once-glorious shipbuilding industry. Thirdly, and this worry will not surprise the Parliamentary Secretary, I am concerned about the need to defend our fishing industries and fishing communities. I know that the Parliamentary Secretary will support me in that.

Structural funds have played an important part in revitalising some badly run-down districts of the Strathclyde region in Scotland. As every hon. Member knows, Strathclyde regional council is about the biggest local authority in the European Community. My colleagues on that council are extremely skilful in obtaining funds under the social fund network for some of our deeply deprived communities. That also holds true for other communities as far north as Shetland. In the Shetland islands, the structural funds played an important part in maintaining communities that might have simply died away without such assistance. Therefore, there is a good deal of support in Scotland for the European Community, especially in relation to the distribution of structural funds.

However, I am a little concerned about what is written in the explanatory memorandum. On pages 6 and 7, the report of the Select Committee on European Legislation says of the structural funds that the Department of Trade and Industry

"recalls that the Community is proposing that new commitment appropriations of 3 thousand million ECU be allocated to the EC Structural Funds for the period 1991-1993 for East Germany following unification."

No one would dispute that. There are communities in what I would now call eastern Germany that are badly in need of such aid.

The report of the Committee, which was chaired by my hon. Friend the Member for Newham, South (Mr. Spearing), and in which I had some hand, continues:

"This does not affect the United Kingdom's entitlements under the Structural Funds during this period. However, from 1994, survey information could be used to identify areas within East Germany which are to receive aid from the Structural Funds and this could have an effect on the future distribution of aid between Member States. The Department has also pointed out that it is too early to say at this stage what effect this might have for future United Kingdom receipts for the structural funds."

Many Scottish voluntary associations, local authorities and other interested bodies genuinely believe that if the financial assistance from the structural fund is to go to communities in eastern Germany, it must follow that there will be a reduction in the distribution of the fund to communities in Scotland. I do not think that that is a selfish or greedy concern. Certain areas of Scotland still suffer massive unemployment. My constituency is traditionally a shipbuilding, marine engineering and other maritime industrial community, and it still has one of the worst unemployment rates in the whole of the United Kingdom. It is in about seventh or eighth position in the dreadful league of unemployment. When I speak to Tory Members from the south-east, I sometimes think that I would give my right arm to have the unemployment rates in their constituencies. My remarks also hold good for constituencies in Glasgow, Ayr and further north.

By all means, let every assistance be given to equally beleaguered communities in eastern Germany, but Scottish communities, which are bedevilled by such disgracefully high levels of unemployment, must continue to receive support from Brussels. I was especially anxious to make that point this morning, although I do not wish to take up the time of the House. I always make brief interventions.

The Clyde is now but a remnant of what was once a major industry and employer. I recently had the good fortune to visit the QE2 when she berthed in Greenock as part of the celebrations of the Cunard company. It was a remarkable moment when she slipped away from the terminal to head down the Firth of Clyde. She is a magnificent example of Clyde shipbuilding and marine engineering skills. I regret that today, we do not have a shipyard that could build a successor to the QE2.

Yarrows, a famous naval shipyard on the upper Clyde, may face serious problems because of what we call the peace dividend and because of the decision of the Ministry of Defence to cut the surface fleet to 40. Some 5,000 jobs depend directly or indirectly on Yarrows. There is a direct labour force of 3,392, and indirect employment and suppliers account for another 1,500 jobs. A firm such as Yarrows must be given assistance to meet the changing circumstances of the so-called peace dividend, which I welcome. Also on the upper Clyde is the famous Govan yard, which is now owned by the Norwegian firm Kvaerner. That provides several thousand jobs in my constituency, directly and indirectly. There is a small yard, Fergusons, in my constituency, which employs fewer than 100 highly-skilled people. As my hon. Friend the Member for Birkenhead (Mr. Field) mentioned a day or two ago, that constituency's shipyard is under threat of closure. We must give those yards the sort of support that the European Commission envisages being given to shipyards in eastern Germany.

The explanatory memorandum from the Department of Trade and Industry states:

"Under the terms of the EEC Commission's legislative proposals to deal with German unification, the provisions of the proposed Seventh Directive"—

currently, there is a sixth directive that expires on 31 December—

"will be directly applied to restructuring aid provided to East German shipyards. Under the terms of a special clause which will be added to the proposals for the Seventh Directive, East German shipyards will be permitted a higher level of operating aid than the level allowed for other Member States during the period of restructuring."

I am not at all happy with that proposal. Why should yards in eastern Germany be given more aid than yards on the Clyde and the Mersey?

I want to ask the Minister a question, although I appreciate that it does not fall within his responsibilities. I hope that he will convey it to his counterpart in the Department of Trade and Industry. Are east German yards to be given unfair advantages over other European yards under the Commission's regulation on procurement? I understand that procurement has to be fair and equal throughout the European Community. If so, is not it likely that yards given those unfair advantages could conceivably win orders from the United Kingdom that would otherwise have been placed with our shipyards? That is an important point.

I shall give the House an example. Soon, Caledonian MacBrayne, whose passenger ferry fleet serves all the islands of Scotland and provides an essential link with the mainland for those island communities, will be ordering a new vessel to replace the Suilven, which sails between Ullapool on the mainland and Stornoway in the Western Isles. Hon. Members will not be surprised to hear that I hope that the order for that vessel will be given to Fergusons in Port Glasgow—I did warn the House that I would be parochial—which would produce a first-class ship. I keep badgering the Secretary of State for Scotland to ensure that the order is given to the lower Clyde. However, it is conceivable that an east German yard, with its additional aid, could win the order because, under the regulation on procurement, it would have the right to bid for a vessel that will provide such an essential service between the mainland and the outer Hebrides. That is an important point for Scotland.

Mr. Peter L. Pike (Burnley): Will not another factor be the lower wage levels in eastern Germany, at least until the period of transition has ended, which will put competitors there in a more favourable position?

Dr. Godman: I am grateful for my hon. Friend's powerful intervention. He is absolutely right. I am an ex-shipwright, though it is a long time since I worked in a shipyard, thank heaven, so I know that the cost of constructing a ship is determined to a considerable extent by labour costs. One of the reasons why the gap between the cost of building a ship in a European Community yard and in Japan or South Korea is beginning to diminish is the increase in wage levels in south-east Asia. That is particularly true of South Korea, where massive civil disturbances have in some cases focused on the large shipyards of Hyundai and Daewoo. The aim of the intervention fund is to provide Community yards with funds, so that they can come near to bridging the gap between the cost of a ship in Europe and in a south-east Asian yard.

Deep concern is felt by my constituents and all shipyard workers that they may suffer as a consequence of the advantages enjoyed by their counterparts in eastern Germany. I know of no shipyard worker in my constituency who wants to see any harm done to the interests of their counterparts in eastern Germany, but British shipyard workers should not be forced on to the dole queues because of the clause that is to be added to the seventh directive. If such a provision is to be made, a further clause should be included to provide additional assistance to shipyards in constituencies such as mine that suffer high unemployment.

There is also an important strategic reason to be taken into consideration. Apart from the Kvaerner yard at Govan, which is largely concerned with the construction of liquid petroleum gas carriers for that company's own fleet, and Harland and Wolff at Belfast, Britain does not possess the merchant ship building capability for large vessels such as very large or ultra-large crude carriers. That is to some extent shown by the problems in maritime transport that have arisen in transporting military equipment to Saudi Arabia.

By all means let us help the shipbuilding communities of eastern Germany, but at the same time we must arrest the dreadful decline in the United Kingdom's merchant shipbuilding capacity. To do that, and to generate valuable employment on the Clyde, Yarrows should be given assistance to diversify in the types of vessel that it can

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build. I should also like to see Scott Lithgow in my constituency allowed to acquire what I would term European Community shipbuilding intervention fund status. Scott Lithgow has the biggest merchant shipbuilding facility in the United Kingdom. Nothing else like it exists anywhere in the United Kingdom. Recently, a British tanker firm, keen to have its ships built in the United Kingdom, approached Scott Lithgow for a provisional price for constructing four VLCCs. Scott Lithgow had to say that it could not submit a realistic tender because it did not have access to the intervention fund, which currently provides 20 per cent. of the cost of constructing a vessel.

If Scotland's interests are ignored in respect of its shipbuilding and fishing industries, I must tell the House, and particularly my hon. Friend the Member for Hamilton (Mr. Robertson), who cannot be present for very good reasons, that more and more Scots may start listening to the seductive blandishments of the Scottish National party and to its arguments for an independent Scotland within the framework of the European Community.

Recent opinion polls strongly indicate that more and more Scots are viewing the nationalists' seductive but empty arguments with considerable favour. Those polls suggest that as many as 40 per cent. of Scots are not frightened of the prospect of independence within Europe. That should be borne in mind as we see Scotland's shipbuilding and fishing industries apparently being ignored by the House, and is why I asked the Leader of the House yesterday for a debate on our maritime industries.

I turn finally to the problems of the fishing industry, in which, I am pleased to say, the Parliamentary Secretary has a fair degree of knowledge and expertise. I may not always agree with what he tells our fishermen, but the Minister is, as they say in that industry, a knowledgeable lad.

The United Kingdom fishing industry is small in the numbers that it employs directly and indirectly, and in its share of the country's gross domestic product. Nevertheless, it is an extremely important industry to many small coastal communities throughout the United Kingdom's mainland and islands. That is true of Cornwall as much as of Northern Ireland, and the industry is a major source of employment in Scotland.

I have the pleasure of serving as one of the honorary presidents of the Clyde Fishermans Association, which is known to the Minister, as do several other right hon. and hon. Members, including the right hon. Member for Ayr (Mr. Younger), the hon. Member for Argyll and Bute (Mrs. Michie)—who ought to be contributing to this debate—and my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). All would say that it is essential to defend the Scottish fishing industry with the utmost vigour. I also have a commitment to the English fishing industry. My brother is working as a mate on a big freezer trawler, fishing for cod off the west coast of Greenland, so I am not being too parochial. I am worried about the new Germany's fishing fleet, and its impact on the European Community's fleets. I am not being alarmist when I say that many people in the United Kingdom industry are worried about this new fleet.

The East German fishing fleet is ancient. Hon. Members would never catch me going on board some of their ships, even if they were just crossing the Clyde, the Mersey or the Humber. I certainly would not go up into the Arctic in one of those lumbering old ladies. The best thing that the Minister could do is urge his German counterparts to scrap the entire fleet, because ships that are ancient can be a danger to their crews in bad weather.

Returning to the fine report produced by the Select Committee, it states on page 11 that:

"The Commission reiterates that the capacity of the existing Community fleet is already disproportionately high compared to the limited resources available and so integration of the fishing fleet of the former GDR (whose overall capacity is 3·8 per cent of the Community fleet) poses political problems"—

not merely political problems but dangers for our fishermen—

"It is also suggested that in the case of Community resources not subject to TACs"—

total allowable catches—

"and quotas, access by the former GDR fleet to areas such as the North Sea, the west of Scotland, the Irish sea and the Bay of Biscay could result in disturbance to stocks"—

that is an understatement—

"There could also be problems of principle for Spain and Portugal whose fleets, unlike that of a unified Germany, do not enjoy the same rights of access. The Commission makes it clear that it will be watching carefully how the activities of the new fleet develop and, where appropriate, will take this into account in the revision of the Common Fisheries Policy (CFP) planned for 1991."

The Commissioners need to do much more than watch this carefully. This development has to be policed in the same way that our excellent fisheries protection service polices our waters—nothing less will do.

I want an assurance, or a reassurance, today from the Minister that there will be no access to the North sea or the west of Scotland. Some of us in the west of Scotland are saying that we should not allow fishing vessels from the north-east of Scotland to come round the corner and put down their multi-trawls. The Minister never listens to me when I talk about banning such gear. We are worried about trawlers from the north-east of Scotland—that will not win me many brownie points up there—let alone vessels lumbering through the Pentland Firth from eastern Germany. Such developments have to be policed very carefully.

Mr. Spearing: I was afraid to interrupt such a fascinating account, but if my hon. Friend is demonstrating—through his personal knowledge and constituency interests—the impact on fishing and shipbuilding of these arrangements, which may last for a couple of years or even longer, what impact might the arrangements have in other areas? The document contains at least 25 other areas of interest. Was not it perhaps a little optimistic for the Minister to say in his introduction to the debate that most of these arrangements are broadly satisfactory to the United Kingdom? Judging by what my hon. Friend is saying, is not it likely that there could be some nasty surprises in store?

Dr. Godman: I am grateful to my hon. Friend for reminding me of what the Minister said in the introduction to his otherwise fine speech. Where shipbuilding, the fishing industry and the structural fund are concerned these arrangements are certainly not satisfactory to many people. If the Minister is talking about the Government's point of view, that is one thing, but for many people in my constituency and in Scotland these are far from

satisfactory matters and my constituents are deeply worried. I am grateful to my hon. Friend for his intervention.

Two or three years ago I sought an assurance from the Prime Minister that the review of the common fisheries policy would not lead to any diminution in the rights quite properly given to the United Kingdom's fishing fleet. At that time my eyes were fixed firmly on the huge Spanish fishing fleet which was slowly steaming over the horizon. I never thought that I would need to look towards the east.

I have great affection for the Spanish people, especially those in Andalusia, but I cannot abide Spanish fishing interests. They are the worst poachers in the European Community fishing industry, and one cannot trust them —they swap licences around. In Vigo they have a club; if a skipper is caught and fined, his fine is paid by an informal insurance system. I know that that is the case because one of my cousins was a skipper on one of those ships, so I have first-hand knowledge.

When I sought an assurance from the Prime Minister —which the right hon. Lady readily gave—she said that she would defend the interests of our fishermen with the utmost vigour. I was satisfied with her assurance, but when the Minister winds up the debate I shall be looking for a similar assurance from him about our fishermen's interests.

I said that I was going to be parochial and I have focused on three issues: the distribution of certain structural funds, which is important to many Scottish communities, and two maritime industries, shipbuilding and fishing. While I warmly welcome the unification of Germany, the assistance given to the fishing and shipbuilding industries there should not exceed that given to people employed in those industries in Britain—assistance to which they are legitimately entitled.

I have one final question for the Minister—is the aid, or part of it, that is to be given to the eastern German shipbuilding communities to be used for assisting with training or retraining of redundant shipyard workers? There are many thousands of shipyard workers in eastern Germany. Will part of the financial package be given to workers who are keen to set up small community businesses and community-based co-operatives? That is the kind of assistance that they should be given. The assistance that they are given should not enable them, by means of unfair competition, to close down yards in Scotland and in the other countries of the United Kingdom.

12.19 pm

Mr. Andrew Rowe (Mid-Kent): It is a privilege to follow the hon. Member for Greenock and Port Glasgow (Dr. Godman). He has given the House details. That is appropriate in terms of the documents that we are discussing. He has filled me with knowledge. Until today I had no idea that our inability to build a successor to the QE2 was due to the large-scale migration of Scottish shipwrights to the Palace of Westminster. He has also told me about a new species of bird—a Spanish-speaking, fish-eating vulture. I shall not give so many details in my speech and I shall make no prediction about the length of my speech. It is clear from experience that speakers cannot accurately predict how long their speeches will last.

We are debating the most tangible result, so far, of the break-up of the Russian empire. Like most hon. Members, if not all, in the House, with one manifest exception, I am part of one of the luckiest generations ever to have been born. I was too young to take part in the second world war. I have lived all my life in a country where it has been possible to enjoy a level of prosperity that had never been reached before. I have more spare time, a higher disposable income and a better quality of life than that enjoyed by any previous generation.

It is important for my generation to remember that it forms part of the 15 per cent. of the world's population that uses up 85 per cent. of the world's energy resources and that we owe a great deal of that prosperity to two major factors. First, we owe it to the extraordinary generosity of the United States in 1945, which perceived that there was a clear altruistic interest and self-interest in making it possible for the war-ravaged economies of Europe to rebuild themselves on the back of American money.

Secondly, a substantial part of Europe was locked in by a tyranny unexampled in history. More people have been killed, tortured and imprisoned in the Soviet empire than in any other empire in history. To the people who have began to emerge from under that tyrannical ice we owe a great deal of support and practical assistance, of the same kind—albeit delivered by different mechanisms—as that which the Americans offered to us after the second world war.

I believe that certain hon. Members, most of whom are on the other side of the House, but not entirely, perhaps, believe, as does the hon. Member for Bolsover (Mr. Skinner), that any involvement with the European mainland is fraught with danger, enormously expensive and totally misguided. They have no clear perception of recent history. The truth is that, with only short bursts of isolationism, this country has been involved with mainland Europe throughout the whole of this century and for many centuries before.

Dr. Godman: The apparent detest for continental Europe, expressed so forcefully by my hon. Friend the Member for Bolsover (Mr. Skinner), is surely shared by many of the hon. Gentleman's colleagues.

Mr. Rowe: I said that I did not feel that that belief was held wholly and exclusively by Opposition Members. It is unfortunate that the hon. Member for Bolsover's assaults on my hon. Friend the Minister gain spurious clarity and effectiveness from the fact that, as so often, he did not stay to listen to the debate of which the Minister's speech was a part.

I believe firmly that we have been involved in Europe in the least constructive way possible. Time and again we have gone into Europe to fight great wars, or to clear up the mess of the great wars that we have had to fight and win. That is by far the least effective way to spend resources. It is destructive of life and peace. I am delighted that once again we have an opportunity to put an end to that for ever. To suggest that it is better to have large armed forces, paid for out of the national budget, sitting in Europe in order to keep the peace rather than getting ourselves properly involved in Europe, whereby we could ensure that war does not break out again, is a perversion of the truth.

I had the privilege to listen recently to a leading member of the Christian Democrats in West Germany speaking about recent developments. He used an example that I

[Mr. Rowe]

shall shamelessly steal from him. He said that there is no alternative to moving very fast indeed and that there are strong humanitarian reasons, apart from any other reasons, for moving quickly towards unification. He used as an example the Trabant car factory. Many of us saw Trabant cars for the first time as they came through the hole in the Berlin wall from east to west. The factory, he said, employs 65,000 people to make 12,000 cars that sell for DM15,000. The day that the wall came down, East Germans had access to Volkswagen Golfs. They sell for DM12,000 and are made by 7,000 workers. Not surprisingly, since the wall came down not a single Trabant car has been sold. The effect of that—it is almost funny at one level—is that 65,000 workers in East Germany have nothing useful to do and the plant in which they were employed is valueless. It cannot be changed, modified or used, so it will be destroyed.

Mr. Tony Banks: As an owner of a C5, perhaps I am not the best person to talk about Trabants. There is some worth in the concept of having a car that is exactly the same in all respects. I cannot think of anything more wasteful than the development money and the money that is poured into creating more models on the internal combustion engine principle with four wheels and four seats attached to them. The idea of producing one car that is standard throughout is quite good. I do not think that the East Germans were altogether wrong, and the hon. Gentleman should be fairer to the Trabant.

Mr. Rowe: I made no comment whatever on the quality or design of the Trabant. However, if 65,000 workers are required to build the same number of cars a year as are built elsewhere by 7,000 workers, there is little chance of that manufacturer surviving.

Some two thirds of the East German bureaucracy will no longer be necessary. If there had not been an urgent unification of the two Germanys, there would have been no social security system for those people. For humanitarian reasons, it was necessary to move rapidly.

The same is true of the Russian soldiers in East Germany. When the deutschmark was linked, Russian soldiers in East Germany were unable to buy anything. It is still commonplace to see them begging in the streets and selling their equipment, cap badges and everything else. The Germans have made a practical and generous settlement with the Russians: they will not only supply DM4 billion a year until the troops return home but, as we heard from my right hon. Friend the Member for Guildford (Mr. Howell), will build them the flats that they require to return home to, which must be unprecedented.

The costs of German unification have only just begun to emerge—DM100 billion to DM120 billion of Government expenditure alone. No one can foretell how much it will cost the private banking system and private companies to regenerate East German industry, but the cost will be enormous. As my hon. Friend the Minister said, that will give Britain an opportunity to take advantage of 16 million new consumers, many of whom have considerable resources because they were unable to spend their money on goods and have been saving it. I understand that one of the problems for the Bundesbank is how to allow that money to start circulating without causing considerable inflation. That must be an opportunity for British industry, and I very much hope that it will overcome its lack of German-speaking skill, get in there and create a market.

My right hon. Friend the Member for Guildford said that if there had not been rapid reunification, there would have been rapid movements of population. The break-up of the Russian empire presents western Europe with one of the biggest potential problems that it has had to face. Realistic estimates of the number of people who may leave the Soviet Union run as high as 23 million. Where will they go? With the exception of the Jews, they will travel west if they can. In many cases, they will travel to countries that are already struggling to emerge from under the Soviet yoke, which have no resources of their own and which are looking to join the European Community. For that reason, if not for humanitarian reasons, it must pay western Europe to work out a way of financing those people to stay in their own countries. It will not be easy, because, goodness knows, the Soviet Union is on the point of break-up. Regardless of whether the republics finally sign the treaty of union that is being painfully hammered out in Moscow, in real terms central control from Moscow will soon cease to be a reality in most of the Soviet republics.

We must take seriously the movement of population. The idea that if we shut our eyes to it, we can stand aloof from what is happening in eastern Europe is a chimera of the most dangerous kind. It has been calculated that the Russian Jews moving into Israel are likely to boost Israel's GNP by about 13 per cent. for the next four years. Where will those people live? I am sure that I am not the only Member who has the uneasy feeling that they will be put in the country that is claimed by the Palestinians. That will create a vast international problem of which we must take cognisance.

It must be right to encourage people to stay where they are. That will be done by a guarantee that their human rights will be observed. Many of these people would stay where they are, despite the financial attractions of moving, if they were sure that they would not be persecuted and their places of worship closed and if they were allowed freedom to exercise their human rights. That is why the Helsinki process has been so important. It is why the Council of Europe spends so much of its time trying to make sure that the countries that want to belong to the Council as new members have a secure human rights mechanism. That is why it is important that effective means are found of making sure that the Stasi, the Securitate, the secret police of all these countries—which had vast numbers and have almost disappeared from view—are not given the opportunity or the desire to organise themselves as a counterbalance to the legitimate democracies.

We must also take account of the large enclaves of people of different races, languages and religions who come from other countries. In Czechoslovakia, it is encouraging to find not only that the Slovaks and Czechs are determined to make their federation work but that the Hungarian minority has no intention of breaking away. The people are working extremely hard in the face of great difficulty to create federal and republic constitutions that will guarantee basic rights to the Hungarians. That is one reason why national frontiers in Europe generally must be of decreasing importance as the years go by.

All of us must have been reassured when it was agreed that the boundaries of the German Republic would be

inviolate and would stay as they were. In the end, the guarantee that some troublemaker in the future will not use these minorities in the way that Hitler used minorities to stir up trouble, giving the pretext for armed intervention, will come when national frontiers cease to be of prime importance. It is clear that, so far, many workers in East Germany show no interest in construction work or manual work of any kind. They want to get on to the white collar ladder. If manual work is to be done, it will probably be done by people from Poland. It is essential that those people are welcomed into the Council of Europe as soon as possible and eventually into an enlarged European Community, although that will take some time.

Another pressure making the anxiety and understandable caution about losing a part of some national characteristic in the wider whole so irrelevant is the enormous compulsion of environmental protection. It is bizarre to imagine that we can protect the environment on the basis of historical national fronters. The announcement this week that the Elbe is to be the first of the great European rivers to be subjected to a multinational agreement to try to clean it up and to protect it is one of the developments that has given me more encouragement than anything else this week. The great European rivers are destroying not only themselves, but the North sea, and must be looked after by all the riparian owner countries through which the rivers flow working together.

One of the least encouraging features of my recent life was when I addressed in Strasbourg a group of young people, many of whom came from eastern European countries. No sooner were they given the chance to ask questions than they going for one another because of the pollution that each was causing to the others. The Czechs were going at the Poles and the Poles at the Hungarians. It was an appalling scene, with young people with the whole of their lives in front of them and who were just emerging from one of the worst tyrannies that the world has seen attacking each other instead of trying to work together.

In our generation, we have the finest opportunity ever to create a new European order in which national boundaries will gradually cease to be of anything like their importance hitherto. I want to be parochial for a moment, and to pay tribute to Kent county council and to some of the district councils in Kent that have taken the initiative and signed agreements with the Nord-Pas de Calais. They are engaged in training, educational and commercial exchanges, and they are hoping for industrial exchanges because they have realised that once the channel tunnel is built, the channel will be a meaningless division between the Nord-Pas de Calais and Kent. I admire and respect those councils for that. Their agreements, in their parochial way, are a model that I fervently hope that the House and Parliament will follow gladly. That will give our young people the best possible opportunity of enjoying the prosperity that our generation has had the luck to enjoy.

12.42 pm

Mr. Tony Banks (Newham, North-West): The hon. Member for Mid-Kent (Mr. Rowe) made some good points in his characteristically fair-minded way. I am glad that he has now joined the Council of Europe delegation, as he will be able to bring a further dimension to our deliberations in Strasbourg.

The hon. Gentleman referred to the people of the east —especially those in the dissolving Soviet empire—staying where they are. He said that human rights are probably central to their decisions about location, but I believe that economic benefits and welfare are of equal importance. The British Government could do far more now to assist Mr. Gorbachev economically with the enormous problems facing the Soviet empire. One of our great fears is that the Soviet Union itself will fall asunder, giving rise to enormous instability throughout Europe when we are poised to gain great benefits from Mr. Gorbachev's achievements. There are great political dangers not only for him, but for all of us if we stand aside and say that these are merely the problems of the system and that we shall see how they resolve themselves. We cannot afford to do that and it would be an idle luxury on our part which could drag us down. I hope that Conservative Members will listen carefully to the hon. Member for Mid-Kent and that we shall see more initiatives from the Government in the weeks and months ahead.

The hon. Gentleman also referred to population movement. Many countries in the east will be looking to the united Germany for their own future economic welfare. It has been established that the united Germany has a negative population growth rate; it is also true that the average age there is just under 47. There is obviously a clear capacity for the country to absorb large numbers of eastern European workers, who will be able to share in what will clearly be one of the great economic success stories in the decade ahead. For my part, I have no doubt that a united Germany will succeed economically; but I shall develop that point later.

As the Minister of State, Foreign and Commonwealth Office made clear when he opened the debate, the unification of Germany has been a remarkable event in what can only be described as a politically most remarkable year. One almost runs out of adjectives to describe the current developments in Europe, and I am sure that we all wish to join the Minister in paying tribute to Mr. Gorbachev for what he has done. His historic role cannot be overestimated.

Marx would have said that it is impossible to judge the political and historical implications of an age when one happens to be living in it; my right hon. Friend the Member for Chesterfield (Mr. Benn) is fond of quoting Chairman Mao, who, when asked what he thought were the implications of the French revolution, replied that it was too early to say. However, even now we can see that Mr. Gorbachev's contribution to the historic process that we are witnessing in Europe is vast and cannot possibly be overestimated.

It is also remarkable that so few people, in this country and elsewhere, anticipated German unification. As politicians we have all been blessed with the benefit of hindsight, and we always employ it shamelessly. Only 12 months ago I was fortunate enough to be on a delegation to the United Nations, and I remember discussing the possibility of German unification with the Soviet ambassador. He said, "Oh no, that is not on; it would not be allowed." I remember asking him, "What if people vote with their feet? You cannot put the tanks in and roll it all back." The process started by Mr. Gorbachev had already gone too far, and there was nothing that the Soviets could do other than accept the developments in the GDR with the greatest grace that they could muster.

[Mr. Tony Banks]

As was pointed out by my hon. Friend the Member for Hamilton (Mr. Robertson), 12 months ago our own Prime Minister was turning her face against the inevitable—as she does so often with regard to developments in Europe. In a sense, I do not blame her: she did not see what was coming any more than did the politicians of either east or west. Now that it has come, however, we must ensure that we take the maximum advantage of it.

A united Germany will, of course, become a super-state; indeed, it is a super-state already, because of the enormous economic power of West Germany. The 77 million people in the united German economy make it one of the most successful in the world. Certainly it is the only economy in Europe that could have sustained the absorption of a run-down country like the GDR. Imagine the economic consequences for Britain if it tried to absorb such a country, economically and politically: we simply would not have the economic strength.

The figures for the cost of unification seem to be enormous. Of course, they cannot be regarded as wholly accurate; anyone who must provide a range of costs over 10 years running from $550 billion to $700 billion can clearly make only an intelligent guess. But, with the cost of the pollution clean-up in the eastern part of Germany estimated at $140 billion, it is clear that we are talking serious money here. Only one European economy could possibly even contemplate such costs without rushing into blind panic. Certainly, we could not have done it in this country.

When the Minister pointed out the cost to the EEC and to the United Kingdom—my hon. Friend the Member for Bolsover (Mr. Skinner) was concerned to quiz him—we realised that, because of the great contribution that will be made by the West German people to unification, the costs to the EEC and to the United Kingdom are minimal.

One understands that there is a great deal of anti-German sentiment in this country and in the House. I am disappointed that the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley) has not made a much-heralded appearance today. Many hon. Members would have liked to have heard him speak in the unaccustomed position of a Back-Bench Member. Perhaps his speech would have been more considered than his interview in *The Spectator*. The right hon. Gentleman enunciates something—there is anti-German feeling in this country; there is unease. We cannot really blame the people of this country. The second world war was not that long ago. It is still well within living memory. Many people come to my advice surgery and point out that they fought for this country during the war. They are now asking about what has happened to the successes that we are supposed to have achieved in the past 11 years of Thatcherism. They are asking, "Why haven't I got a decent pension on which to live?" They point to the success of Germany and say, "We are supposed to have defeated Germany in the last war, but it is undoubtedly true that the Germans have won the peace."

Hon. Members always pay attention to the enormous power of the West German mark. Who created the West German mark? It was France, the United States of America and the United Kingdom. We instituted the deutschmark in 1948. It is interesting to see what the exchange rate for the deutschmark was 1948. In 1948 we could have got DM13·4 to the pound. Now in 1990, if we are lucky we can get about DM2·9 to the pound. Over those years our inflation has eroded our wealth, but West German inflation has more or less stayed at about 3 per cent. That is economic success. That is the sort of success that we should want for this country.

The Prime Minister talks about the lessons that Thatcherism has taught the Germans or the rest of eastern Europe. Pardon me for smiling, but that is an absolute farce. I have never known any senior politician to delude herself so often and so regularly as the Prime Minister does with regard to the developments of Europe and the power of the West German economy.

Again referring to anti-German sentiment, one must understand that there is no longer a military threat from the Germans. There is a vast economic threat if we go our separate ways, but there is no military threat. The only thing in my character that I find anti-German at the moment is that, as we all know, they manage to get the best places on the beach first. That also says something about their outlook on life generally. They are more efficient than we are, even when they are on holiday. That is another tribute to them.

Dr. Godman: They get up earlier.

Mr. Banks: They have always been getting up earlier. That is why they have achieved so much economic success. While we are still slumbering in our beds, they are getting the best places on the beach. They are creating the best products that are now flooding our markets. We are finding it very difficult, not to say impossible, to compete economically with them.

There is no doubt that Germany will make unification work. In 10 years—it may be a little longer, but it will be about 10 years—the eastern part of Germany will match the western part of Germany in terms of economic parity. Then we really will face the most formidable economic power on the planet.

I have already mentioned costs. It is interesting to see how the German Government intend to pay the costs. They are vast. I understand that they are prepared to allow the federal budget deficit to grow. Chancellor Kohl has even talked about the necessity, if need be, to raise taxes. One thing about Chancellor Kohl is that he is prepared to face political realities honestly and openly. We would all pay tribute to him for that, despite the fact that Opposition Members do not share his political outlook.

The other aspect of this debate which I want to refer to is the general criticism and condemnation of the old German Democratic Republic. The hon. Member for Mid-Kent referred to Trabants. I accept that Trabants make even Ladas look an attractive proposition. However, the concept was good, although, perhaps, the execution was not so successful. The concept of not having unnecessary competition in an area like motor vehicle manufacture might be something that we will all accept as normal in an advanced world, perhaps in 100 years' time. There will be other more necessary areas of expenditure where such resources will be needed. It does not matter if we are all driving around in cars that look the same if the car is efficient and gets us to our destination. Hon. Members have referred to choice, but when choice is provided only at enormous economic and social cost, that cannot be the kind of choice we want.

Mr. Rowe: The hon. Gentleman is making a theoretically very attractive point. However, modern motor vehicles are more efficient in their use of oil and petrol and also safer to drive than ever before and I believe that that is a direct consequence of manufacturers competing against each other.

Mr. Banks: That does not necessarily follow, but we certainly always want a product to be improved. As I have said, the concept of the Trabant had something to commend it, but we must link concept with execution. I did not mean to spend so much time talking about Trabants. There are many things that I do not want to do in this life and one of them is to become a Trabant salesperson. However, the Trabant was not a bad concept.

The GDR has taken a fair old kicking today. However, not everything in the GDR was worthless. The social guarantees available in the GDR constitution are worthy of comment, as are the welfare benefits and women's rights. I visited the GDR and witnessed the care and attention given to young people in nursery schools and I met a 108-year-old woman in an excellent old people's home. There was no homelessness in the GDR. Perhaps much of the housing was at a level that Members of Parliament would not be prepared to accept, but when I look round my constituency or around London as a whole, I see a lot of people who would be grateful to be driving a Trabant home to an East German flat.

Ms. Diane Abbott (Hackney, North and Stoke Newington): I visited East Berlin in June. Although the people there were very relieved to be free of the tyranny of the secret police, the quality of the public housing there was far superior to what many of my unfortunate constituents have to endure in Hackney. The women I saw were very concerned about their rights to abortions under the new regime. Not everything about the old GDR was bad.

Mr. Banks: I am grateful that my hon. Friend the Member for Hackney, North and Stoke Newington (Ms. Abbott) has joined me in putting that on the record. There has been a tendency in this debate to ignore everything in East Germany, disregard it and say that everything there was rubbish. That is not true. It is important to state that the East Germans will gain a great deal in terms of future prosperity, choice and consumer goods. However, they will also lose something. I hope that disillusionment does not set in too soon.

Unification is good because the German economy is so strong and there is so much homogeneity. The polarisation that exists in this country does not exist there. I believe that they will be able to get a mix which combines the best of the consumerism of western Germany with some of the better aspects of the welfare provision of eastern Germany.

Mr. Spearing: Does my hon. Friend agree that it is vital to get the best of the experience of all nations? My hon. Friend will be aware that York House in Plaistow in Newham, a charity for elderly people which has run since 1925, must now close because the Government will not increase the residential homes allowance. Were old people ever turned out of charitable homes in East Germany?

Mr. Banks: My hon. Friend mentions yet more of the benefits of Thatcherism, rather than the sort of arrangements that the people of Germany, East or West, will be prepared to accept. We in this country have a lot to learn from the experiences of East and West Germany. In the end, unification represents a victory for consumerism. Markism has replaced Marxism. The great German mark has been the driving force behind unification.

As my hon. Friend the Member for Hamilton said, by the December elections the position will have shaken down in Germany and people will make a cooler judgment of future possibilities and a future direction. If that does not happen then, it will happen at the election after that. The ability to combine the economic efficiency of West Germany with the social justice of certain aspects of East Germany will represent a significant victory for the united German people. I hope that the SPD will win the December elections.

One cannot detract from Chancellor Kohl's achievements. He has achieved a major historic role in all of this and he will be commented on favourably when history comes to be written. As my hon. Friend the Member for Hamilton said, one does not share his political views and outlook, but one approves of his style. I read his comment that Germany does not seek the leading role in Europe, but will live up to her responsibilities. That non-arrogant, diplomatic style contrasts with the shrill narrow tones of the narrow-minded bigot who is temporarily Prime Minister of this country, and makes me realise the great gulf between Great Britain and united Germany. It may be all right for Helmut Kohl to adopt a position of humility and to speak of a united Germany not seeking the leading role, but it will be difficult for Germany to avoid playing the leading role in Europe. The integration of the GDR brings a complexity of special relationships between united Germany and eastern Europe. A unified Germany is undoubtedly pivotal to east-west relations.

The Soviets have now warmly welcomed unification. Vladimir Shenayev, the deputy director of the Soviet Institute of Europe said:

> "We trust Germany. We have a united, democratic Germany that is actively disarming itself. Germany is the Soviet Union's largest trading partner—15 per cent. of foreign trade turnover will go through Germany—more than the United States, Britain and Italy combined."

That is the strength of and power behind the relationship between united Germany and the Soviet Union. We ignore it at our peril.

Mr. Shenayev talked about a unified Germany disarming itself. Because of the fears of many people, not only in this country but in France and elsewhere in Europe, there is an agreement to reduce the combined armed forces from 590,000 to 370,000 over the next four years. We have before us the prospect of 360,000 Soviet troops based in the eastern part of Germany leaving by 1994. That gives us a wonderful opportunity to ensure that we get all our British troops out of a united Germany. I understand that the Government aim to achieve that. I hope that when the Minister replies he will give us a clear assurance and perhaps a date for when British Army of the Rhine forces will be out of a united Germany.

I should like to see a unified Germany declared a nuclear-free zone and all nuclear weapons off German soil. That is another issue which will be raised in the December elections. According to opinion polls, a non-nuclear Germany would find favour with the great majority of German people.

There is now a united Germany standing at the crossroads of Europe with a Moscow-Berlin-Washington axis as the vital one linking east and west. It worries many

[Mr. Banks]

people that that enormous economic power will act as a gravitational force of irresistible political strength—if there is economic power, there is political power—that that enormous eco-political structure will sit in Europe and its gravitational force will distort economies all around. That worries many people in this country and beyond. The only way that the United Kingdom can influence such an axis, and such economic and political power, is through European institutions—there is no other way.

I know that my hon. Friend the Member for Newham, South (Mr. Spearing) might disagree with some of the things I am about to say, but I believe them. In many ways my attitude on Europe has changed in the Gorbachev period. I am right to have changed my position because circumstances have changed so dramatically and for a politician to stand pat on a previous position without attempting to modify it in view of the momentous world changes would mean that he or she would probably be left behind in a major way.

Chancellor Kohl made an interesting statement on French television on Wednesday. Many people thought that the economic problems of unification would mean that enthusiasm for economic and monetary union western Germany would definitely wane. That has not happened. In his statement on television Chancellor Kohl made it quite clear that he agreed with the Dutch proposal that stage 2 could be achieved by January 1994. When the French and Germans agree on something such as that, it means that it will happen. It does not matter what the Prime Minister says, because she is increasingly irrelevant in all of it. I am sure that there will be some welcome among some Conservative Members for what Chancellor Kohl said; I am sure that the deputy Prime Minister and the Foreign Secretary will be quite happy about it and, in his quieter and more honest moments—those spent away from the Prime Minister—the Chancellor of the Exchequer will also welcome the news from Germany and Chancellor Kohl's statement.

We cannot stand aside, although some are determined to try to do so. A new club has been announced. I have a document stating:

"Tebbit joins new European club."

That is no recommendation for membership. The document continues:

"The right hon. Member for Chingford is joining with the right hon. Member for Cirencester and Tewkesbury to form a new club."

The club has no name yet but it has been formed to combat the insidious influences of Mr. Delors so perhaps it will be called, "Up yours, Delors" or something like that. It is to be a dining club and I should like to see some of its menus —obviously there will be no sauerkraut or French wines, it will be all bangers and chips. The club is pathetic and will not mean anything.

One of the club's new members, Mr. Alan Sked, said:

"This will be a massive campaign on the issue to drive a wedge between one European country and another."

That is a throwback. There is no way in which this country will stand in the way of economic and monetary union, which is an inevitability and became so as soon as Helmut Kohl and President Mitterrand agreed that it was so.

We cannot live in competition with the deutschmark. The pound sterling cannot survive in competition with the deutschmark, which is the powerhouse of Europe. The only way that we can influence events in a united Germany, whether economic or political events, will be through pan-European institutions. We can survive in an expanding Europe only in junior partnership with the united Germany.

Mr. Spearing: I am grateful to my hon. Friend, who is making a good, serious and important speech, expressing in the latter part of it the views of many of my hon. Friends. However, does not he agree that the basic and fundamental object is not in irrelevant dining clubs—I agree with him—but in not being left behind? The important question is whether we are going ahead in the right direction. There is all the difference between a true co-operative movement in Europe, which my hon. Friend wants—and I want co-operation—and political union which, in the words of the former Chancellor of the Exchequer, the right hon. Member for Blaby (Mr. Lawson), means one currency, one nation. Therein lies an enormous danger.

Mr. Banks: My hon. Friend thinks of it as a danger; I think of it as an exciting prospect. I grant that it is fraught with danger, but nothing momentous can be achieved without an element of danger. What is the hang-up about the nation state? The United Kingdom is made up of constituent countries, which themselves were formed from smaller principalities, kingdoms and states. Notwithstanding what is happening following the immediate break-up of the Soviet empire, the movement is definitely towards a larger Europe. I do not find anything frightening about the idea of a European Government, a European president, a European Prime Minister, a European Chancellor, a European bank and other European democratic institutions such as a European Parliament.

The days of this Parliament are numbered because we are surrendering national sovereignty. This place will become rather like a regional town hall. Those are the developments of the future and I am not frightened of them. I accept that there are dangers and that we should be wary, but it is the way of the future. Obviously, I am not someone given to good judgment, and I could be wrong, but having seen and thought about what is happening, I think that historically it is the way that this country will go. It will have to do so because of the momentous events that have occurred. Without Mr. Gorbachev, none of this would have happened, none of the discussions would have taken place and none of the possibilities would have been available.

My attitude has changed because of Mr. Gorbachev's concept of a common European house—a Europe that stretches from the Atlantic to the Urals. It is such an exciting concept that we must go for broke on it. The opportunity peacefully to redraw the map of Europe for the first time is a gift that former politicians would have given everything to achieve. Some, like Hitler, tried through war, but it did not work. We now have an opportunity to achieve it through peaceful means.

Although I understand the problems, the concept of a federal European state involving both east and west Europe captures the imagination and the mood of the country and beyond. I only wish that my hon. Friend the Member for Bolsover were here today. I know that I would disappoint him greatly. However, he is an avid

reader of *Hansard*, so no doubt retribution will speedily follow on Monday when he reads my speech. Although I have great respect for my hon. Friend's views—and I do not say that in the hope that he does not totally brutalise me—he is wrong in his view about Europe and the developments currently taking place.

I am afraid that I have spoken for rather longer than I intended, having been diverted by my hon. Friend the Member for Newham, South, with whom I am sure I will have many opportunities to discuss the issue. For my money, I believe that German unification has given a major boost to the possibility of the greater Europe that I have described, and I wholeheartedly commend it.

1.14 pm

Sir Alan Glyn (Windsor and Maidenhead): It is not often that I agree with the hon. Member for Newham, North West (Mr. Banks), but I agree with him about the role played by Mr. Gorbachev. However, I must also pay tribute—the hon. Gentleman will not agree with me—to my right hon. Friend the Prime Minister, who lit the torch of freedom when she visited Poland. I agree with the hon. Gentleman that not everything in the German Democratic Republic was bad, but I am sure that he will agree that it was an oppressive regime.

Those of us who knew Europe before the last war, and who then saw its artificial break-up as a result of the Yalta conference, would never have believed that its reunification could take place so quickly. Again, we must pay tribute for that to Mr. Gorbachev and my hon. Friend the Prime Minister.

Reunification has wide implications—some good, some bad. It will cost a great deal of money, and although there is a great pool of labour in East Germany, its industry has broken down, and it will take about 10 years for everything to be sorted out.

My right hon. Friend the Member for Guildford (Mr. Howell) pointed out that Germany is paying not only for its own reconstruction but for Soviet troops in East Germany to be withdrawn and rehoused in the Soviet Union, wherever the Soviets may choose. That has two advantages. It gets the troops out of Germany quickly, and at a very low price. Rather than pay for them to remain there, it is just as well to get them out of the way altogether. It is a miracle that Germany is able to do that without destroying its own economy. I was worried that, economically, reunification would destroy Germany, but instead it seems likely to become one of the most powerful economic units in Europe.

There is no point in paying tribute to the people who have made reunification possible. Instead, we must ask ourselves what role they are to play in the future. May we expect them to neglect a military role, and instead to spend money on rehabilitating a combined Germany—as was done after the last war? It seems possible that Germany can do the same again.

Shall we stop at Germany, or shall we also welcome into Europe countries such as Czechoslovakia and Hungary? That may be a good idea, with the proviso that those countries attain democracy first. Subject only to that, we should surely welcome them into a united Europe that might eventually include even Russia. There is no reason why that should not happen. There are immense opportunities for a united Europe.

If all that occurs, what are we to do with the NATO troops who would be withdrawn from Europe? Given the experience of the Gulf crisis, the right thing might be to create an international force, so that the resources made available as a consequence of reunification throughout Europe could be used to deal with any situation that arose. It might not even be a NATO force, because NATO, too, might lose some of its significance. Nevertheless, it would be capable of bringing peace to the middle east, the Gulf, South America or anywhere else in the world. However, we must realise that many nations are developing weapons that are not exactly nice—nuclear and chemical weapons. We must retain sufficient nuclear capacity to be able to say to them, "Look here, it's no good your trying this on, because we have a stronger force and you will be wiped out." That argument kept the peace for 40 years and it must be maintained.

No doubt, a strong Germany after reunification will be a strong competitor, but we have to live with the new Germany, accept it and work with it. We must try to get Germany interested, not merely in its own affairs but in world peace. East and West Germany suffered equally in two wars, so that would not be too much to ask now. Germany was built up by America, with the help of other nations. It has survived two wars and it is time that it helped an international force to maintain peace in the rest of the world.

I look towards a united Germany to fulfil that commitment to world peace not merely with weapons and armies but with money. I hope that it will assume such responsibilities when unification is complete, or should I say when reconstruction has finished. I agree that it may take 10 years, but during that time Germany should not neglect its contribution to world peace and it should be reminded of that.

1.22 pm

Mr. John Browne (Winchester): First, I must declare that I have financial interests that could be affected by German reunification.

To a large extent, German reunification is the result of the drive, wish and initiative of the German people. It is a just and great event and the stage for it was set by Mr. Gorbachev. He did so in response to the great political fortitude shown by the United States, Great Britain and by our NATO allies. He had to meet the fortitude of the western nations with a response, so he issued the world with a new challenge. Unlike most challenges, Mr. Gorbachev's was not that of war but of peace. He proposed to change the nature of peace itself, from one based on deterrence to one based on detente. He swapped the threat of mutual destruction for the opportunity and hope of mutual trust.

Gorbachev's new challenge has successfully removed the Soviet bogeymen from the world strategic map. As a consequence, Mr. Gorbachev has achieved a number of great things.

First, he has heralded the end of the second world war —I find it hard to remember that the two losers of the hot part of that war were Japan and Germany.

Secondly, Mr. Gorbachev has catapulted Europe back into the centre of the world's strategic political stage. but what sort of Europe will it be, and how far will it extend? Will it end in Berlin or in Moscow?

[Mr. John Browne]

Thirdly, Mr. Gorbachev has exposed a great change in the super-power structures of the world. In 1945 Great Britain was replaced as a world super-power by Russia. Today, 45 years later, Russia itself has been replaced as a super-power. The big question is, by whom? Will it be replaced by a new Europe or a new Germany?

On 3 October we saw the birth of a new Germany. Some would say that we also saw the birth of a new German empire—this time, an empire that will be pushed forward not by force of arms, represented by the bayonet, but by economic measures, represented by the deutschmark.

Germany is a very great nation of about 100 million people. Even the Romans failed to conquer the Germanic tribes. Much of the praetorian guard of the Roman emperors consisted of Germans. For centuries the Teutonic knights protected Europe. We have seen Germany take on the might of the world in both industrial and military ways. The German economic miracle, following 1945, was a testimony to the strength and vitality of the German peoples. All this, in my view, portends even greater German growth in the years ahead, as a fully fledged member of the European Community, lying, as it does, adjacent to the vast new markets of central Europe and of the Soviet Union.

Germany has re-emerged as a major national force in Europe and in the world. The vital question for all of us in Europe is how the new Germany can best be assimilated into Europe, in the best interests of Europe in general. It is wrong to think—as, I believe, our French colleagues think—in terms of trying to lock Germany into the EEC. I believe that Germany will not for long be locked into anything. We are, therefore, at a fundamental crossroads in the design of our new Europe.

In essence, there are three major options. The first is the EEC—the European Economic Community of sovereign member states. The second is the EC, as it is now called, or the European Community of a federal European state. The third is a Europe dominated by one single member state.

With such choices, I think that it can truly be said that the times that we now live in are indeed times of legend. Now, we must decide whether Europe will move forward by means of revolution or by means of evolution. At the heart of the answer will lie our policies towards European monetary union.

These are times of great change, of enormous hope and of great uncertainty. One may almost characterise them as the fog of sudden peace. At such a time of uncertainty we are being asked to make a dramatic decision about something that is very dear to all our hearts: the future of our national sovereignty, the future of our way of life.

The hon. Member for Newham, North-West (Mr. Banks), who is not now in the Chamber, mentioned that we were going to surrender our sovereignty and that we must go for broke. I do not believe that the British people will readily accept that argument. National sovereignty is always a vital and very emotional issue. It is particularly important and emotional when it comes to jobs and the future employment of British people, and it is always important and emotional when it comes to the problem of mass immigration.

I have the privilege of being the rapporteur of the civilian affairs committee of the North Atlantic Assembly. We have carried out some interesting studies in the human rights context both into the problem of the movement of peoples within central Europe as a result of the breakdown of the Soviet empire and into the enormous problems that face Europe with regard to mass immigration, particularly from the Soviet Union, where tens of millions of people may elect to live in the richer, western part of Europe. It is a major problem which must be faced by all EEC members.

I have no doubt that European monetary union is the back door to the creation of a federal European state. European monetary union, as a currency bloc, would effectively be dominated by the deutschmark.

The exchange rate mechanism of the European monetary system is a major step towards economic and monetary union and a single European currency. Proponents of the ERM and of European monetary union argue that it would give our economy more financial discipline. Some Labour Members might argue that there is too much financial discipline already.

The ERM and European monetary union are about sovereignty. I say yes to financial disciplines encouraged by economic competition among member states of the EEC, but very definitely no to financial disciplines imposed by a federal European state. The British people will not like it, and furthermore they will not accept it.

Economic domination of Europe by the deutschmark would have major implications for British industry, employment and our way of life.

For decades, following the second world war, our economy almost died. Indeed, today our economy is still in a state of convalescence. It is still prone to relapse into inflation or even stagflation. As it is a convalescent economy, it is the duty of the Government to ensure that our economic health is achieved fully before—I stress "before"—taking on the full unfettered gale of German economic competition. Let there be no doubt that the exchange rate mechanism, leading to European monetary union, will open the gates wide to the full gale force of German economic competition.

We still need time, which is of the greatest importance in continuing to ensure that we achieve economic health and that our economy is strong enough to be able to adapt to the competition that we shall face from Germany—adapt so that Britain will survive and be economically strong. If we enter the exchange rate mechanism and go for monetary union before we are ready, the implications will be serious and damaging for British companies, British industries, British employment and for the British people. We need time for evolution rather than revolution. It is wrong to say that we must go for broke. It is too big a gamble, with the jobs and future way of life of our people at stake.

The speed of our early entry into the European exchange rate mechanism worried me, and it continues to worry me seriously. What particularly worries me is that it appears that the Government were pushed into early membership of the ERM and, therefore, too early down the road to European monetary union and a single European currency dominated by the deutschmark.

As I said earlier, on 3 October we saw not just the birth of a new Germany but the birth of a new super-power. Before it is too late, we must ensure that the financial disciplines that are accepted by our Government as a result

of competition in a European Economic Community of sovereign states, a true European common market, do not mean accepting the imposed financial disciplines of a single European currency dominated by the deutschmark.

The key question before us all is how best to assimilate the might of the new Germany in the best interests of Europe in general. I therefore welcome this debate, and I thank you, Madam Deputy Speaker, for calling me.

1.35 pm

Mr. James Paice (Cambridgeshire, South-East): I do not think that anyone can over-emphasise the importance of this debate and our incredulity at having it; nor do I think that anyone could have envisaged, even a year ago, that we should already have moved to this momentous stage. Like many hon. Members, I have visited both East and West Germany several times. I was fortunate to visit East Germany, just prior to my election to the House, with a number of other individuals who are now my colleagues here. At that time, we would have no truck with the belief that German unification was on the political horizon. The same group went back only three weeks ago to see the incredible changes that have taken place in East Germany. What we saw will remain with us for the rest of our lives. We saw the end of the inhumanity that was the Berlin wall. We saw the change and felt the hope in the air in East Germany and the way that churches which had not been touched since the day they were destroyed by our bombers are being restored. All that is beginning to happen because of the end of the Berlin wall.

It is important to recall that the revolution in the whole of eastern Europe has been achieved largely, with the sad exception of Romania, without bloodshed. It is very different from the revolution that began it—the Bolshevik revolution, which cost 5·5 million Russian lives. I am sorry that the hon. Member for Hamilton (Mr. Robertson) has left the Chamber. In response to my hon. Friend the Member for Mid-Kent (Mr. Rowe), the hon. Gentleman asserted that socialism and communism were not the same. One cannot forget that at the time of the Bolshevik revolution, when Trotsky's armies were in retreat and falling back to Moscow in a last-ditch stand, the British Labour party pushed Lloyd George to abandon Churchill's support for White Russia. At the very time when that revolution could have been stopped, we failed. I am not saying that the Labour party is only to blame but, as much as anyone, it must share some responsibility for the tide of communism that then engulfed so much of the world. There is now an opportunity, as part of German unification and because of the trend of the past few years, to redraw the economic and political map of Europe and, indeed, of parts of Asia. We now have to address the future of Europe as it is affected by German unification.

I was interested to listen to the hon. Member for Newham, North-West (Mr. Banks), and I am sorry that he has left the Chamber. His speeches are often spoilt by too much humour, but this time he obviously made a speech from the heart. Although I did not agree with some aspects, the hon. Gentleman gave an interesting and sound perspective of one way in which the future of Europe could develop.

Several hon. Members referred to the effect on the United Kingdom economy. There are those who believe that the best way to prevent Germany becoming over-dominant is in some way to handicap it. That is no way forward. The way to ensure that Germany does not become over-dominant—let us not forget that it starts with a fairly large handicap because of the immense problems associated with the GDR—is for us to get our act together and for other countries to build their economies into a form by which they can compete effectively with Germany. That is the surest way of having a long-term assurance against over-dominance by any economy.

There is no doubt that the German people want to expunge their past. They would like to strike the history of this century out of the books, which is a highly respectable attitude for them to take. It is reflected in their anxiety to demonstrate their commitment to peace, to democracy and to the rest of the west, and in their determination and enthusiasm for the pursuit of European political union. From their perspective, that is a highly respectable and understandable position. However, despite my respect for them, I believe that we should not all rapidly embrace that perspective.

When I have discussed these matters with some of my German friends, I have found it difficult to accept their unwillingness to look favourably towards a fairly rapid assimilation of the German Democratic Republic's former trading partners in eastern Europe. We must work to assimilate them into the European Community as fast as we can. I know that there are worries about the state of their democracies, but I suggest that this is a chicken and egg problem. Which comes first? Is it a fully stable democracy, or should we assimilate those countries quickly and help them to develop and then stabilise that democracy?

We were quick to take on board Spain, Portugal and Greece as they came out of the grips of one form of dictatorship and I do not see why we cannot repeat that with the countries of eastern Europe. The development of their democracies would be one of the major benefits of their joining the Community and it would also provide them with a great opportunity to develop the capitalist market economy, which is now recognised as the only route to lead to prosperity and to proper care and attention for the environment.

When one sees, as I saw only three weeks ago, some of the incredible environmental problems, with lignite pollution and mile after mile of chemical and gas plants, some of which are unmodernised since the days when they produced Hitler's Zyklon B gas, one can understand the enormity of the challenge, which can be paid for only by the wealth created out of a market economy.

We must not forget that half the population of the GDR does not recall the war. People of my age or younger, born after the second world war, have no memories of anything other than a communist-dominated economy. They have had the wonderful opportunity to rejoin the Federal Republic and to become part of a Germany that is again united. That opportunity does not exist in the same way for the other peoples of eastern Europe, but that does not mean that we should not set out to create a similar opportunity as early as we can.

The papers that we are discussing today deal with the immediate problems, but we need also to deal with the problem of those adjoining nations. The association agreements produced by the Commission in September are a major stepping stone towards European Community membership by Poland, by Hungary, by Czechoslovakia and by the rest. The agreements refer to the approximation

[Mr. James Paice]

of the laws, to the removal of customs barriers and to the free movement of people. They are clearly designed to make the final stage so much easier, although they are not a reason for speeding up the cause of political unity in the European Community.

We must not forget that the Delors proposals were produced at a time when today's debate could not have been foreseen and that they are now outdated. They need to be binned and we must start to think again about how we should now draw the political map of Europe to encourage every nation to be part of a brotherhood that allows economies and national cultures to develop in a way that ensures developing peace and prosperity.

Before we discuss political union any further I want to draw a distinction between political union and what is sometimes lumped together with it—an improvement in the decision-making processes within our present Community. Such a reform is long overdue, but the two things are not the same and should not be confused. We must look to the new economies that are now emerging, and not build further obstacles through political union, which would make their ultimate accession much more difficult to achieve.

I look forward to the day when we can consider similar papers on the terms of membership of the European Community for Poland, Hungary, Czechoslovakia, Bulgaria and the rest of eastern Europe. We have assumed —some would say purloined—the title "European Community". Let us look forward to the day when—before the decade is very much older—it becomes truly a European Community.

1.46 pm

Mr. Harry Barnes (Derbyshire, North-East): There is a peculiarity about this debate: technically, we are discussing documents consisting of masses of empirical detail as well as value judgments, but, more correctly, we are discussing a matter of practical political philosophy. The better speeches, including that of my hon. Friend the Member for Newham, North-West (Mr. Banks), have taken an ideological approach. However, they were ideological in a practical sense, because they referred to major developments and concerns. In the limited time available to me, I too wish to adopt that approach.

We should identify what is favourable about developments in both West and East Germany and the west and east as a whole, and thereby draw up plans to ensure that we achieve the right developments both in Germany and on a pan-European scale. What are our worries, and what should we seek to avoid? The various actions that have already been performed have sometimes proved unfortunate, but there are still plenty of opportunities for us to argue the case for acting differently.

What the west had to offer the east, and what West Germany had to offer East Germany, was undoubtedly parliamentary democracy. It was the operation of a voting system, however imperfect some aspects of that system might be. I firmly believe that, in this country, our democratic franchise is being undermined by the operation of the poll tax; I should not wish that tax to be foisted on East Germans as they moved into a new Germany.

I have not made my mind up about proportional representation, but I am aware that the German system is the best alternative on offer. It allows constituency representation; it produces a fair result; and it stops fringe and minority groups from being represented in ways that spoil the operation of the system. It has much to commend it in comparison with other systems, such as that of the single transferable vote in a multi-member constituency: that is not proportional representation, but is merely built on a metaphysical notion of PR. That is vastly superior to the East German "munipulation" of the bureaucratic structures that previously operated.

Democracy depends on more than voting arrangements. This country has recently moved towards a form of elective dictatorship. A full range of civil liberties is required to allow people to organise, demonstrate, express views and understand possible alternatives, and to allow proper checks and balances of the democratic system. The importance of western democracy is not that somebody is appointed to office and has a mandate to do things on behalf of the people; it is that it is always subject to the next election. That fact should influence the attitude and approach of Governments. They should play the game so that they may win on future occasions. At long last, given the unpopularity of this Government, we are beginning to see signs of some moves taking place. People are saying, "They are pinching things out of Labour's programme." That is a healthy arrangement; it should take place in a democracy. There should be to-ing and fro-ing in the market place of politics.

The east had things to offer the west. It had an ideology. Many aspects that were interesting and valuable—they were propounded, although considerably distorted—stressed collective provision and care and sometimes, even despite the bureaucratic arrangements in those societies, fed into policies on full employment and child care and a decent policy on abortion. However, unfavourable things in the west, such as its competitiveness and the capitalist free market, led to exploitation. When the walls were broken down, we saw people stream from the east to the west, but we did not see capital flooding into East Germany and eastern Europe in a way that almost knocked down all opposition.

Conservative Members speak about the value of market capitalism. They should realise that markets do not necessarily have to be capitalist. It is possible to have markets in which social forms of ownership operate and in which competition between co-operatives, for instance, takes place. There are different possibilities from those that are on the cards at the moment.

We have missed a fantastic opportunity to talk about a development in which the best from the west and from the east begins to be drawn together so that improved arrangements can be made in Germany and in Europe generally, and on a pan-European basis. Such insight influenced the speech by my hon. Friend the Member for Newham, North-West. I should have loved to have an opportunity to develop those themes.

This is an important debate and it will not go away. It is ideological in the best sense. I hope that other matters are put on the agenda, apart from a rampant movement of markets and capitalism with democracy somehow coming in and making social provision. That influences the current nature of the European Community. What is wrong with the European Community is that markets and capitalism are at the top of the agenda, with democracy, democratic institutions and social arrangements secondary to them. They need to lead the debate, not follow it.

1.53 pm

Mr. Peter L. Pike (Burnley): It is right and appropriate that we should have this debate on German reunification in the first week after the summer recess. As so many hon. Members, including my hon. Friend the Member for Hamilton (Mr. Robertson), have said, German reunification symbolises the most important changes in the world. We must recognise that the changes which have taken place and those that will continue to take place have, to a large degree, been made possible by President Gorbachev taking power in the Soviet Union. We must recognise that he has influenced changes not only in Europe, but throughout the world. For example, he played a behind-the-scenes role leading up to the elections in Namibia last year.

There have been major changes to what most of us have accepted as the norm. For the first time since the war, the United Nations has an opportunity to play a major role and do something that it and the League of Nations between the war years could not do before. There is an opportunity to reduce defence expenditure in the east and the west and to use those resources more positively to the benefit of mankind. On so many occasions the Opposition regret the fact that we still have a Prime Minister and a Government who fail to recognise the opportunities.

In this final decade of the century, the world must deal with poverty and hunger and face our environmental problems. If we can spend as much time and resources on those problems as we have spent on other problems in the past 45 years, they can be solved by the turn of the century. That is the way we should proceed after grasping the new opportunities symbolised by this debate following German reunification.

My hon. Friend the Member for Newham North-West (Mr. Banks) correctly referred to the efficiency of the German nation. Despite the problems facing it after the absorption of East Germany, we all accept that Germany will make a success of unification. Reunification will be successful despite the problems which exist in the old GDR.

It is also important to remember that on the Friday of the week in which German reunification took place our Chancellor of the Exchequer announced that we would join the exchange rate mechanism. As has been said, ERM alone cannot solve all our problems.

The hon. Member for Winchester (Mr. Browne) and others referred to German industry. The success of German industry has depended on many different factors. The Germans have a far more regional approach than we have. German financial institutions look at industrial investment on a long-term as opposed to a short-term basis. While the people in manufacturing here to whom I have spoken welcome the stability provided by entry to the ERM, they are worried that we have probably entered at too high a price in relation to the deutschmark. They are afraid that that will make our industries uncompetitive and place them at a disadvantage.

Another major difference between our industry and that of our competitors and German industry is that when we talk of pay restraint, work and productivity we always talk about those working on the production line and we do not talk about management in the same terms. I worked in a multi-national company and in a factory before I became a Member of this House. A big difference between our partners in Europe and us is that if managers there expect workers to come in at 8 am or whenever, they do exactly the same themselves. We must set that kind of example. Britain's managers and workers must not oppose each other, but work together to ensure manufacturing output. If we work to that end, we could not only do well, but cure some of our economic problems. I have always been convinced that until the nation gets its manufacturing base right, we cannot cure our economic problems. We must recognise that, and we must have a Government who are prepared to do something about it.

My hon. Friend the Member for Newham, South (Mr. Spearing) referred to a Select Committee report. We are most appreciative of the efforts of the Select Committee on European Legislation, which my hon. Friend chairs. We must recognise that in a democracy we have people who are prepared to do the detailed work involved in such activity, which is so useful to us. The report makes it clear that major implications for agriculture will arise from German reunification. We must recognise that and deal with it.

The proposed milk quota for the former GDR is 6·8 million tonnes. The direct sales quota is 0·6 million tonnes compared with current annual production of 8·5 million tonnes. There are variants within the figures. The suggested quota for sugar is 870,000 tonnes compared with current production of 670,000 tonnes and a consumption of 800,000 tonnes. The ceiling on intervention purchases of beef would be increased by 15,000 tonnes to 235,000 tonnes. Reunited Germany has the third largest dairy industry in the world, after the Soviet Union and the United States. We must recognise the quota problems of our dairy industry and face them.

Reunification will bring changes which will affect our agriculture and the Government must recognise that. In particular, we must address the difficult areas of farming land where there is no alternative to sheep or dairy farming, especially hill farming. The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who is to reply to this debate, represents an area which runs into the Pennines and includes difficult land, although it is perhaps slightly more favourable than that on my side of the Pennines.

If we want farmers who get a small income for their work and effort to remain in agriculture and do not want moorland and bracken to spread, the way in which we use the common agricultural policy and the direction of subsidies must change. Agricultural subsidies are under consideration.

We want a change in agricultural policy which removes much of the nonsense that we have debated so often. The CAP represents the biggest abuse of the Common Market and has engendered much public criticism of the EEC. It costs a family of four £16 per week. We want to change the way in which subsidies are used to advantage and encourage more environmental protection and better use. The agriculture of the former German Democratic Republic gives us cause to be extremely worried because of pesticides, and veterinary medicines and standards, all of which have serious implications.

Environmental pollution has been referred to in the debate. We have all seen the publicity about the environmental problems of the former eastern European countries. We must also recognise that environmental problems are not unique to industry, but exist in agriculture. We must ensure that they are tackled in a positive way.

[Mr. Peter L. Pike]

There is already pressure on fatstock market prices. Before reunification, the prices of many forms of meat were already lower, not only in real terms but in cash terms, than a few years ago, which puts considerable pressure on some farmers. It is clear that unauthorised imports from eastern Europe, coming through Germany, are a major cause of that problem now, and we should be concerned about that. An investigation is to take place into leakage from Poland and Czechoslovakia. The Ministry of Agriculture, Fisheries and Food has described the new German border as not tight. However, when the Minister of State, Foreign and Commonwealth Office opened the debate he said that he hoped that there would not be leakage. I am sure that Ministers will be just as concerned as we are that the agreements that have been reached are enforced and honoured, and nothing extra is allowed through the system that will have an adverse effect on our industry. A high percentage of food to the former GDR now comes from Hungary, Bulgaria and Romania, posing problems that we should consider extremely carefully.

We are in the process of ensuring that the complex harmonisation measures for 1992 which are being debated week after week, are enforced as speedily as possible in relation to the former GDR. The hon. Member for Cambridgeshire, South-East (Mr. Paice) said in his speech that it was likely that other former eastern European countries would want to join the European Community at an early date. That is extremely likely. If we look back to the days when borders were taken down between Hungary and Austria, we see that with that first move, the iron curtain no longer existed. The changes that have taken place since the iron curtain was breached were inevitable. That momentum will continue and the other countries will seek membership of the EEC. We must be prepared to face the implications of those changes.

My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) in his speech was not attacking the former east German shipbuilding industry, which is now part of the reunited Germany, but stressing that he wanted the shipbuilding industry of his region to be given the same opportunity to succeed as that overseas. That is the great difference between the two parties at present. The Government's policy is to say that industry can take care of itself, whereas we recognise that Government must take a more positive role if industries such as shipbuilding are to survive. But that does not necessarily mean giving away massive amounts of money. All that we want is to ensure that our shipbuilding industries are given a fair crack of the whip. We want Scotland, Wales and the regions of England to be given a fair opportunity.

The Government do an injustice to the former eastern European countries in criticising their policies. They call them socialist and try to tie the Labour party into the same configuration in an attempt to influence votes at the next election. The Government fail to recognise that a majority Labour Government have been elected several times since the war but have not followed the path of removing democracy and the right of people to change their Government. Indeed, we have criticised the excesses in the way some other countries have been governed. As my hon. Friend the Member for Newham, North-West said, there were good aspects as well as bad in the way those countries were governed, and it would be wrong to totally ignore the good aspects.

Unification provides both challenges and opportunities. In a rapidly changing world, the Government cannot meet the challenges and therefore will continue to fail to meet the needs of the British people. That is why I am sure that when the Labour party has an opportunity to face the Conservative party at a general election we shall be returned to the Government Benches and the Conservatives will be on the Opposition Benches.

2.10 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): Until the hon. Member for Burnley (Mr. Pike) made his speech, I thought that agriculture had been the orphan of this gathering, which is an unusual, but, perhaps, not entirely unwelcome phenomenon. He raised a number of agricultural points before diverting to the future prospects of a hypothetical Labour Government, and he joined the revisionist school on eastern Germany. I noted that there were a number of protagonists of the revisionist school. As East Germany is barely cold in the grave, that appears to be a form of political grave robbery. I am sometimes amazed that there was not a mass exodus of West Germans to East Germany to live under the undoubted attractions of that form of Government.

Satisfactory arrangements for agriculture have been made——

Mr. Spearing: Oh!

Mr. Curry: I shall deal with the exceptions in a moment.

The milk production quota for East Germany is considerably below the current level of consumption and there must be a significant reduction. One of the consequences has been a movement of cow cattle into the European market, and that is one of the contributory factors to the difficulties in the beef sector.

The proposed sugar quota of 870,000 tonnes is one that we, together with many other members of the Council regard as too high. Earlier this week, the Commissioner at the Luxembourg Council said that he was willing to reconsider that.

Dr. Godman: Will the Minister give an assurance that, in any negotiations on sugar, he will protect, at all costs, the interests of the African, Caribbean and Pacific cane sugar producing countries in their export of raw cane sugar to the European Community? Such a defence would be compatible with the motion proposed three years ago to defend the ACP countries and the United Kingdom refineries.

Mr. Curry: I assure the hon. Gentleman that we will defend the interest of the ACP countries. However, we regard it as part of that interest that prices remain at the same level as those paid in the European Community. The present claim that they should receive a compensatory payment because the EC has started to cut prices is not reasonable.

The maximum guaranteed quantities under the stabilising mechanisms remain the same. East German production does not count against them, but where prices are cut because of the triggering of the stabilisers, that will affect East Germany as well as the remainder of the

European Community. There are some minor transitional arrangements for the market regimes, of which we approve.

There are a number of temporary derogations in structures. As in other sectors, we regard them as a sensible means of permitting the former East Germany to be accommodated within the current European system. There are also provisions for the Commission to take minor action where adjustments are necessary. There is always a need for a certain amount of tidying-up. There is also a safeguard clause, under which member states can seek the Commission's intervention if the market has been genuinely disrupted.

The latest estimate of the costs of market support shows that it will increase in 1991 by about 1·3 billion ecu, or £900 million, as a result of German reunification—but even with the inclusion of those costs, the guarantee section for 1991 will be below the guideline, so no adjustment will be needed. However, the budget is becoming fairly stretched and—GATT or no GATT—there will have to be significant changes in agricultural policies starting next year. That is something that member states currently resisting tooth and nail honouring their existing commitments under the GATT negotiation may like to bear in mind.

Given the constituency interests of the hon. Member for Greenock and Port Glasgow (Dr. Godman), I am sure that he would like me to give more weight to the fishery aspects. I have a close relationship with the German Fisheries Minister, Mr. von Geldern, who has assured me in several meetings that the East German fleet will fish against the West German quota and that no additional quota will operate in respect of East Germany.

The German fleet is now effectively a bigger fleet, but its entitlement remains the same as before, which means that there is no need to adjust total allowable catches or quotas. However, as the hon. Member for Greenock and Port Glasgow knows, there is a date on the horizon for a review of the common fisheries policy, when we expect that the Spanish and Portuguese will be the main proponents for change. The East German fleet is large, comprising 76,000 registered tonnes, and is one and a half times the size of the federal republic's fleet—but achieves only 60 per cent. of West Germany's catch.

However, reunification will have consequences for the United Kingdom. In the past, we have always added to our total allowable catch through swaps with West Germany, because we are not necessarily interested in catching the same species. That arrangement has proved advantageous to both countries. It may be that in future the swaps that we once obtained will be taken instead by the East Germans because of underfishing of the German quota. Also, some non-quota species may come under greater pressure, though, as they represent only 1 per cent. of our landings, that is a minor consideration.

There is a genuine question mark over the future of Klondiking. The fleet that used to Klondike might go for the West German quotas, and it is not certain whether the demand for pelagic fish will remain the same, given that prices are no longer at the 1948 levels at which fish was sold in the former East Germay—and the Soviet Union is finding it difficult to raise money to pay for the fish that it obtained from the Klondiking operation. Therefore, the United Kingdom processing industry might find itself with additional quantities of fish available. It is important that it should be able to process it, given the number of Scottish fishermen in particular—but not exclusively so—who depend on Klondiking arrangements. In addition, some third country arrangements will have to be renegotiated by the Community. We shall keep a careful eye on the cost and equity of any arrangements that are made in that respect.

The hon. Member for Greenock and Port Glasgow made a long speech, so I will either make a written response to his other points or will arrange to see him soon, as I recognise his strong constituency interest.

The hon. Member for Hamilton (Mr. Robertson) welcomed the developments in Germany, as did the other speakers, and I am sure that we all subscribe to the general tone of the debate. However, the hon. Gentleman said that the United Kingdom is a passenger in Europe. That is not the case. I invite him to review the series of votes in the European Council over the past year, to see how many times the United Kingdom has been on the receiving end of a minority vote. It is precious few. I might ask him to find out how many times the Federal Republic has been on the receiving end of a minority vote, especially on some of the important financial services regulations. He will find that that has happened on a significant number of ocasions.

The United Kingdom has played a predominant and important role in the European Community on the free movement of capital and the open marketplace. Of course, eastern Europeans look to the generality of successful policies in western Europe, but the United Kingdom experience is one to which they look particularly, as I have learnt when I visited those countries.

I am one of those who are impaled in Brussels now perhaps more than when I was a Member of the European Parliament, and I am sure that the hon. Member for Hamilton will be pleased to hear that. Those of us who do a lot of negotiating in the Council realise that enthusiasm is little substitute for realism. For example, Germany defends her corner very well. I have not the slightest doubt that Herr Keichle is defending his corner on the general agreement on tariffs and trade at this minute in Luxembourg with his customary vigour. He will be taking a stance with which, no doubt, we would be in agreement. It is simplistic, self-destructive and quite simply wrong to attribute to others a virtue which they may not necessarily deserve and to attribute to ourselves a vice which we have rarely demonstrated. The fact of the matter is that we are all in it together. There is a little horse trading but there is nothing wrong with that as it is part of the system and it works.

My right hon. Friend the Member for Guildford (Mr. Howell) told me that he would not be able to be present for the end of the debate. I am glad to pay tribute to the work of the Foreign Affairs Select Committee in this matter. He emphasised the question of eastern Europe and the importance of those countries as potential members of the Community. I hope that we will not be seduced into believing that the debate must necessarily be between people who want to go broader and people who want to go deeper. There are good arguments for the Community to continue with integration while ensuring that that does not preclude further enlargement, when conditions in those countries are right for them to join the European Community.

I beg the House not to forget that there are other parts of the world and other negotiations which matter just as much. For example, EFTA is now engaged in complex

[Mr. Curry]

negotiations with the Community and it represents a large trading area. New institutional forms are being developed there. Nor should we forget that perhaps now that one of the predominant east-west issues has been settled, the north-south issue, and the role of the developing countries, is a matter to which we should also devote a considerable amount of our attention.

My right hon. Friend the Member for Guildford asked a specific question about the immediate cost to the United Kingdom. There has been no demand for an increase in the 1990 budget. We estimate the net cost to the United Kingdom in the 1991 budget at £32 million, and in 1992 at £59 million. It is worth remembering that Germany will remain overwhelmingly the largest contributor to the European Community budget. As the former East Germany grows in prosperity, the tax take contributed to the Community might be expected to increase.

Mr. Terence L. Higgins (Worthing): I am not quite clear how those figures tie up with those given in the answer to the Treasury Select Committee's report yesterday. I certainly would not want the Minister to take those figures as an amount that we would not seek to negotiate downwards; otherwise we shall be paying a substantial sum towards German reunification.

Mr. Curry: My right hon. Friend will know that the United Kingdom Treasury—I hasten to add that I do not speak for the Treasury on this occasion—has rarely been averse to trying to negotiate figures downwards. I shall certainly check up on the matter that he has raised, and ensure that he receives a response.

Again I pay tribute to the work of the Scrutiny Committee under the chairmanship of the hon. Member for Newham, South (Mr. Spearing). As a Minister I am frequently on the receiving end of its work, and I do a lot of work upstairs in Committee. The new system, which will be introduced, with the approval of the House, in the new Session, will no doubt multiply my work. The Committee's work is clearly difficult, given the problems of monitoring European legislation. The hon. Gentleman asked a specific question on the gross cost of unification. The Commission's estimate, as it stands, is for commitments of 2·125 billion ecu in 1991, and 2·285 billion ecu in 1992. The United Kingdom's estimate is marginally below that level for commitments and is about 2·512 billion ecu for 1992. The increase in German contributions is estimated at 1·4 million ecu in 1991 and just under 1·3 million ecu in 1992.

My hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) referred to the height at which aeroplanes can fly to Berlin. There has been an increase, but there is a limitation that is linked to the probable presence of Soviet troops in the former East Germany until 1994. The German authorities are now responsible for the height at which aeroplanes can fly.

I pay tribute to the Council of Europe's role as a staging post for eastern European countries in their eventual move towards integration with western Europe. It is an important role. We must not overlook the fact that the European Community has set certain criteria relating to democracy and the nature of society which must be fulfilled before states are eligible to join the Community. We must maintain those criteria. Therefore, the Council of Europe has an extremely important role to play in that respect.

I have replied to the question put to me by the hon. Member for Greenock and Port Glasgow about fisheries. He also asked me about shipbuilding. Current proposals suggest a higher level of aid, for two years only, to allow for the restructuring of yards. That aid can be given only on the basis of a clear structure plan. It is open to us to ask the Commission to investigate the matter if we think that contracts have not been subjected to the correct competitive procedures. My right hon. Friend the Secretary of State for Trade and Industry would take up with alacrity any evidence that suggested to the contrary.

The hon. Gentleman referred specifically to Caledonian MacBrayne. I understand that Ferguson is already building two ferries for Caledonian MacBrayne. That contract was awarded without Government assistance because the company did not need it. I am told, however, that aid would be available from the shipbuilding intervention fund for that purpose.

As the hon. Gentleman pointed out, a new commitment amounting to 3 billion ecu for the structural fund has been proposed by the Commission. The United Kingdom entitlement remains the same. From 1994 onwards the structural fund will be revised. I understand the hon. Gentleman's concern. I shall ensure that it is conveyed to my right hon. and learned Friend the Secretary of State for Employment, as the Minister who is most directly involved with the social fund.

My hon. Friend the Member for Mid-Kent (Mr. Rowe) drew attention to minorities in eastern Europe. It was a useful addition to the debate. We tend to forget that eastern Europe has had a particularly chequered history. The 20th century history of eastern European countries has hardly been one of unmitigated peace and light. There have been many problems and squabbles, not least territorial squabbles. Therefore, it is as well to remember that in all those countries there are victims of territorial squabbles.

The hon. Member for Newham, North-West (Mr. Banks) who inaugurated the revisionist view of East Germany—a view which its inhabitants do not appear to share- is nostalgic about the command system. His nostalgia is touching. As for his attraction to the Trabant, which I do not wish to figure too largely in these debates, that depends on whether one is in front of or behind that car, given the amount of pollution that it emits.

I subscribe to the praise of Mr. Gorbachev that has been voiced by many hon. Members. However, I ask the House to maintain a sense of perspective. We ought to give a little praise to those western countries, and the United States, that held firm over defence throughout the years, thus allowing conditions to be created that led to Mr. Gorbachev being faced with choices. The choice that he has adopted, to disengage the Soviet empire, would not have been open to him had it not been for the resolution of the west in defence matters since the end of the second world war. We should therefore be slightly more generous with the distribution of our praise. Nevertheless, the choice that he has made for the Soviet Union, which appears to be in major difficulties, is courageous.

My hon. Friend the Member for Windsor and Maidenhead (Sir A. Glyn) apoligised for the fact that he could not stay until the end of the debate. I accept his point about the importance of the next stage in Europe and his

view that Germany will be both our competitor and our colleague. It is hoped that Germany will eventually feel that she is able to assume wider responsibilities in the world without compromising her firm resolve that she should put her history behind her and continue on a peaceful course. I foresee no reason why that should present a dilemma for the German Government.

My hon. Friend the Member for Winchester (Mr. Browne) praised the role of Mr. Gorbachev. He spoke of Germany's power being directed in a commercial way, which is exactly what will happen. However, there is no reason for West Germany to mop up the whole of eastern Europe. Its markets are available to all of us. I visited eastern Europe and very much hope that British companies will be active in seeking its investments.

The debate has been important. The hon. Member for Derbyshire, North-East (Mr. Barnes) invented the expression "munipulation", which I assume are the actions of left-wing Labour councils. It is important that we should welcome what has happened in Germany. It is a major achievement for the west, for democracy, and for peace. All of us will benefit, and I commend the motion to the House.

Question put:—

The House divided: Ayes 47, Noes 2.

Division No. 325] **[2.30 pm**

AYES

Arbuthnot, James	Knapman, Roger
Arnold, Jacques *(Gravesham)*	Knight, Greg *(Derby North)*
Ashby, David	Lightbown, David
Baker, Nicholas *(Dorset N)*	Lilley, Peter
Boswell, Tim	Moate, Roger
Bowis, John	Neubert, Michael
Brazier, Julian	Paice, James
Browne, John *(Winchester)*	Renton, Rt Hon Tim
Carrington, Matthew	Rowe, Andrew
Chapman, Sydney	Shelton, Sir William
Cran, James	Smith, Tim *(Beaconsfield)*
Curry, David	Stern, Michael
Field, Barry *(Isle of Wight)*	Summerson, Hugo
Finsberg, Sir Geoffrey	Taylor, Ian *(Esher)*
Goodlad, Alastair	Taylor, John M *(Solihull)*
Goodson-Wickes, Dr Charles	Vaughan, Sir Gerard
Greenway, Harry *(Ealing N)*	Walden, George
Ground, Patrick	Ward, John
Hague, William	Widdecombe, Ann
Heseltine, Rt Hon Michael	Wood, Timothy
Howe, Rt Hon Sir Geoffrey	Young, Sir George *(Acton)*
Hughes, Robert G. *(Harrow W)*	
Jack, Michael	**Tellers for the Ayes:**
Janman, Tim	**Mr. Irvine Patnick and**
Key, Robert	**Mr. Neil Hamilton.**
Kirkhope, Timothy	

NOES

Cohen, Harry	**Tellers for the Noes:**
Godman, Dr Norman A.	**Mr. Harry Barnes and**
	Mr. Dennis Skinner.

Question accordingly agreed to.

Resolved,

That this House takes note of European Community Documents Nos. COM (90) 400 on transitional measures consequent upon German unification and 8782/90 on revision of the Community's financial perspective in the light of German unification; and endorses the Government's approach to these negotiations.

SELECT COMMITTEES RELATED TO GOVERNMENT DEPARTMENTS

Ordered,

That—

(1) with effect from the beginning of the next Session of Parliament, Standing Order No. 130 (Select committees related to government departments) be amended by leaving out in the Table:

'10. Social Services	Department of Health and Social Security	11 3'

and inserting therein:

' . Health	Department of Health	11 3', and
' . Social Security	Department of Social Security	11 3';

and

(2) it be an Instruction to the Social Services Committee to lay upon the Table of the House before the end of the present Session of Parliament such Minutes of Evidence taken before it and Memoranda laid before it and not previously reported as may fall within the respective orders of reference of the proposed Committees.—*[Sir George Young.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 24th October, if proceedings on the Motions in the name of Sir Geoffrey Howe relating to Procedure, Questions to Members Etc., European Standing Committees, Select Committee on European Legislation and European Community Legislation have not been previously disposed of, Mr. Speaker shall at Seven O'clock put the Question already proposed from the Chair, and, if that Question is for the amendment of the Motion then under consideration, then put forthwith the Questions on any other Amendments thereto which he may have selected and which may then be moved and then the Main Question or the Main Question, as amended, and shall then put forthwith with successively the Questions necessary to dispose of proceedings on any further such Motions as may then be made, including the Questions on any Amendments thereto which he may have selected and which may then be moved. —*[Sir George Young.]*

HOUSE OF COMMONS (SERVICES)

Ordered,

That Mr. David Lightbown be discharged from the Select Committee on House of Commons (Services) and Sir George Young be added to the Committee.—*[Sir George Young.]*

Beaver Estate, Hounslow

Motion made, and Question proposed, That this House do now adjourn.—*[Sir George Young.]*

2.41 pm

Mr. Patrick Ground (Feltham and Heston): I am grateful for this opportunity to discuss the future of the Beaver estate in Hounslow. It gives me great pleasure in doing so to be able to welcome my hon. Friend the Member for Salisbury (Mr. Key) to the Front Bench and to give him my best wishes for his work there.

In 1967, the Greater London council bought the leasehold interest in the Beaver Farm estate, Hounslow and proceeded to build 631 dwellings on the site. In designing the estate, the architects sought to avoid the mistakes made in previous GLC estates. They set out to ensure that the estate would not be like any other GLC estate. It was to be low-rise, spacious and green, and laid out and managed as if it were a private estate. There were five acres of open space, and hundreds of mature trees and saplings. By 1972, most of the dwellings were occupied.

In 1973, the GLC assigned its lease to a housing association, the United Housing Association Trust, for £4·5 million and agreed to cover the deficit between the rental income, and the running costs and mortgage payments for 15 years. As a result of mergers, the housing association eventually became the United Kingdom Housing Trust.

The method of construction used for building the estate was known as Bison wallframe, which involved the use of pre-formed slabs. By March 1973, it was found that 393 out of the 631 dwellings were suffering from dampness. In many cases, the roofs, walls and windows were not properly keeping out the rain. The bathrooms and bedrooms were cold due to an inadequate heating system.

In 1983 and 1984, consultants recommended the renewal of the roofs and the bolting of the concrete panels. Subsequently, a pilot project was launched to renew the roofs of six blocks, with the aid of a GLC grant. In 1985, it was found that all types of dwelling on the estate contained asbestos, which was potentially dangerous—and, if disturbed, would certainly be so.

Although 17 years have passed since the first surveyors' reports were carried out in 1973, many of the dwellings still suffer from dampness. The condition is severe in a number of the properties whose roofs were renewed as part of the pilot project. Large amounts of asbestos remain unremoved.

The tenants believe that, if their properties are to be restored to a decent standard, it is not enough to provide new or additional roofs and bolt the concrete panels. They believe that the leaking windows should be replaced, the asbestos should be removed, new, adequate central heating should be provided and the interiors should be refurbished. The Beaver Estate Tenants Action Association, set up in November 1983, has a committee of 15, which has done an immense amount of work on the tenants' behalf. In a recent report, the committee said:

> "In view of all the surveys that have been done on this estate over the last 19 years, the future would be no different from the past as far as the inside of our homes is concerned unless the United Kingdom Housing Trust or others can afford to remove the asbestos, replace the windows and refurbish to a decent standard the inside of our homes."

A recent consultants' report indicates that the necessary internal work to the dwellings will cost at least £7 million over seven years.

Over the years, there has been no shortage of consultants' reports, but the amount of money required to bring the estate up to a satisfactory standard has never been available.

The method of construction was not the only problem that confronted the estate. The landlord's lease contained a clause under which the ground rent could be reviewed every 10 years. In 1967 the ground rent was set at £32,500. In 1977 it was increased to £96,000. In 1987, the freeholder's valuer contended that the rent payable according to the rent review formula would be £1·2 million, and it was evident from the advice received by the housing association that the rent fixed by the arbitrator would not fall far short of that figure.

The United Kingdom Housing Trust made it clear that it was unable to afford to pay more than a few instalments of the new ground rent. Moreover, it faced further increases at 10-yearly intervals. The housing association therefore faced the prospect of liquidation and forfeiture of its lease, while the tenants faced the prospect of losing their security of tenure and becoming assured tenants of another landlord.

Faced with that crisis, the Housing Corporation provided the United Kingdom Housing Trust with a £5 million grant. The United Kingdom Housing Trust agreed to borrow £12·4 million from a merchant bank, and a further £2 million from a public company, to enable it to buy the freehold and initiate a repairs programme. In order to be able to repay the banks, the housing association drew up a programme of intended sales of vacant dwellings on the estate, and embarked on a pilot sales project.

No properties on the estate have yet been sold, and the United Kingdom Housing Trust is unable to pay the interest or make the repayments that are due in respect of the loan from the merchant bank. Its position has been transformed from inability to pay the rent to inability to pay the mortgage.

I have been involved with the Beaver estate since 1983; during that period, the relationship between landlords and tenants has been generally unsatisfactory, and at times very bad. For much of the time there has been an atmosphere of distrust and a severe loss of confidence on the part of the tenants.

The tenants have also been concerned that, under the housing legislation passed since 1980, although the estate started as a council estate and has subsequently been owned by a housing association, they have not been entitled to buy their homes because the United Kingdom Housing Trust was a charitable housing association. Moreover, those tenants who moved away were not entitled to the cash discounts that were subsequently introduced for housing association tenants who did not have the right to buy because no housing association grant had been paid in respect of the construction of the estate.

Nevertheless, over the past year some progress has been made. Following an angry meeting of tenants, which I attended, and representations that I made to the landlords and the Housing Corporation, a Beaver estate working group was set up in which the landlords and the tenants consulted each other regarding building work and repairs to be carried out on the estate. That group has done useful

work. The United Kingdom Housing Trust has agreed also to sell properties to tenants at a discount even though they have no statutory right to buy.

From that brief history of the experience of the Beaver estate so far, I believe that three important points emerge.

First, the combination of the structural problems caused by the Bison wallframe method of construction and the financial effects created by the rent review clause in the ground lease, which led to the "rescue" package, make the Beaver estate an exceptional problem for the voluntary housing association movement, which calls for an exceptional solution.

Secondly, the unusual experience of the tenants of that estate points to the need to review housing association tenants' rights in respect of security, the right to buy, and cash discounts.

Thirdly, the failure of the pilot project and the pending change of ownership of the estate make this the right moment for the new landlord, the Housing Corporation, and the Department of the Environment to review the future of the Beaver estate.

The tenants have been informed that the UKHT is to be merged with the North British Housing Association.

Neither I nor the tenants have heard anything but good of the North British Housing Association, and its appearance on the scene in place of the UKHT is certainly a source of encouragement. However, the tenants are concerned at the virtually total lack of consultation that has taken place regarding the proposed change of ownership. That again contrasts with the position of council estate tenants who are faced with the possibility of a change of ownership of the estate. A meeting has taken place between the tenants' representatives and the chief executive of North British Housing Association. It was evident that North British was far from fully informed about issues affecting the estate.

When they asked what funds North British would have to carry out the remedial work needed, the tenants were told that North British would seek funds from the Housing Corporation to carry out the necessary repairs and that the merger would give the Housing Corporation more options for allocating funding to the estate for improvements, but that priorities for expenditure would be determined by the local authority. That sounded to the tenants very like the discussions that have been taking place for the past 17 years.

The cost of the outstanding remedial work on the estate and of bringing the interiors up to a decent standard is very substantial. A recent consultants' report showed that the rebuilding of the whole estate in brick on existing foundations would cost about £20 million, and many of the tenants feel that a phased rebuilding programme in brick, starting with the most defective housing, is a solution that must receive serious consideration. If such a solution produces readily mortgageable and lettable dwellings, that may in the long run provide the soundest proposition for the estate.

With the proposed transfer of ownership, it is important that attention should be focused on the future of the estate. I urge that four steps should be taken.

First, where there is a proposal to change the ownership of an estate from one housing association to another landlord, the Secretary of State and the Housing Corporation should use all their influence to ensure that there is full consultation beforehand between the new landlord and the tenants' representatives, which should cover all issues of policy and practice relevant to the estate.

Secondly, in the case of the Beaver estate, that should include the question of transfers, sales at a discount and the future of the Beaver estate working group. It should include a full up-to-date analysis of the structural problems of the dwellings on the estate and discussions between the new landlords and the tenants to achieve an agreed plan of remedial action that will face up to all the defects in the properties and make a realistic estimate of the cost of refurbishing the dwellings to a decent standard. If a realistic assessment shows that a phased rebuilding in brick on the existing foundations appears to be the right solution for parts of the estate, that is an option that should be followed.

Thirdly, the tenants, the new landlords and the Housing Corporation need an assurance that the necessary funding will be available to carry out the remedial work and repay the loans that were incurred to the banks to buy the freehold in 1989. The failure to remedy the defects in the estate has now continued for 17 years and I believe that the time has now come when those defects must be tackled effectively and with the necessary resources.

Fourthly, I believe that the experience of the tenants of the Beaver estate shows that my right hon. Friend the Secretary of State for the Environment should review the rights of housing association tenants with regard to security, right to buy and cash discounts. There is a strong case for the view that security should depend on the relationship between landlord and tenant and not on a change in the personality of the landlord and for the view that, with regard to the right to buy, tenants of different sorts of housing associations should be treated in the same way.

I hope that my hon. Friend the Minister and his colleagues at the Department of the Environment will make it their business to ensure that these four steps are taken. The voluntary housing association movement plays an important role in Government housing policy. I believe that those steps are important not only for the future of the Beaver estate, but for the credibility of the voluntary housing association movement.

2.56 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): First, I congratulate my hon. and learned Friend the Member for Feltham and Heston (Mr. Ground) on securing this Adjournment debate and thank him very much for his kind words. It is entirely appropriate and in keeping with my approach to politics that my maiden appearances are made in an empty Chamber. I recall that my maiden speech in 1983 was made at precisely 6 pm on a Thursday evening when the entire parliamentary Conservative party was at a meeting of the 1922 Committee. However, that means that we can concentrate on quality rather than quantity, and that is what I want to do.

I am grateful for this opportunity to lay out the background to this particular problem and to make some comments of a more general nature about the voluntary housing sector. My predecessors have taken a close interest in the welfare of the Beaver housing estate and I intend to maintain that interest. Of course, it does not fall to the Government to intervene directly in housing

[Mr. Robert Key]

association management which is the statutory role of the Housing Corporation. However, this case throughout its turbulent history has illustrated the importance of, first, the supervisory and monitoring role of the Housing Corporation over registered housing associations and, secondly, the participation of the tenants themselves.

The good work of the tenants' association has rightly been commended. The residents have remained committed to a single principle, in their own words,

"to try and create a better place for all the residents to live, not just for today but for the future".

How right they are. The Government are committed to promoting meaningful tenant participation throughout the subsidised rented sector. The Beaver estate tenants are pursuing the ideal of participation which the Government recognise and for which, in the shape of my hon. and learned Friend the Member for Feltham and Heston, they have found a worthy champion.

The background to this case spans 23 complicated years. I thank my hon. and learned Friend for leading us so clearly through that history, which is no easy matter. The two fundamental difficulties that were to plague the management of the estate existed from the outset, when it was developed by the Greater London council. When the GLC purchased the leasehold interest in 1967 it accepted a ground rent review clause with a width of scope that was later to prove an intolerable burden for the estate. The GLC also chose to build the housing using the Bison wallframe construction method—an industrial building method of the time which used pre-formed slab construction. As the years have gone by, there have been severe problems—including, as my hon. and learned Friend said, rain penetration of the flat roofs, weakness in the concrete panels, the presence of asbestos, and condensation. Thus, when the United Housing Associations Trust—later the United Kingdom Housing Trust—took over the leasehold interest, those difficulties had already been created, even if the effects were not at that stage apparent.

The construction defects came to notice in the early 1980s, but it was in 1987 that the future of the Beaver estate tenants was thrown into serious jeopardy. The second 10-yearly ground rent review saw the freeholders seeking an annual payment of £1·2 million—30 times greater than the original 1967 rent charge. It was at that stage that the Housing Corporation demonstrated both a watchful eye and considerable flexibility. It felt able to provide £5 million to UKHT in grant to enable UKHT to relieve the burden of the rent review clause by acquiring the freehold. That was an exceptional decision, made in response to the exceptional circumstances of the case. The corporation's prime commitment for its development programme is to provide additional low-cost housing. Yet it took the broad view and accepted that UKHT would be meeting an urgent housing need. In this case, even if no new units would be forthcoming, it decided to proceed. Thus the money was supplied and UKHT carried out the transaction, aided by a loan facility of some £12·4 million supplied by a consortium of bankers.

It was unfortunate that no one at that stage could foresee the cash flow problems that were subsequently to hit UKHT. It is true that it was by no means the only organisation to be caught off guard by changing conditions in the housing market. Unfortunately, UKHT had considered that grant support of £5 million would suffice and at that time the Housing Corporation was in no position to provide further funding. I know that criticism has been levelled at UKHT and even at the corporation, but perhaps today we should concentrate on the tenacity and determination of the corporation and UKHT in trying to find the best solution available to tackle the enormous problems posed by the Beaver development.

One of the major statutory functions of the Housing Corporation is the monitoring and supervision of registered housing associations. The securing of high standards of performance by associations is one of its key strategies in the overall task of working with voluntary housing bodies to provide good homes for those in housing need.

On top of a sound monitoring and supervision framework, the corporation has developed systems for associations to improve their performance, most notably through the published performance expectations. They work in conjuction with the tenants' guarantee which lays down the minimum standards of housing management expected by the corporation. It is also a major benchmark for tenants to consider whether they are being given a fair deal. Two of the key principles of the guarantee are that associations should consult and involve tenants in major maintenance decisions and management changes, and that there should be a regular flow of information between landlord and tenant. I have noted my hon. and learned Friend's remarks about the tenants' views on consultation in this particular case.

The Housing Corporation used its statutory powers and its knowledge of the situation to confirm North British Housing Association as the right partner for UKHT in order to secure the future of the Beaver estate. UKHT considered various options before identifying North British Housing Association as a potential partner. The corporation was concerned to safeguard both the interests of the tenants and the earlier injection of public funds. Knowing the robust financial position of North British, the corporation was content with UKHT's decision. Thus, UKHT has now become a charitable subsidiary of North British. There has been no transfer of landlord. The tenants retain the same tenancy status as they did before.

That brings us to the crux of the matter for the tenants. What does the merger hold for them? My hon. and learned Friend has raised several of their anxieties and uncertainties and I now wish to address some of them.

First, is North British fully aware of what it has taken on, and when will the tenants see proposals designed to tackle the estate's problems? Here there is no doubt that the tenants have made their points very clearly, notably at an important joint meeting held on 18 September. Having said that, I am sure that North British, for its part, appreciates the special problems of Beaver estate but wants to avoid making any guarantees lightly. I am sure that the Beaver tenants have felt let down enough times during all the years to appreciate the association's reticence. However, one clear principle has been cited—a guarantee that UKHT tenants will enjoy at the minimum, the same quality of service as they received in the past. That is a baseline and a fair one on which to build.

The rescue package put together when the freehold was purchased included about £6 million for structural and external improvements to bring the properties up to a mortgageable standard. The first of two phases of that is due to be completed shortly. That programme was heavily

reliant from the start on a programme of sales which, for the market reasons already mentioned, did not materialise. That sales programme is still required, now to be backed by a substantial sales and marketing campaign, and I hope that it will command the active support of the existing tenants. The important difference now is that North British can provide financial underpinning of UKHT should there be any shortfall in the sales programme.

It is estimated that a further £7 million is required for internal improvements of the dwellings. North British will be seeking major repairs funding from the Housing Corporation to help finance that, as my hon. and learned Friend said. Obviously, it is not certain that that funding will be provided and it is not for my Department to become involved in individual investment decisions when it is the corporation's responsibility to manage a very complex development programme. However, the corporation was fully supportive of the merger and it has been prepared to consider major repair proposals carefully and on their merits.

In short, I think that the tenants will need to be a little patient with North British in terms of detailed proposals. There is no point in the association rushing into schemes that prove not to be viable. North British merged with UKHT as a matter of some urgency. It must now be given a little breathing space to evaluate the options for dealing with the problems it has taken on. I know that it has assigned to its UKHT subsidiary the task of undertaking a thorough review of all options for the estate before any further major decisions are made. I know that the tenants tend to favour the phased redevelopment of the estate using traditional brick building methods. If that is a viable option, I am sure that it will be carefully considered.

One specific grievance that some of the tenants hold, and to which my hon. and learned Friend alluded, is that as UKHT is a charitable association, they have no statutory right to buy their homes. The Government have tried on a number of occasions to give secure tenants of charitable associations that right, only for the proposal to be rejected in another place. However, our commitment to helping people purchase their own homes remains and there are alternative schemes designed to help such tenants into low-cost home ownership. For example, the tenants' incentive scheme is designed to enable associations to offer grants to assist their tenants to move out and buy homes of their own. At the same time, that releases vacancies for reletting to homeless families and others in housing need. There are also shared ownership initiatives and self-build schemes available.

Some tenants are also aggrieved that UKHT is offering to sell homes voluntarily, but at discount prices below those allowed under right-to-buy provisions. I am afraid that it is not for me to try to influence the levels of discount. Those were determined by the association in the light of legal and valuation advice and considered defensible under the constraints of charity law.

Let me turn finally to a quite proper tenant concern that I raised at the start of my reply—their right to be informed and consulted. I must say straight away that I was delighted when I heard that North British was to become involved with the Beaver estate tenants. Its track record for working alongside tenants is admirable and I am aware that communications with the Beaver estate tenants are already open and expanding. On 11 September the North British director of finance and UKHT's regional director met four members of the Tenants Action Association. A week later, as I have already said, the chief executives of both North British and UKHT met the Tenants Action Association and members of Hounslow council. The tenants were able to give a presentation of the history of the association and to fire a full range of questions at the chief executives. I gather that they received a full range of considerably detailed responses, and I am sure that that is only the beginning of the partnership.

With the strong reinforcement from North British now in place, I believe that the Beaver estate tenants can look to the future with some confidence. North British is one of the leading associations in the country, with 25,000 homes in management. It is renowned for the quality and responsiveness of its service to tenants. Both the association and the corporation are determined to work constructively with the tenants. I realise that the tenants themselves are still somewhat ill at ease. As I have said, that is not surprising considering the many years of frustration and grievances that they have suffered. After all, the estate was designed to be different, to be better, to be more open and to be more green. In the end that has, sadly, gone wrong.

After the turbulence that the tenants have experienced, I am not surprised that they are ill at ease. Let us hope that they will now put aside any scepticism and enter into a positive partnership with North British, working constructively to provide a new period of security for the Beaver estate.

Question put and agreed to.

Adjourned accordingly at ten minutes past Three o'clock.

Written Answers to Questions

Monday 23 July 1990

CIVIL SERVICE

Trade Unions

101. **Mr. Harry Barnes:** To ask the Minister for the Civil Service when he last met representatives of the civil service unions to discuss working conditions.

Mr. Luce: I refer the hon. Member to the reply I gave earlier to the hon. Member for Bolsover (Mr. Skinner).

Morale

102. **Mr. Fisher:** To ask the Minister for the Civil Service what plans he has to improve morale within the civil service.

Mr. Luce: Maintaining good morale is an important policy for all involved in the management of the civil service. The next steps initiative will provide many opportunities to engage the enthusiasm and talents of staff.

NATIONAL FINANCE

Manufacturing

Mr. French: To ask the Chancellor of the Exchequer if he will list the manufacturing sector productivity growth for each European Community country on the nearest comparable basis for the last three years; and if he will make a statement.

Mr. Norman Lamont: Following are the relevant data.

Average annual percentage growth of Labour Productivity in Manufacturing

	1986-89
United Kingdom	5·2
Germany	2·3
France	4·9
Italy	[1]4·8
Belgium	n/a
Netherlands	−1·2
Spain	1·2

[1] The figure for Italy is for 1986-88.
Sources: OECD Main Economic Indicators
OECD Quarterly Labour Force Statistics
CSO Economic Trends.

Of the major EC countries for which data are available, the United Kingdom has had the fastest growth of labour productivity in manufacturing since 1986. Reliable data for other EC countries are not available.

International Monetary Fund

Mrs. Clwyd: To ask the Chancellor of the Exchequer when the board of the International Monetary Fund will next discuss International Monetary Fund assistance to Vietnam.

Mr. Ryder: Vietnam is in arrears to the IMF and in 1985 was declared ineligible for further loans while these arrears persist. The IMF board regularly reviews Vietnam's ineligibility, most recently on 12 March.

Manufacturing Industry

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what assessment he has made of the reasons for the deterioration in the balance of trade in manufactures since 1985.

Mr. Norman Lamont *[holding answer 18 July 1990]:* The balance of trade in manufactures deteriorated because United Kingdom demand for consumer and, especially, investment goods, grew faster than industry's capacity to meet it. The excess was met by imports. But the strong investment growth of the last three years will add to domestic capacity and enable British industry to meet more domestic and foreign demand. Industry has already exploited export opportunities. Indeed, in 1989, exports of manufactures, excluding erratic items, increased by 11 per cent., the fastest annual rate since 1973, and in the latest three months they rose by 14 per cent. Increased capacity, along with tight monetary policy continuing to restrain the growth of domestic demand, will provide the right conditions for an improvement in the balance of trade in manufactures.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what assessment has been made of the reasons for the deterioration in the balance of trade with the United States in manufactures since 1987; and whether he will publish a table showing imports and exports of manufactures less erratics to the United States of America in 1987, 1988, 1989 and this year to date.

Mr. Norman Lamont *[holding answer 18 July 1990]:* I refer the hon. Member to the reply I gave earlier today about the balance of trade in manufactures as a whole. The information requested is not available. Trade in manufactures including the erratic items is, however, readily available in the House of Commons Library in Business Monitors MA20 (annual data) and MM20 (monthly data), published by the Central Statistical Office.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the gross output of manufacturing industry other than food and fuel excluding inter-industry transfers within the sector as defined in 1973, 1979 and the latest available year.

Mr. Norman Lamont *[holding answer 18 July 1990]:* Current price information on the gross output of each manufacturing industry is published annually in Business Monitor PA1002, report on the census of production summary volume. Copies of this volume up to 1987, the latest available year, are available from the House of Commons Library.

The value of the transfer of goods between industries is not separately identified in the census, but guidance on the sales by manufacturing industries to other sectors can be obtained from the input-output tables for the United Kingdom. These have been published for 1974, 1979 and 1984 and are available in the House of Commons Library.

Gilts

Mr. Morgan: To ask the Chancellor of the Exchequer what is his most up-to-date estimate of the level of gilts sales in the final quarter of the current *(a)* calendar year and *(b)* financial year.

Mr. Ryder *[holding answer 19 July 1990]:* It is not the Government's practice to provide the information requested.

Public Sector Borrowing Requirement

Mr. Morgan: To ask the Chancellor of the Exchequer what is his most up-to-date estimate of the public sector borrowing requirement in the current financial year.

Mr. Norman Lamont *[holding answer 19 July 1990]:* The most up-to-date estimate of the public sector borrowing requirement in the current financial year is £6·5 billion, covering the outturn for April to June. The Budget forecast for the public sector borrowing requirement in 1990-91 as a whole is minus £6·9 billion, that is, a net repayment.

Minimum Wage

Mr. Tony Lloyd: To ask the Chancellor of the Exchequer, pursuant to the answer to the hon. Member for Stretford, 2 February, *Official Report*, column *375*, on minimum wage effects, what estimates have been made of the relationship between employment and wages using the current version of the Treasury model; and what estimates have been obtained using alternative economic models.

Mr. Norman Lamont *[holding answer 20 July 1990]:* Most economic models, including the current version of the Treasury model, show that slower growth of real wages will raise employment in the long run.

It has not, since 1978, been the practice to run particular simulations on the Treasury model to meet specific outside requests; but the hon. Member will be aware that the current version of the model is available for Members' use through the Library.

Diplomatic Properties (Rates Arrears)

Mr. Ron Brown: To ask the Chancellor of the Exchequer how many European Community countries are in rates arrears for diplomatic properties in London; what are the respective amounts involved; and if he will make a statement.

Mr. Norman Lamont *[holding answer 20 July 1990]:* The Rating of Government Property Department collects the beneficial portion of the rates on properties occupied by diplomats. The following members of the European Communities have arrears outstanding in respect of claims made to date

	£
France	91,856·89
Portugal	2,031·34

The Rating of Government Property Department and the Foreign and Commonwealth Office regularly approach countries that are in arrears and urge them to make payment.

OVERSEAS DEVELOPMENT

Know-how Funds

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) whether further education level initiatives qualify for know-how fund initiatives;

(2) what funding the British Council is receiving in order to fund further education college level initiatives in Hungary and Czechoslovakia.

Mrs. Chalker: Under the know-how-fund, the British Council has been asked to manage programmes of academic links between British and Hungarian and Czechoslovakian institutions. The annual level for funding for each country is currently set at £100,000. Colleges of further education can submit proposals for consideration under these schemes, which also operate in Poland, where the annual level of funding is £150,000.

Overseas Aid

Mr. Nicholas Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of gross domestic product Government support for overseas aid made up in 1989-90; and what are the estimates for 1990-91, 1991-92 and 1992-93.

Mrs. Chalker: The proportion of United Kingdom gross national product devoted to official development assistance in 1989 was 0·31 per cent. Estimates for future years are not available.

Cambodia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government will now give Government-to-Government aid to Cambodia.

Mrs. Chalker: We welcome America's decision to ease the flow of private humanitarian assistance to Cambodia. Britain has been building up its humanitarian aid since November 1989, by providing support for the activities of British NCOs and international agencies. Direct Government-to-Government aid is ruled out as we have no official dealings with the Hun Sen regime.

Colonial Service Pensioners

Mr. Stanbrook: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the actual cost of public funds of the concession awarding war service credit to colonial service pensioners for the financial year 1989-90; and what is the estimated cost for 1990-91.

Mrs. Chalker: The additional cost of pensions attributable to the concession to grant credit for war service to colonial service pensioners was approximately £1·8 million in 1989-90 and is estimated at £3·3 million for 1990-91. Expenditure was lower in 1989-90 because a substantial number of those eligible chose to forgo the payment for the period April to December 1989 in exchange for an addition to their contingent widow's entitlement.

PRIME MINISTER

Marine Life

Mr. Morley: To ask the Prime Minister if she will make a statement outlining the mechanisms for, and extent of, co-operation between the Department of the Environment and the Ministry of Agriculture, Fisheries and Food in respect of research into the long-term effects of dredging on marine life.

The Prime Minister: The Department of the Environment co-ordinates the comments of Government Departments on applications for licences issued by the Crown Estate Commission to extract aggregates from the sea bed. The Ministry of Agriculture, Fisheries and Food provides comments on applications in respect of the potential impact of extraction on the fishing industry and on the marine environment.

Research into effects of aggregate dredging on the sea bed is conducted by the Ministry, which has recently decided to undertake a further programme of research in this area. The work will be part-funded by the Crown Estate Commission. The Ministry will draw on the results of this research in commenting to the Department on extraction policy and on dredging applications.

Child Benefit

Mr. Rathbone: To ask the Prime Minister whether the views expressed in her written answer on child benefit given to the hon. Member for Eltham (Mr. Bottomley) on 17 March 1981, *Official Report*, column *55*, remain her policy.

The Prime Minister: The Government's policy on child benefit remains as set out in our last manifesto. As I have said on many occasions we stand by that commitment.

Colin Wallace

Mr. Dalyell: To ask the Prime Minister, pursuant to her answer of 2 July, *Official Report*, column *413*, when she expects a reply to be sent on her behalf to Colin Wallace's letter of 10 June about alleged links between Charles Haughey and the IRA.

The Prime Minister: A reply has been sent on my behalf.

SCOTLAND

Radioactive Discharges

Mr. Robertson: To ask the Secretary of State for Scotland if he will make a statement on the volume and nature of radioactive discharges into the Firth of Forth from *(a)* Torness power station and *(b)* Rosyth royal dockyard; and what arrangements are made for monitoring and recording such discharges and any residues in the marine environment.

Lord James Douglas-Hamilton: Details of the quantity of waste discharged and of the environmental monitoring undertaken and of the results obtained are published in a series of bulletins issued by the Scottish Development Department. These are available in the Library.

The operators are required, as a condition of the authorisation, to sample and analyse all discharges, to keep records and to send a copy of the records to Her Majestys' industrial pollution inspectorate. Check samples of the liquid waste are periodically taken on behalf of the Inspectorate and analysed.

A condition of the authorisation is that environmental monitoring as specified by the Secretary of State must be undertaken by the operator. To provide an independent check on the operators results a separate sampling and analyses programme is undertaken by the inspectorate. The Torness nuclear power station authorisation relates to dscharges of liquid waste into the North sea.

Mental Welfare Commission

Mr. Galbraith: To ask the Secretary of State for Scotland if he will list the nominating bodies for the four new commissioners appointed to the Mental Welfare Commission for Scotland on 1 May and for the three reappointments to the commission.

Mr. Michael Forsyth: Under section 2(5) of the Mental Health (Scotland) Act 1984, my right hon. and learned Friend, before making recommendations to Her Majesty the Queen for appointment to the Mental Welfare Commission for Scotland, is required to consult such bodies as appear to him to be concerned. These bodies are invited to nominate suitable candidates and any names put forward are considered along with other possible candidates. The final recommendations submitted to Her Majesty are solely a matter for my right hon. and learned Friend.

Nurses (Bridging Course)

Mr. Salmond: To ask the Secretary of State for Scotland if the Government intend to allocate additional funds to increase the number of available places on the bridging course for nurses.

Mr. Michael Forsyth: Health boards are already in receipt of additional funding for Project 2000 purposes and are free to decide how much of that money should be spent on bridging and conversion courses for enrolled nurses.

Mr. Salmond: To ask the Secretary of State for Scotland what is the ratio of enrolled nurses applying to undertake the registered general nursing bridging course and the number of available places on the bridging course in Grampian.

Mr. Michael Forsyth: As at May 1990, the latest date for which figures are available, the ratio of applicants to places was 15:1. Work is in hand to increase the rate of enrolled nurse conversion generally.

Broadleaved Woodland

Sir Hector Monro: To ask the Secretary of State for Scotland if he is in a position to announce the outcome of the review of the Government's present policy for broadleaved woodland.

Mr. Rifkind: The Government's policy for broadleaved woodland was announced on 24 July 1985 in a statement to the House by my right hon. Friend the Member for Ayr (Mr. Younger) at columns 557-62. The main objective of the policy was described in the statement as being

"to maintain and enhance the value of Britain's broadleaved woodland for timber production, landscape, recreation and nature conservation".

The statement also listed a number of complementary aims which would involve the planting of more broadleaved trees and the better management of broadleaved woodlands to serve a range of needs.

Several new measures designed to achieve the policy aims were introduced or foreshadowed by the 1985 statement, such as the preparation of Forestry Commission guidelines on the management appropriate to various types of broadleaved woodland; a substantial reduction in the volume of timber—both broadleaved and conifer—that could be felled without a licence, directed mainly at arresting the depletion of ancient woodlands; and the introduction of a broadleaved woodland grant scheme designed to assist in the rehabilitation of neglected woodland and to encourage the creation of new multi-purpose broadleaved woods. The main features of the broadleaved woodland grant scheme were incorporated in the woodland grant scheme following our decision to remove forestry from the scope of income tax and corporation tax in 1988.

In the 1985 announcement we stated that the operation and effectiveness of the new measures would be reviewed after some three years. That review was put in hand in October 1988. As a first stage, information was assembled by the Forestry Commission on the progress achieved against the aims and measures set out in 1985 and presented in a report entitled "Broadleaved Policy—Progress 1985-1988". Copies of the report were sent to more than 600 individuals and organisations for comment. A great many helpful and constructive replies were received by the summer of 1989, and the Forestry Commission then held bilateral discussions with the Nature Conservancy Council, the Countryside Commissions, Timber Growers United Kingdom, the Country Landowners Association, the Institute of Chartered Foresters, the National Farmers Union and Wildlife Link. We are also indebted to the Agriculture Committee of this House for the observations it made on this topic in its report issued earlier this year "Land Use and Forestry"—HC 16-1.

What became immediately clear from the review was the very considerable success that the policy has had in extending the area of broadleaves throughout the country. In 1984-85, some 9 per cent. of grant-aided planting by private owners was with broadleaves; by 1988-89 this had risen to around 17 per cent. The policy has also been successful in arresting the loss of broadleaved woodland and in focusing attention on the irreplaceable contribution that the semi-natural woodlands make to our environment.

A number of bodies saw a need for further increases in the broadleaved planting grants. The Government have considered the case for this with care, but, against the background of the considerable expansion in broadleaved planting that has taken place since 1985 and the substantial rise in grant rates which occurred with the introduction of the woodland grant scheme in 1988, we have concluded that there is no evidence that the grants on offer have been inadequate. The Government will, however, keep the rates of grant under review.

The most important single issue to emerge from the broadleaves policy review, however, and one which was shared by the broad spectrum of forestry and environmental interests consulted, relates to the need to encourage good multi-purpose management of the various types of broadleaved woodland. Concern over this issue has been highlighted by the decision taken in the 1988 Budget to remove tax reliefs on woodland management expenditure, although transitional provisions were introduced for these reliefs to continue for existing woodland owners until April 1993.

The comments received on this issue have related not only to the costs of managing broadleaved woodlands over the very long period between establishment and the first returns from the sale of timber, and of bringing neglected woodlands back into production, but to the lack of the necessary incentives to encourage owners to adopt practices that would have environmental benefit over and above normal maintenance work. Particular concern has been expressed by a number of bodies that owners are not receiving the special help required to enable them to meet the more exacting multi-purpose objectives and the associated higher costs of managing ancient semi-natural woodlands.

The Government accepts that more needs to be done to ensure the better management of our broadleaved woodlands in the future, to encourage owners to bring neglected woodlands into a healthy and productive state, and to provide owners with the necessary incentives to maintain and improve the environmental value of their woodlands. We have therefore decided to make woodland management grants available under the Forestry Commission's woodland grant scheme. In the light of the changes to the forestry tax arrangements and the considerable scope which exists to improve the environmental value of all types of woodland, we have further decided that woodland management grants will be made available for conifer as well as broadleaved and mixed woodlands.

To qualify for the new grants, woodland owners will be required to agree to a five-year plan of operations with the Forestry Commission which will set out the management objectives for the woodland and prescribe operations which will advance those objectives during the period of the plan. The grants will be paid annually in arrears subject to satisfactory implementation of the plan. A lump sum payment of £100 will also be available from the Forestry Commission for owners who draw up management plans for the first time with the benefit of professional advice for areas eligible for the woodland management grants. This assistance will not be available, however, for planting plans.

There will be two types of woodland management grant:—

(a) standard management grants, which will be payable during the normal maintenance period following the initial establishment phase of the woodland—for conifer woodlands between 11 and 20 years of age and for broadleaved woodlands between 11 and 40 years. In return for these grants owners will be obliged not only to carry out normal silvicultural operations to a high standard but also to take such steps as may be agreed between them and the Forestry Commission to increase the environmental value of the woodlands;

(b) special management grants, which will be payable for woodlands of special environmental value of any age above 10 years. In return for these grants, the owner will be required to agree to take specified action which will maintain and enhance the woodland's special character. Woodlands in this category will be those which in the Forestry Commission's view are of special value for nature conservation, landscape, public recreation or a combination of these by virtue of their nature, location or use. There will be a presumption that

conifer and broadleaved woodlands properly classified as ancient and semi-natural on the inventory being drawn up by the Nature Conservancy Council will qualify, as will those of special landscape value in national parks, areas of outstanding natural beauty and national scenic areas or which are covered by woodland tree preservation orders, but each case will, of course, have to be considered on its merits. Any woodland, whether or not in a nationally designated area, may qualify if the owner has proposals to establish, develop or improve free facilities for public access or for public recreation in the woodland, provided the proposals are in keeping with public demand for such facilities and are accepted by the Forestry Commission. Owners in receipt of this special management grant will not be eligible to claim the standard management grant in respect of the same area.

A supplementary grant will be paid for woodlands of less than 10 hectares in either of the above categories in recognition of the higher management costs involved.

Woodlands which are currently in receipt of grants from other public bodies will not be eligible for the woodland management grant, except for those established under the farm woodland scheme. The annual payments to farmers under that scheme are compensation for agricultural income forgone, and are not provided for the purpose of defraying maintenance expenditure.

The rates of woodland management grant and their periods of eligibility are given in the following table.

Subject to clearance by the European Commission under the terms of article 93 of the treaty of Rome, this significant extension to the woodland grant scheme will come into operation on 1 April 1992, with the first grants being paid in 1993-94. It is estimated that the annual cost of the new grants will be of the order of £5 million once the system has built up; this will be found by the Forestry Commission from within existing resources.

The commission will be issuing detailed guidance on the management grants early next year, to enable woodland owners to put the preparation of management plans in hand. Some woodland owners are able to claim tax relief on the cost of managing their woodlands under the transitional taxation arrangements that will continue until April 1993, but tax relief for 1992-93 will not be available on woodlands for which management grants are received for that year.

Turning to other features of the review, it is clear that the guidelines for the management of broadleaved woodland prepared by the Forestry Commission in 1985 have generally served their purpose well. It was advanced, however, by a significant number of commentators that the guidelines were not being interpreted by all the parties concerned with sufficient sensitivity to regional or local variations. The Government are clear that the guidelines must not be treated as hard and fast rules, but should be interpreted flexibly enough to enable appropriate local and regional factors which affect woodland management to be taken into account. We have asked the Forestry Commission to ensure that this is done.

Under the present provisions of the woodland grant scheme, planting grants are paid for the initial establishment of new coppice stools but only on the basis of traditional coppice rotations. We have decided that this is unnecessarily restrictive and the Forestry Commission will be introducing an amendment to the scheme so that the establishment of short rotation coppice will be eligible for planting grants, subject of course to the silvicultural and environmental conditions of the scheme being met. Coppice woodland can have particularly high conservation value if managed in a traditional way and will be eligible for the woodland management grant provided that the other conditions are met.

A number of bodies thought that increased provision should be made for open spaces in determining the areas eligible for Forestry Commission planting grants. In administering the woodland grant scheme the commission is already fully aware of the value of open ground and the associated edge habitats for reasons of landscape, nature conservation, recreation and game management. There can be no question of planting grants being paid on large areas left unplanted. We have, however, asked the commission to continue to adopt a flexible approach, particularly where a modest amount of open space over and above what is normally required for roads and rides would bring significant benefits to the woodland environment.

We are very conscious of the cost and difficulties of growing some species of broadleaves in those areas where populations of grey squirrel are high. The review has indicated that the setting up of grey squirrel control groups has met with only limited success. We have asked the Forestry Commission to persevere with these initiatives since co-operative effort is essential. In areas vulnerable to grey squirrels, prescriptions for their control will be an obligatory part of the approved management plan on which grant will be paid.

In our recent response to the Agriculture Committee's report "Land Use and Forestry", we agreed that Coed Cymru was a useful illustration of the effective integration of advisory services which had been successful in delivering advice to woodland owners. We have asked the Forestry Commission to consider encouraging parallel projects as one of the important means of providing an effective advisory service elsewhere in Britain. The Forestry Commission will also seek to increase the help which its own foresters can give, particularly in the co-ordination of advice, the training of advisers and the better marketing of the produce from broadleaved woods.

The Government are grateful to all those who contributed so constructively to this review of broadleaves policy, and we are sure that the decision to introduce woodland management grants will be particularly welcomed by both forestry and environmental interests. The policy we introduced in 1985 has proved to be soundly based and has already had a significant impact on British forestry. With the changes I have announced, we are well placed to continue with the important task of conserving and enhancing the value of our woodland heritage.

Woodland management grants: Grant rates effective from 1 April 1992

Type of grant	*Period of eligibility (age of wood in years)*	*Rate of grant (£ per ha per annum)*
Standard Management Grant		
Conifer	11-20	10
Broadleaved	11-40	25
Special Management Grant	11 onwards	35
Supplement for small woods		
Standard: Conifer	(as for main grant)	5
Broadleaved	(as for main grant)	10
Special grant	(as for main grant)	10

Note: Mixed woodlands will be eligible for the broadleaved and conifer element of the grant in proportion to the area occupied by the two categories.

NORTHERN IRELAND

Security

Mr. Duffy: To ask the Secretary of State for Northern Ireland if he will make a statement on the current security situation in Northern Ireland.

Mr. Cope: I refer the hon. Member to the answer given on 19 July 1990 to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) at column 1162.

Trade Union Law

Mr. Riddick: To ask the Secretary of State for Northern Ireland if he will take steps to bring trade union law in Northern Ireland into line with that in the rest of the United Kingdom.

Mr. Brooke: It is my intention to bring forward a proposal for legislation in Northern Ireland which will reflect the provisions of the Trade Union Act 1984 and the industrial relations provision of the Employment Acts 1988 and 1989. The application to Northern Ireland of provisions equivalent to those in the current Employment Bill will be considered in due course following discussions with interested bodies.

Stevens Inquiry

Mr. William Ross: To ask the Secretary of State for Northern Ireland when he expects any trials arising out of the Stevens inquiry to begin.

Mr. Cope *[holding answer 3 July 1990]:* Eleven persons interviewed by the Stevens team have so far been brought before a court. Other investigation files have also been submitted to the Director of Public Prosecutions for Northern Ireland by the police. His directions are awaited.

Offences

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many persons were charged with *(a)* non-scheduled offences, and *(b)* scheduled offences; and how many persons were found not guilty of all or some of the offences with which they were charged in 1989.

Mr. Cope *[holding answer 4 July 1990]:* Information in the precise form requested is not readily available. However, the number of persons proceeded against in Northern Ireland courts during 1989 for non-scheduled offences totalled 42,800 of which 3,153 were found not guilty; 456 people were proceeded against for scheduled offences of whom 42 were found not guilty.

Security Forces

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will give *(a)* the number of incidents where security forces in Northern Ireland opened fire on vehicles taken without their owner's consent and *(b)* the number of (i) persons injured and (ii) persons killed, in such incidents separately, for 1987, 1988 and 1989.

Mr. Cope *[holding answer 4 July 1990]:* The following table details the number of incidents where the security forces in Northern Ireland opened fire at either stolen, hijacked or suspect vehicles, and the number of injuries arising from such incidents.

Year	*Number of incidents*	*Injuries*
1987	8	2
1988	15	3
1989	26	19

No deaths have occurred as a result of these incidents.

Plastic Bullets

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many formal complaints have been made about incidents of police use of plastic baton rounds in 1989; in how many cases the complaint has been upheld; and in how many cases disciplinary action has been taken against the officers involved.

Mr. Cope *[holding answer 4 July 1990]:* During 1989, seven complaints were made concerning the use of plastic baton rounds by the Royal Ulster Constabulary. One case was subsequently withdrawn. Three cases have been investigated and files forwarded to the Director of Public Prosecutions, who directed no prosecution in each case. No disciplinary action has been recommended in any of these cases. The other three cases are at present under investigation.

Sexual Offences

Mr. Corbyn: To ask the Secretary of State for Northern Ireland how many men in Northern Ireland were convicted of the offences of procuring or attempting to procure the commission of acts of buggery and gross indecency in each of the years 1980 to 1989, inclusive.

Mr. Cope *[holding answer 6 July 1990]:* I am advised by the Chief Constable that information is not available in the form requested. However the following figures are available from 1986 which the hon. Member may find helpful.

Convictions for	*1986*	*1987*	*1988*	*1989*
Soliciting by males	—	—	—	1
Gross indecency[1]	19	7	20	19
Indecent assault on a male	9	10	20	15

[1] Includes buggery.

ATTORNEY-GENERAL

Data Protection

Mr. Cohen: To ask the Attorney-General how many subject access requests under the terms of the Data Protection Act his Department has received; what was his estimate of the number of requests that would be received; what consideration he is giving to the subject access fee charged by his Department as a result; and whether he will make a statement.

The Attorney-General: There have been no subject access requests under the terms of the Data Protection Act in respect of data held by the legal secretariat to the Law Officers, the Treasury Solicitor's Department or the Serious Fraud Office. The Crown prosecution service has received seven subject access requests. I had estimated that the number of requests would be low and I have at present no plans to introduce a subject access fee.

Bereavement Damages

Mr. Cunliffe: To ask the Attorney-General (1) if he will name the individuals or organisations who replied to his consultation paper on bereavement damages and who are in favour of *(a)* increasing the limit to (i) £5,000 and (ii) £10,000 or *(b)* leaving the limit unchanged;

(2) if he will make a statement on his evaluation of the responses to his consultation paper on bereavement damages before the summer recess.

The Attorney-General: The Government are not yet ready to make a statement, but will do so as soon as possible.

Child Abduction

Mr. McCartney: To ask the Attorney-General what steps the Lord Chancellor's Department is taking to prevent child abduction to the Isle of Man.

The Attorney-General: The Lord Chancellor's Department is working with other Departments and the Isle of Man authorities to extend to the Isle of Man the Hague convention on the civil aspects of international child abduction and the European convention on recognition and enforcement of decisions concerning custody of children and on restoration of custody of children, and to provide for the reciprocal enforcement of orders between the Isle of Man and the United Kingdom in the same circumstances that currently allow enforcement between the three United Kingdom jurisdictions under part I of the Family Law Act 1986. Criminal sanctions already exist in relation to abductions from England and Wales to the Isle of Man.

Mr. McCartney: To ask the Attorney-General how many children have been abducted to the Isle of Man by a parent during each of the last five years.

The Attorney-General: The Lord Chancellor's Department does not hold any information as to the number of children abducted by a parent to the Isle of Man, as the Child Abduction and Custody Act 1985 does not extend to the Isle of Man.

Social Security Commissioners

Mr. Flynn: To ask the Attorney-General what is the estimated cost of extending legal aid to cover representation of claimants at social security commissioners' hearings.

The Attorney-General: The current estimate of the cost of extending legal aid to cover representation of claimants at social security commissioners' hearings is £300,000. This figure, however, assumes that the remuneration rates will be the same as those for matrimonial proceedings, that 90 per cent. of claimants will receive legal aid, that barristers will not be instructed and that hearings will be on average two hours long. None of these assumptions may prove to be correct.

In addition, this figure assumes that the number of appeals would not increase if legal aid were to become available, which is unlikely to be the case. These additional resources may therefore be available only if savings can be made from elsewhere in the legal aid scheme.

Mr. Flynn: To ask the Attorney-General whether he will make arrangements for representation at social security commissioners' hearings of claimants who would otherwise be unrepresented.

The Attorney-General: In line with my answer to the hon. Member on 16 July about legal aid for representation at Social Security Commissioners' hearings, my right hon. and noble Friend the Lord Chancellor has no current plans for the representation of appellants to the commissioners, because the necessary additional resources cannot be provided at present.

Laurence Rosen

Mr. Gorst: To ask the Attorney-General whether, in the light of documentary evidence, the confession of an accessory, and information supplied by persons both in the United Kingdom and abroad, criminal proceedings relating to the fraudulent misappropriation of funds will now be instituted against Mr. Laurence Rosen; and if he will make a statement.

The Attorney-General: No. The position with this case remains as I explained to my hon. Friend in my letter to him of 3 July. Both the senior Crown prosecutor responsible for the case and counsel instructed to advise the Crown prosecution service consider that the available admissible evidence is insufficient to justify criminal proceedings against Mr. Rosen consistently with the code for Crown prosecutors. I am satisfied that that view is correct.

Divorce Law

Mr. Janner: To ask the Attorney-General when he expects to receive the report of the Law Commission in respect of divorce law reform.

The Attorney-General: The Law Commission is expected to publish its report on the reform of the law of divorce in the autumn of this year.

TRANSPORT

MV Marine

Mr. Wilson: To ask the Secretary of State for Transport (1) if he will establish an inquiry into all the circumstances surrounding the ownership, management and loss of the MV Marine;

(2) when he received the report by the Bahamian authorities on the loss of the MV Marine; what consideration he has given to its conclusions; and if he will make a statement.

Mr. McLoughlin: The report of the investigation by the Bahamian authorities into the loss of MV Marine was received by the marine accident investigation branch on 29 May. Following his initial consideration of the report the chief inspector raised certain questions with the Bahamas, to which answers have now been received. We shall, in addition, be asking them to publish and expanded report which more fully reflects the depth of their investigation. My right hon. Friend the Secretary of State will decide whether any further inquiry is required when review of the Bahamian response is completed.

Unroadworthy Vehicles

Mr. Waller: To ask the Secretary of State for Transport what information he has about the number of vehicles in use that have been constructed from two or more written-off vehicles.

Mr. Atkins: This information is not available. Many vehicles written off by insurance companies are capable of satisfactory repair, including the use of parts from other accident-damaged vehicles. If rebuilding work is not carried out properly, there are offences of using, offering for sale and selling an unroadworthy vehicle. A prospective purchaser is well advised to have a second-hand vehicle inspected by an independent expert before buying it.

Vehicle Purchase

Mr. Waller: To ask the Secretary of State for Transport what representations he has received from the Director General of Fair Trading about measures required to protect potential purchasers of unroadworthy vehicles; and if he plans to seek changes to the law in this field.

Mr. Atkins: The Director General has suggested that we strengthen that part of the Road Traffic Act 1988 which makes it an offence to sell unroadworthy vehicles. We have told him we propose to amend the Act at the earliest legislative opportunity.

He has also supported the trading standards officers' request for powers to inspect used cars on dealers' premises. This requires special expertise and we have pointed out that these powers are already available to authorised examiners, including examiners from the vehicle inspectorate. The vehicle inspectorate is keen to respond to any requests from individual trading standards officers.

Parking Management, Cologne

Mr. Fry: To ask the Secretary of State for Transport if he will initiate an urgent study of the parking management system used in Cologne, with regard to the applicability of a similar system in major British towns and cities.

Mr. Atkins: We are already aware of the Cologne system which uses a comprehensive arrangement of variable signs to inform drivers which city car parks have space available. Comparable systems are already in operation in various towns and cities in Britain.

A1 Roadworks

Mr. Beith: To ask the Secretary of State for Transport what arrangements he is making to ensure that, in respect of any tenanted farmhouse occupied by a working farmer which will require to be demolished for the construction of the A1 Marshall Meadows improvement north of Berwick-upon-Tweed, an alternative farmhouse can be provided on the affected holding.

Mr. Atkins: Matters of compensation relating to this proposed road improvement are currently being discussed and considered by the district valuer and objectors' representatives.

Dial-a-Ride

Mr. John Marshall: To ask the Secretary of State for Transport if he will make a statement about the numbers using Dial-a-Ride during each of the past five years.

Mr. Freeman: Information on the number of members of London Dial-a-Ride and the number of journeys made by them in each of the last five financial years is as follows:

	Members	*Journeys*
1985-86	37,000	307,000
1986-87	47,734	416,000
1987-88	51,009	463,000
1988-89	63,263	544,000
1989-90	66,301	622,000

In 1990-91 it is estimated that over 70,000 members will make 690,000 journeys.

Newly Qualified Drivers

Mr. French: To ask the Secretary of State for Transport what plans he has to introduce an identification scheme for newly qualified drivers; and if he will make a statement.

Mr. Atkins: None as yet.

Mr. French: To ask the Secretary of State for Transport what plans he has to restrict the engine size of cars driven by drivers within 12 months of passing their driving test; and if he will make a statement.

Mr. Atkins: I refer my hon. Friend to my reply of 27 June to my hon. Friend the Member for Wyre Forest (Mr. Coombs), column *211*.

Mr. French: To ask the Secretary of State for Transport what percentage of the total number of private motor vehicle drivers were involved in *(a)* fatal, and *(b)* non-fatal accidents within 12 months of passing their driving test for each of the last three years.

Mr. Atkins: Information is not collected in the form requested, but research studies show that young and inexperienced drivers have a much higher accident rate than mature drivers.

Driving Licences

Mr. French: To ask the Secretary of State for Transport how many drivers obtained their private motor vehicle driving licence for each of the last three years.

Mr. Atkins: The number of drivers who obtained their first provisional or full private motor vehicle driving licence for each of the last three years is as follows:

	Provisional (learner) licences	*Full licences*
1987-88	1,167,630	750,165
1988-89	1,142,005	722,850
1989-90	1,157,532	890,611

Roads (Legislation)

Mr. Rathbone: To ask the Secretary of State for Transport if he is yet in a position to announce the introduction of legislation to implement the proposals in "The Road User and the Law".

Mr. Atkins: We have said we shall do so at the earliest legislative opportunity.

Mr. Rathbone: To ask the Secretary of State for Transport what administrative action has been taken so far to implement proposals contained in "The Road User and the Law".

Mr. Atkins: Further to the answer I gave my hon. Friend on 10 May, Vol. 172, col. *215*, responses to the consultation papers on drivers' physical fitness and rehabilitation are now being considered. A feasibility study on enhanced data linkages between the Driver and Vehicle Licensing Agency and the police national computer has recently been completed. In the light of its recommendations, work is now in hand to achieve police access to driver records. This will provide a valuable aid to improved enforcement of road traffic law.

Traffic in London

Mr. Jessel: To ask the Secretary of State for Transport what progress he has made on the proposals in "Traffic in London", which he announced he was going to pursue on 27 March.

Mr. Parkinson: My announcement on 27 March followed successful public consultation on the broad proposals set out in "Traffic in London" on 14 December. I have today published a consultation document on the results of the more detailed work necessary for the legislative processes on those initiatives. I hope that everyone concerned will consider the contents carefully and make any observations on them by the due date of 28 September. I have placed copies in the Library.

Microlights

Mr. Ward: To ask the Secretary of State for Transport if he has any plans to make it compulsory for microlight pilots to be insured at least for third party risks; and if he will make a statement.

Mr. McLoughlin: My right hon. Friend has received, in response to a request to the chairman of the Civil Aviation

Authority, initial advice from the authority on the issues which would have to be dealt with by a compulsory third party insurance scheme for civil aviation including microlights, and he is now considering that advice.

Truck Stops

Mr. Janman: To ask the Secretary of State for Transport what help has been given by his Department to truck-stops situated beside motorways and major trunk roads regarding signing to allow them to attract service from motorways and trunk roads and compete with motorway service areas; and if he will make a statement.

Mr. Atkins: On motorways, the general policy is to sign only motorway service areas, but signs to truckstops and other off-route facilities will be allowed in special circumstances, in particular where there is no service area within a reasonable distance. There are overriding road safety reasons for limiting the numbers of signs to be read by motorway users, and operators of off-route facilities can identify conveniently the junctions to use for reaching them by quoting their number in their publicity material.

On other roads, signs to truckstops are acceptable subject to criteria relating to safety and the nature of services on offer. Advice on these criteria has been made available to local highway authorities which also have a discretion to allow signing to local destinations.

Mr. Janman: To ask the Secretary of State for Transport if he will make a statement on the provision of services for truck drivers as defined under section 115 of the Highways Act 1980 in the United Kingdom and similar provision in France and other European countries.

Mr. Atkins: Except in Northern Ireland, which has a limited length of motorway, our aim on motorways is to ensure that service areas are available at which all motorway users can rest and obtain fuel and refreshments without leaving the motorway. The parking areas and associated facilities at these sites are designed to meet demands from all roads users, including lorry drivers.

For other trunk roads the policy is to rely primarily on private initiative to provide facilities to meet needs. In areas, however, where there are clear deficiencies of services we are encouraging joint action with local highway authorities to identify sites for comprehensive provision of services.

Her Majesty's Government have no responsibility for service provision in other European countries. It is understood that the arrangements vary considerably from country to country. In France, however, and other western European countries the initiative to provide facilities lies largely with the private sector within the framework of control by highway and other authorities.

Mr. Janman: To ask the Secretary of State for Transport how many of the specialist facilities as laid down by section 115 of the Highways Act 1980 for lorry traffic are provided for lorry drivers by highway authorities in the United Kingdom; and how many have been provided by the private sector.

Mr. Atkins: Information is not available on the total number of facilities provided by highway authorities and the private sector respectively. Needs on motorways are catered for by motorway service areas.

Mr. Janman: To ask the Secretary of State for Transport what steps his Department has taken to improve the specialist services for commercial vehicle drivers on Britain's motorways and major trunk roads, as suggested by the Prior committee.

Mr. Atkins: The Prior committee was concerned with motorway service areas (MSAs) only. At such areas we now encourage operators, where feasible, to allow for overnight (as well as daytime) parking of lorries. Almost all operators now permit this. At new MSAs we require provision of showers and shaver points, and encourage provision of separate catering facilities for lorry drivers. Where MSAs are modernised, we invite operators to make similar provision.

On other trunk roads, the policy is to rely primarily on private initiative to provide the facilities needed. However, the Department has discussed with both the local authority associations and representatives of the main oil companies and caterers the need for local joint planning exercises to identify suitable sites. The guidance note attached to the Department's circular roads 4/88 on "The Control of Development on Trunk Roads", issued in November 1988, sets out advice on the desirability of establishing a comprehensive range of services including fuel, refreshments, toilets and parking facilities, together with parking for heavy goods vehicles, at intervals of between 12 and 25 miles.

Mr. Janman: To ask the Secretary of State for Transport what specialist facilities for commercial vehicles are provided at the new Thurrock motorway service area.

Mr. Atkins: The full basic range of services is available now at Thurrock MSA to all motorway users. Catering is being provided from temporary buildings pending completion of permanent facilities. When the main amenity building is completed in 1991, there will be a separate dining area for drivers of commercial vehicles and separate shower, shaving and toilet facilities.

Motorway Service Areas

Mr. Janman: To ask the Secretary of State for Transport how many of the planned motorway service areas have been built; and what reasons he has identified for the delay between the opening of the M25 and the opening of motorway service areas.

Mr. Atkins: Of the 59 motorway service areas (MSAs) planned by the Department, 43 are built and operating. In addition Thurrock MSA is in operation but with catering provided in temporary buildings. The main amenity building will be completed in 1991; the rest of the development is finished.

On the M25 we intend to provide four MSAs. Services at South Mimms and Thurrock are open. At Clacket Lane, near Westerham, progress had been delayed by public inquiry and High Court proceedings, but we expect to seek tenders for a developer-operator shortly. M25 widening proposals caused us to abandon our plan to provide services at Iver. We are looking again at how best to provide services on that part of the motorway.

Mr. Janman: To ask the Secretary of State for Transport whether the current motorway service areas on the M25 will be able to cope with the increased traffic arising from the opening of the channel tunnel.

Mr. Atkins: All motorway service areas are designed to cope with forecast traffic levels for the stretch of motorway

served. We are continuing to assess the need for additional MSAs or expansion of existing ones following the announcement of the increased road building programme detailed in the "Roads for Prosperity" White Paper and the publication of the new national road traffic forecasts last year. On the M25 there are four MSAs planned, two of which are now open. We will keep under review the need for additional services on the M25.

M25 (Thames Crossings)

Mr. Janman: To ask the Secretary of State for Transport what are the past and forecast commercial vehicle traffic figures for the M25 through the Dartford tunnel and across the Dartford river crossing for the years 1987 to 2007.

Mr. Atkins: The actual and estimated figures as provided by Dartford River Crossing Ltd.—the crossing operators—for commercial vehicles using the Dartford-Thurrock crossing are as follows:

	Light 000's	*Heavy 000's*	*Total 000's*
1987	4,070	2,670	6,740
1988	4,470	2,960	7,430
1989	4,520	3,240	7,760
1990	4,860	3,200	8,060
1991	5,050	3,320	8,370
1992	5,300	3,490	8,790
1993	5,450	3,590	9,040
1994	5,600	3,680	9,280
1995	4,730	3,110	7,840
2000	5,360	3,530	8,890
2005	5,940	3,910	9,850
2010	6,510	4,280	10,790

These assume that the east London river crossing will be open by 1995, with consequential effects on traffic using the Dartford-Thurrock crossing.

Whitechapel Road, London

Mr. David Porter: To ask the Secretary of State for Transport what plans he has to improve the flow of traffic along Whitechapel road, London E1.

Mr. Atkins: I have no plans to improve the traffic flow on Whitechapel road since this is a local authority road and the responsibility of the London borough of Tower Hamlets.

Pedestrian Crossings

Mr. David Porter: To ask the Secretary of State for Transport what plans he has further to improve pedestrian safety at pedestrian crossings; and if he will make a statement.

Mr. Atkins: My Department looks continually at ways of improving pedestrian safety at crossings. We are researching improved techniques for identifying sites where crossings would improve safety. In June we announced the trial of a new type of audible signal to help blind people using staggered pelican crossings. We are currently testing a new type of crossing incorporating pedestrian detectors which will improve the safety of those who need longer to cross, while minimising traffic delay. Initial responses from groups representing pedestrians and disabled people have been favourable.

London Underground (Safety)

Mr. Fearn: To ask the Secretary of State for Transport, pursuant to his answer of 3 July, *Official Report*, column *496*, what action he intends to take in respect of authorities which have restricted traffic on busy routes across London Underground passenger transport lines in order to repair these routes and remove any future danger of bridge collapse.

Mr. Atkins: It is the responsibility of each highway authority to determine what action to take if a structure is found to fail the criteria set out in departmental standard BD 21/84.

My Department has set up a working group including representatives from the London boroughs, London Underground Ltd., British Rail, the British Waterways Board and the Metropolitan police, whose terms of reference are to co-ordinate the work of assessing and strengthening road carrying structures in London by highway authorities and structure owners to achieve a programme of optimum priority, and to ensure minimum disruption to London's transportation systems.

Mr. Ian Taylor: To ask the Secretary of State for Transport what discussions he has had with representatives of British Rail and London Underground regarding the incident at Waterloo station on 3 July involving a potentially dangerous build-up of passengers; what evaluation he has made of the explanation provided; and what plans he has to pursue the matter further.

Mr. Freeman: An officer of the railway inspectorate has discussed with British Rail (BR) and London Underground Ltd. (LUL) both the cause of the incident and possible means of improving passenger movement at Waterloo. I understand that a direct telephone line has now been installed between BR and LUL operations rooms at Waterloo and, in the longer term, a joint operations room will be established. BR will also be installing closed circuit TV to monitor subways and escalators in the peak hours.

The inspector will be submitting a full report on this incident and on subsequent action taken by the operators, to the chief inspecting officer railways. He will consider in due course whether any further action is necessary.

Dock Workers

Mr. Tony Lloyd: To ask the Secretary of State for Transport what is the number of registered dock workers now employed for each appropriate port.

Mr. McLoughlin: With the abolition of the dock labour scheme in July 1989, there ceased to be any register of dock workers, so this information is not available.

A27

Sir Michael Marshall: To ask the Secretary of State for Transport whether, following the ministerial visit on 31 January and the meeting between his Department's Dorking office and representatives of West Sussex county council on 5 July, he will indicate the prospects for adopting the modified orange route for the A27 Arundel bypass which would move the alignment of this route in a more southerly direction.

Mr. Atkins: Further investigation of the alternative modified orange route for the proposed Arundel bypass is

needed before my right hon. Friend decides whether to amend the preferred route. A further announcement will be made as soon as possible.

Staff Based Abroad

Mr. Steen: To ask the Secretary of State for Transport if he will list, with details of their grades and duties, those staff from his Department and the Civil Aviation Authority, based abroad.

Mr. McLoughlin: Fifteen members of staff from my Department are at present based abroad. One grade 5 and two grade 7s are seconded to the European Commission in Brussels as detached national experts, and another grade 5 is the United Kingdom representative to the Council of International Civil Aviation Organisation in Montreal. Three officers at grade 5, grade 7 and HEO level are on loan to the FCO and deal with transport and aerospace matters at the British embassy in Washington. One grade 7, also on loan to the FCO, serves in the office of the United Kingdom permanent representative to the European Community in Brussels, dealing with transport matters. The remaining seven officers, who are at grade 7 level or equivalent, are engaged as professional advisers (on aviation, ship safety and statistics) to a number of foreign and dependent territory Governments.

My hon. Friend should seek information about staff of the Civil Aviation Authority from the chairman of the authority.

Public Transport, London

Mr. Alex Carlile: To ask the Secretary of State for Transport what was the budget for London Underground in real terms in *(a)* 1989, *(b)* 1975, *(c)* 1980 and *(d)* 1985; and if he will make a statement.

Mr. Freeman *[holding answer 20 July 1990]:* Questions about the annual budgets of their subsidiaries are for London Transport. However, investment by London Underground Ltd. in those years was as follows (in 1989-90 prices):

	£ million
1989-90	307
1975	148
1980	136
1984-85	151

Investment has more than doubled since the government took over responsibility for funding from the GLC in 1984-85. Over the next three years it will double again.

Marchioness

Ms. Ruddock: To ask the Secretary of State for Transport to which bridge the river police directed the fire boat when they first heard of the collision between the Marchioness and the Bowbelle on the River Thames on 20 August 1989; when the fire boat and other emergency services were subsequently directed to another bridge; and what was the interval between the directions.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* I have been asked to reply.

I understand that the marine accident investigation branch of the Department of Transport has included a review of the whole rescue operation as part of its investigation and that the role of Thames division of the Metropolitan police will be covered in the chief inspctor's report.

HOME DEPARTMENT

General Elections

Mr. Barry Fields: To ask the Secretary of State for the Home Department (1) what proportion of recycled paper is used in general elections by the returning officers;

(2) how many reams or tonnes of paper are used for general election notices, regulations and ballot papers;

(3) if he will estimate the increased consumption of paper required for the simplest form of proportional representation.

Mr. Peter Lloyd: The information is not readily available and could be obtained only at disproportionate cost. Some forms of proportional representation might require little or no increase in the volume of paper used at an election.

Crime Statistics

Mr. Ernie Ross: To ask the Secretary of State for the Home Department (1) how many deaths in England and Wales were as a result of assault with *(a)* a household axe, *(b)* a kitchen knife, *(c)* a Stanley knife and *(d)* a coal hammer in each year since 1980;

(2) how many convictions for grievous bodily harm in England and Wales were as a result of assault with *(a)* a household axe, *(b)* a kitchen knife, *(c)* a Stanley knife and *(d)* a coal hammer in each year since 1980.

Mr. John Patten: Information on the exact weapon used is not collected for cases of homicide, although the table gives the number of homicides each year between 1980 and 1988 where the principle weapon was a "sharp instrument" or a "blunt instrument"; the figures for 1989 are not yet available.

Information is not collected centrally on the type of weapon used in offences which lead to grievous bodily harm convictions.

Year	*Sharp instrument*	*Blunt instrument*
1980	158	62
1981	175	55
1982	191	68
1983	150	68
1984	187	76
1985	180	65
1986	220	67
1987	202	82
1988	198	49

Police Housing Allowances

Mr. Shersby: To ask the Secretary of State for the Home Department, if he will publish details of the new force housing allowance for each of the 43 police forces in England and Wales.

Mr. Peter Lloyd: Responsibility for fixing the new housing allowance lies with the police authority concerned. I understand that the standard housing allowances for federated ranks in those authorities which have fixed a figure are as follows:

	£
Avon and Somerset	1,914·81
Bedfordshire	2,451·84
Cambridgeshire	1,970·77
Cheshire	2,381·47
Cleveland	2,041·91
Cumbria	1,920·24
Derbyshire	3,069·72
Devon and Cornwall	2,680·08
Dorset	2,200·68
Durham	1,766·04
Dyfed-Powys	1,842·00
Essex	3,447·51
Gloucestershire	2,719·21
Greater Manchester	2,022·49
Gwent	2,543·80
Hampshire	3,249·60
Hertfordshire	2,880·00
Humberside	2,424·00
Kent	3,117·70
Leicestershire	2,346·00
Merseyside	1,818·11
Norfolk	2,579·31
Northumbria	1,513·42
North Wales	2,012·28
North Yorkshire	3,212·41
Nottinghamshire	2,244·00
South Wales	2,850·43
South Yorkshire	1,998·52
Staffordshire	1,935·40
Suffolk	3,181·44
Surrey	2,932·92
Sussex	2,425·28
Thames Valley	3,428·36
Warwickshire	2,937·69
West Mercia	2,560·00
West Midlands	2,206·99
West Yorkshire	2,293·46
City of London	4,133·77
Metropolitan	4,133·77

In Lancashire, Lincolnshire, Northamptonshire and Wiltshire a figure has not yet been finally fixed.

Kevin Taylor

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 June to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) *Official Report*, column *429*, if he will name the independent senior officer appointed in respect of matters related to the case of Mr. Kevin Taylor.

Mr. Peter Lloyd: The Police Complaints Authority announced on 19 July that Chief Superintendent Rothwell of the Merseyside police has been appointed to conduct this investigation, under its supervision.

Prisons (Suicides)

Mr. Grocott: To ask the Secretary of State for the Home Department how many males aged *(a)* 15, *(b)* 16, *(c)* 17, *(d)* 18, *(e)* 19 and *(f)* 20 years committed suicide or attempted suicide whilst in prison establishments in England and Wales during 1986, 1987, 1988, 1989 and thus far in 1990.

Mr. Mellor: The number of male inmates between the ages of 15 and 20 who died by their own hand in prison service establishments in England and Wales in the years 1986 to 1990 is shown in the table. The figures in brackets give the number of cases where a verdict of suicide was returned at the coroner's inquest. Total figures for attempted suicides in prison service establishments have been held centrally since 1989—I would refer the hon. Member to the reply given to a question from my hon. Friend the Member for Cheltenham (Sir C. Irving) on 12 March at column *18*—but a breakdown of this information by age group is not readily available and could be provided only at disproportionate cost.

Death of 15-20 year olds at their own hand in prison custody 1986-90

	Age						*Total*
	15	*16*	*17*	*18*	*19*	*20*	
1986	—	—	—	—	4(2)	1(1)	5(3)
1987	—	—	1(1)	1(1)	1(1)	4(4)	7(7)
1988	—	—	2(2)	2(1)	3(3)	2(1)	9(7)
1989	—	—	—	[1]4(3)	7(4)	—	[1]11(7)
1990	[1]1(−)	—	—	[1]3(−)	[1]1(−)	—	[1]4(−)

[1] Inquests have yet to be held on the inmates who have died in 1990 and on one of the 18-year-old inmates who died in 1989.

Police Forces (Annual Reports)

Mr. Wiggin: To ask the Secretary of State for the Home Department which police forces have not yet published their annual report for the year ended 31 December 1989; and if the Chief Inspector of Constabulary has been informed of this.

Mr. Peter Lloyd: I understand that all police forces have now published their annual reports for the year ended 31 December 1989.

Juvenile Prisoners

Mr. Grocott: To ask the Secretary of State for the Home Department how many boys aged 15 and 16 years were being held in gaols in England and Wales on remand and after sentence on the latest available day.

Mr. Mellor: According to the records held centrally, on 30 April 1990, the latest date for which this information is readily available, 65 untried, 19 convicted unsentenced and 19 sentenced juvenile males were held in prisons and remand centres in England and Wales. Of these, 44 untried and 18 convicted unsentenced juveniles were held in remand centres for prisoners aged under 21.

Mr. Grocott: To ask the Secretary of State for the Home Department how many boys aged 15 and 16 years were being held in *(a)* Hull, *(b)* Swansea and *(c)* Leeds gaol on the latest available day.

Mr. Mellor: The numbers held on 19 July were:

	Number
Hull	12
Swansea	5
Leeds	0

Hindley Remand Centre

Mrs. Wise: To ask the Secretary of State for the Home Department how many people are in custody at Hindley remand centre; what recent significant changes there have been in this number; and for how many prisoners it is intended.

Mr. Mellor: On Friday 20 July 1990, the latest date for which information is available, 420 people were held in custody at Hindley remand centre. The average population at the establishment in 1989-90 was 389, but since the disturbances at Manchester prison in April this year the population at Hindley has averaged around 429. The recent transfer of sentenced young offenders awaiting allocation from Hindley to Stoke Heath young offenders institution has relieved some of the pressure. Further relief is planned when some of the convicted, unsentenced young offenders held at Hindley are also transferred to Stoke Heath. This should happen within the next two weeks.

The certified normal accommodation at Hindley remand centre is currently 312.

Prison Population

Mr. Squire: To ask the Secretary of State for the Home Department what is the current ratio of prisoners to prison officers; and what it was in 1979.

Mr. Mellor *[pursuant to his answer, 12 July, 1990, c. 320]:* The officer to inmate ratio on 1 June 1990 should read 1:2·201.

Metropolitan Police

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on the steps being taken to halt the decline in applications from ethnic minorities to join the Metropolitan police; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* The Commissioner is committed to recruiting and retaining more members of ethnic minority communities. Earlier this year the height requirements for entry to the Metropolitan police, which represented above average heights in certain ethnic minority communities, were abolished.

A pre-employment course has been introduced for candidates who have completed the selection process and who have the potential to be successful police officers but have narrowly failed the police initial recruitment test.

Research was undertaken to find out why people from ethnic minority communities may or may not want to join the police and what they think a career in policing may be like. The current multi-media advertising campaign which targets the recruiting effort towards ethnic minority communities drew on the results of this research.

Further research is under way to find out why some officers from ethnic minority communities resign prematurely from the service.

Mr. Tony Banks: To ask the Secretary of State for the Home Department what steps are being taken by the Metropolitan police to encourage more women to join the force; and what information he has regarding the representation of women in the higher ranks.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* In March of this year the Metropolitan police and the Equal Opportunities Commission issued a report of their collaborative exercise. The exercise began in 1984 and continued for four years. It concentrated particularly on the recruitment, deployment and career prospects of women in the Metropolitan police.

The Commissioner is committed to ensuring that the Metropolitan police offers—and is perceived as offering—good career opportunities to all members of society. Since the abolition of the quota system, which limited women officers to 10 per cent. of force strength, in 1984 there has been a considerable increase in the recruitment of women; 25 per cent. of recruits are now women.

The Commissioner is looking at ways of making the service more attractive to women, both to increase further the number of recruits and to improve retention. He has arranged research into job sharing and part-time working and more formal career breaks to enable women to raise families and still return to the service. The outcome of this research is under consideration.

The representation of women in the rank of chief inspector and above in the Metropolitan police is as follows:

	Strength on 31 December 1989	
	Women	*Total*
Commissioner; Deputy Commissioner; Assistant Commissioner	Nil	6
Deputy Assistant Commissioner	Nil	18
Commander	1	38
Chief Superintendent	3	168
Superintendent	6	254
Chief Inspector	8	496

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will call for information from the Commissioner of Police of the Metropolis on how many new recruits in Newham in 1989 were *(a)* from ethnic minorities, *(b)* women and *(c)* both; and how many officers from the ethnic minorities there are stationed in Newham and at what ranks.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* The London borough of Newham is policed by West Ham and Plaistow divisions and the total number of new recurits posted to these divisions in 1989 was 53 of whom 12 were women; none were members of ethnic minority communities.

On 15 July 1990 there were eight officers from ethnic minority communities serving on West Ham and Plaistow divisions: seven constables and one sergeant.

Mr. Tony Banks: To ask the Secretary of State for the Home Department what steps are being taken to put into practice the agreed consultation between the London borough of Newham and the Metropolitan police prior to the production of the Commissioner's Strategy report in January 1991; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* Each Metropolitan Police division prepares plans which highlight their objectives for the year. These help to inform the Commissioner's strategy statement. In Newham the chief superintendents from Plaistow and West Ham divisions discuss objectives with a sub-group of the police consultative group in that borough. Two councillors sit on the sub-group.

Hong Kong

Mr. Channon: To ask the Secretary of State for the Home Department whether he has any proposals to give additional assurances to the spouses of British citizens resident in Hong Kong about their right of entry to the United Kingdom.

Mr. Peter Lloyd: All spouses of British citizens have the assurance that under the immigration rules they would be entitled to settle in the United Kingdom with that British citizen provided that:

(i) the primary purpose of the marriage was not to obtain admission to the United Kingdom;
(ii) the parties to the marriage have met and intend to live permanently together; and
(iii) the parties can maintain and accommodate themselves adequately without recourse to public funds.

In view of the concern felt by British citizens in the particular circumstances of Hong Kong about the position of their spouses if they died, we have given an assurance that the widow or widower of a British citizen resident in Hong Kong at the time of his death will be allowed to settle in the United Kingdom at any time, either before or after 1997, as if coming here as the spouse of a British citizen. To benefit from this assurance the widow or widower must still be resident in Hong Kong and not have remarried. In addition, we have decided that this assurance—which originally excluded those who were nationals of a third country—should now be available irrespective of the widow or widower's nationality.

We are in addition making arrangements whereby the spouse of a British citizen resident in Hong Kong may approach the Hong Kong immigration department with evidence of the marriage. The details will be noted in a register of non-British citizen spouses of British citizens and the spouse will be given a formal letter issued on my right hon. and learned Friend's behalf confirming that the holder is married to a British citizen. The letter will explain that the spouse is eligible to settle in the United Kingdom providing that the immigration rules requirements are met. It will also include an assurance that a later application for entry clearance will be given priority treatment in view of the information which has already been noted. We are still finalising the details of this, but we hope it will be possible to start providing this service very soon.

I believe that the assurances we have given, and the new arrangements for recording and confirming spouse's details, should remove any fears which British citizens in Hong Kong may have had about their spouses' position and they need feel no reason to leave Hong Kong simply to secure their spouses' immigration status.

Police Interviews

Mr. Lawrence: To ask the Secretary of State for the Home Department (1) what are his plans for the introduction of video recordings of police interviews with suspects;

(2) what are his plans for the introduction of video recording of police interviews with suspects.

Mr. Peter Lloyd: We have no such plans at present. Officials are keeping in touch with experimental schemes for the video recording of interviews with suspects which are being carried out in some police forces.

Child Care

Mr. Leighton: To ask the Secretary of State for the Home Department what discussions he has had with, and what representations he has received from, the CBI and individual employers, about the part they can play in providing child care.

Mr. Patten *[holding answer 18 July 1990]:* Home Office Ministers have not been directly involved in dicussions with employers about child care, nor has the Home Office received any representations from employers. The role of the Home Office, through the Ministerial Group on Women's Issues, which I chair, is to co-ordinate action by responsible Departments. The Parliamentary Under-Secretary of State at the Department of Employment has made known employers' views on child care when it has been considered at the ministerial group.

EDUCATION AND SCIENCE

European School, Culham

Mr. Meale: To ask the Secretary of State for Education and Science what is the likely liability of Her Majesty's Government for the funding of the European school at Culham in the financial years 1989-90, 1990-91 and financial years thereafter; and if he will indicate the principal items of expenditure for each year and the number of pupils and staff at the school in the current year.

Mr. Alan Howarth: The cost of maintaining the European schools is shared between individual member states and the European Commission. In the case of the European school at Culham the Government are responsible for the costs of maintaining the school's premises and for the costs of the national salaries of the United Kingdom teachers which it seconds to the school. Premises costs in 1989-90 were £219,000, and in 1990-91 are expected to amount to £456,000; costs in future years have yet to be settled. Salaries costs for United Kingdom teachers in 1989-90 were £346,000, and in 1990-91 are expected to amount to about £400,000; subject to national salaries increases for teachers in the United Kingdom, expenditure in future years is expected to be on the same pattern. There will be 827 pupils and 111 teaching staff, of whom 18 will be United Kingdom teachers, in the school at the start of the academic year beginning this September.

GCSE

Mrs. Beckett: To ask the Secretary of State for Education and Science what target the Government has for the percentage of 16 to 18-year-olds who will have five GCSEs at grade A to C or better or equivalent *(a)* in the current year and *(b)* by 1995.

Mrs. Rumbold: The Government's objectives are to promote a significant increase in attainments of this age group through the introduction of the national curriculum and improvements in the GCSE and other qualifications. It would not be appropriate in our view to establish quantified targets for such attainments. Such targets could imply that the Government have control over the outcome, which is not the case; and there is a risk that their promulgation could lead to adjustments in the standards demanded, so that the targets would be reached on paper.

It is for pupils themselves, their teachers and schools, to strive to achieve the highest possible success rate within the context set by Government policy.

Attainment Statistics

Mr. Straw: To ask the Secretary of State for Education and Science whether he will publish tables for each local education authority and for England, giving the four benchmarks of attainment, adjusting the data to take account of socio-economic background in a manner consistent with statistical bulletins 12/83 and 13/84.

Mr. MacGregor: No. We have considered this, but adjustments to the attainment data to allow for socio-economic background would have to be based on data from the 1981 census of population, which would no longer accurately reflect the current position in all local education authorities.

Prosthetics and Orthotics Courses

Mr. Orme: To ask the Secretary of State for Education and Science what representations his Department has received regarding the delay in funding prosthetics and orthotics courses at Salford and their consequences; and if he will make a statement.

Mr. Jackson: My right hon. Friend received four letters earlier this year about proposals to establish courses in prosthetics and orthotics jointly at Salford university and Salford college of technology. It is for higher education institutions themselve. to determine the priority they give to such developments, in consultation with the funding councils as appropriate.

Higher Education Corporations

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what plans he has to publish a guide to the law for governors of higher education corporations; and if he will list the published guidance already available.

Mr. Jackson: My right hon. Friend has no such plans; nor has he a list of existing guidance published elsewhere. It is for each individual higher education corporation governing body to conduct its own affairs within the framework provided by the relevant provisions in the Education Reform Act and the corporation's articles of government, and taking its own legal advice as necessary.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what information his Department records on the number of complaints and the frequency with which directions are issued under section 68 of the Education Act 1944 in respect of higher education corporations.

Mr. Jackson: Complaints in respect of higher education corporations are received, considered and, when a response has been made, placed on departmental files in the normal way.

Ministerial Speeches

Mr. Terry Davis: To ask the Secretary of State for Education and Science how many copies of the summary of messages from his recent speeches to teacher associations have been distributed to schools.

Mrs. Rumbold: More than 76,500 copies of the Secretary of State's summary from recent speeches to teacher associations have been distributed to schools.

Student Loans

Mr. Nicholas Brown: To ask the Secretary of State for Education and Science what would be the estimated difference in cost to the Exchequer in financial years 1990-91, 1991-92 and 1992-93 of *(a)* the student loans scheme and *(b)* the grants system.

Mr. Jackson: The information is as follows:

	[1]*Costs of* [2]*Loans scheme £ million*	[3]*Grants scheme £ million*
1990-91	193	222
1991-92	227	267
1992-93	248	304

Notes

[1] In academic years on the basis of forecast student numbers underlying the forecast of costs and savings associated with the introduction of the loans scheme published on 18 December 1989 at columns *36-40*. Information on a financial year basis is not available in the form requested.

[2] Including the forecasts of loans outlay, repayments and estimated administration costs.

[3] On the hypothesis that what the Government intend should be available for each eligible student as loan will instead be given as grant.

Teaching (Recruitment)

Mr. Alex Carlile: To ask the Secretary of State for Education and Science what proposals he has to recruit bright young people into the teaching profession; and if he will make a statement.

Mr. Alan Howarth: Bright young people completing first degrees are an important source of teachers.

Initial teacher training bursaries are available to attract students to train to teach in shortage subjects. A number of innovative and more flexible courses are starting this autumn. The teaching as a career unit attends university careers fairs and places advertisements specifically designed to attract new graduates into teacher training. Young, first-degree students responding to the current national teacher advertising campaign are sent information packs specially compiled to meet their interests and needs. A work experience scheme in schools is being made available for students this September, and teaching taster courses will also be extended to undergraduates.

High Schools (Redundancies)

Mr. Alex Carlile: To ask the Secretary of State for Education and Science if he will make a statement concerning the number of staff redundancies in high schools in England since 1 January 1989.

Mr. Alan Howarth: The employment and deployment of teachers is a matter for local education authorities and, following the introduction of local management of schools from April 1990, for governing bodies of schools with delegated budgets.

Soviet and East European Studies

Mr. Pawsey: To ask the Secretary of State for Education and Science whether he will now make a statement on the recommendations of the Wooding report on Soviet and east European studies in higher education.

Mr. Jackson: The Government welcomed the proposal to review the state of Soviet and east European studies in British higher education, and is grateful to the Universities Funding Council for commissioning the review undertaken by a working party under the chairmanship of Dr. Norman Wooding. A copy of the report on that review has been placed in the Library. While some of the recommendations in the report are addressed to the Government, many of them are for consideration by individual higher education institutions, the agencies that fund them and other bodies.

The Universities Funding Council issued the report to universities. I am sure that they will have examined carefully its conclusions and proposals as they prepared their academic plans for future years, taking into account both national priorities as well as local circumstances. The council will be responding to those plans when it decides how to allocate funding to each university. The Polytechnics and Colleges Funding Council is engaged in similar planning and funding processes with its institutions.

The Department has been considering the recommendations to which it is proper for the Government to respond, and consulting other Government Departments and organisations.

Government funding is helping to develop Soviet and east European studies. The Prime Minister announced the creation of additional lectureships during her recent visit to the Soviet Union. The scheme will be administered by the British Council through a special advisory committee whose members will include Dr. Wooding. The sum involved will be in the order of £300,000 over the financial years 1991-92 to 1993-94. The aim is to establish up to 10 posts, with the costs to be shared with the higher education institutions and other sources including the private sector. I hope that this initiative will encourage higher education institutions to develop their provision in Soviet and east European studies.

In addition, both the Economic and Social Research Council—ESRC—and the British Academy are at present using a substantial proportion of their budgets to support activities in this field with the number of ESRC studentships in this subject area more than doubling over the past four years. There are currently 25 research postgraduates and 12 postgraduates on advanced courses being supported by council funds, and I understand that the council stands ready to award more studentships as suitable applicants come forward. In addition, the council is embarking on a major research initiative to investigate the economic, social and political changes occurring in eastern Europe, and is also funding 18 other projects in the field of Soviet and east European studies.

The total public funding made available to universities, polytechnics and colleges in 1990-91 is being increased by some 10 per cent. over the funding available in 1989-90, and should allow institutions to plan for growth in different areas, including Soviet and east European Studies. It will, however, continue to be for the institutions themselves, in consultation with the funding councils, to determine how such funding will best be distributed.

The responsibilities of the funding councils for funding their respective institutions were given statutory effect through provisions of the Education Reform Act 1988. This Act also extended the university tradition of self-government and self-regulation to all higher education institutions. The processes for allocating public funds for higher education pay due regard both to the funding councils' responsibilities and to the institutions' autonomy in using the public funds at their disposal. As a consequence, the DES does not earmark funds for specific purposes such as Soviet and east European studies out of its general expenditure programme.

Both the Government and the funding councils are adopting funding processes which avoid over-emphasis on central planning for higher education. The development of academic policy within individual institutions in the 1990s will be subject to a wider range of external influences. Student choice and the demands of employers will play a more important part. This approach is necessary to avoid past inefficiencies and produce a better match between national needs and the output of our educational system.

For these reasons, it is not considered appropriate for the Government to set up the kind of central administrative body recommended in the Wooding report. A co-ordinating body which might help to define the market for Soviet and east European studies generally and encourage the involvement of the private sector may have a contribution to make, and I would hope that institutions would take the initiative in setting up such a body if they consider that their planning processes would be assisted by so doing.

I am sure that there is scope for greater collaboration between higher education institutions and industry in the field of Soviet and east European studies. The Wooding report hints at this and suggests some ways forward. There are now more opportunities for trade with the Soviet Union and the countries of central and eastern Europe than ever before. A growing number of business men are pursuing export and investment activities in eastern Europe and they should be made aware of the considerable expertise available in higher education which can help them to expand in these markets.

A network of language export centres has been set up to serve local businesses, and there are opportunities for sponsoring research and other activities in academic departments offering Soviet and east European studies.

Business men have often been reminded of the advantages of doing business in the language of the customer. If they make good use of the increasing number of students graduating in Soviet and east European studies, even more students will want to specialise in these subjects. And greater student demand will in turn prompt institutions to expand provision.

Finally, the Wooding report made some recommendations relating to the teaching of Russian in schools. The inclusion of a modern foreign language in the national curriculum and the Government's policy of diversifying first foreign language provision will help to rectify previous deficiencies in language learning generally. I am convinced that there will be more opportunities for learning modern languages such as Russian in our secondary schools as these policies take effect. Through various measures the Government are also addressing the shortage of language teachers and expanding the exchange programmes which involve teacher and pupil visits to the Soviet Union.

All this should in time stimulate the demand for language teaching at the tertiary level, and work through to stronger provision for Soviet and east European studies in higher education.

Medical Research Council

Mr. Rost: To ask the Secretary of State for Education and Science if he will list the research projects and amount of funding by the Medical Research Council for each of the past five years, identifying those which relate to natural medicine.

Mr. Jackson *[holding answer 17 July 1990]:* Details of all the research projects supported by the Medical Research Council are listed in its handbook, published annually, copies of which have been placed in the Library of the House. Total expenditure by the council on research projects in the period 1985-86 to 1988-89 was:

	£ million
1985-86	117·9
1986-87	123·5
1987-88	132·7
1988-89	146·2

An expenditure figure for 1989-90 will be available at the end of July. The council takes natural medicine to mean homeopathy. It has not supported any research relating to homeopathy in the last five years. In the general area of complementary medicine, the council has recently funded the trial of chiropractic treatment of low back pain. It is always willing to consider soundly based proposals in competition with other applications.

City Technology Colleges

Mr. Morgan: To ask the Secretary of State for Education and Science what are the criteria for deciding whether to approve the establishment of city technology colleges on sites occupied by existing schools at the time of application.

Mrs. Rumbold *[holding answer 20 July 1990]:* I refer the hon. Member to the paper "CTCs established in existing schools", which has been placed in the House of Commons Library.

HOUSE OF COMMONS

Recess (Members' Facilities)

Sir Geoffrey Finsberg: To ask the Lord President of the Council if he will list in detail the reductions to the services and facilities available to hon. Members which take place during the summer recess in both the main buildings and the Norman Shaw blocks.

Sir Geoffrey Howe: The Members and Strangers Cafeterias will be closed until Monday 10 September. The Westminster Hall Cafeteria will be closed from Monday 10 September to Tuesday 25 September. When open, all cafeterias will operate between 10 am and 4 pm.

The Strangers' Bar will be closed until Monday 3 September and will then be open between 11 am and 3 pm. The Terrace Pavilion and Dining Rooms A to D will be closed until 4 September when they will reopen for banquets.

The Souvenir Kiosk will be open throughout the recess between the hours of 11 am and 4 pm; and the vending machines in the Upper Waiting hall and in Norman Shaw South building will continue to operate.

The Members and Strangers Dining Rooms, the Pugin Room, the Members Tea Room, the Smoking Room, the Harcourt Grill Room, and Annie's Bar will be closed throughout the recess.

Certain other minor services and facilities, usually available to hon. Members when the House is in Session, will not be available for practical or economic reasons.

Statutory Instruments

Mr. Spearing: To ask the Lord President of the Council if he will state the number of occasions in each of the Sessions 1987-88, 1988-89 and 1989-90 when the House of Commons has approved any statutory instrument which *(a)* annuls existing statutory instruments and *(b)* repeals any part of or whole Acts of Parliament consequent on any treaty, regulation, or directive of the European Community; and if he will list by name and part all Acts included in *(b)* above.

Sir Geoffrey Howe *[holding answer 4 July 1990]:* The information requested is as follows.

Statutory instruments made under section 2(2) of the European Communities Act 1972 which have revoked existing statutory instruments

	Number
1987-88	11
1988-89	8
1989-90	3

Statutory instruments made under section 2(2) of the 1972 Act which have repealed any part of or whole Acts of Parliament

	Number
1987-88	[1]1
1988-89	0
1989-90	[2]4

[1] Sex Discrimination Act 1975, Section 52(2) and (3), in part.
[2] Food Act 1984, sections 3(3) and (4), 36(1)(c), 48(1), (2) and (4), 48(3) in part;
Food and Drugs (Scotland) Act 1956, sections 17(2), 18(1), (2), (4) and (5), 18(3) in part.

LORD PRESIDENT OF THE COUNCIL

Group of Seven Legislatives

Mr. Allen: To ask the Lord President of the Council what information he has on the normal starting times of legislatures in the Group of Seven countries.

Sir Geoffrey Howe: Normal starting times of lower Houses are at present as follows:

(a) Canada: Mondays—1300, Tuesdays—1100, Wednesdays—1400, Thursdays—1100, Fridays—1000;
(b) France: 0930, except that there is a nine-hour pause after late-night sessions;
(c) Federal Republic of Germany: 0900;
(d) Italy: 0930;
(e) Japan: 1300;
(f) United States of America: Mondays and Tuesdays —1200, Wednesdays—1400, Thursdays and Fridays —1100.

TRADE AND INDUSTRY

Fire Safety

Mr. Holt: To ask the Secretary of State for Trade and Industry how many prosecutions have been brought against furniture retailers-manufacturers for contravention of the new fire safety regulations.

Mr. Forth: Enforcement of the Furniture and Furnishing (Fire) (Safety) Regulations 1988 and the 1989 amendment is a matter for the local authorities trading standards departments in Great Britain and for district councils in Northern Ireland. The limited information available centrally shows that there have been nine prosecutions under these regulations, to June 1990 in the United Kingdom, resulting in fines totalling £4,870.

Mr. Holt: To ask the Secretary of State for Trade and Industry since the new safety regulations were introduced for furniture manufacturing and importing, how many consignments of furniture landing at United Kingdom ports have been found to fail the appropriate standard of safety levels; and how many consignments have been tested.

Mr. Forth: The information requested about inquiries undertaken in connection with the furniture regulations, is not collected centrally and could not be obtained without disproportionate cost.

Summary Financial Statements

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether, further to the reply to the hon. Member for Great Grimsby on 14 March, *Official Report*, column *304*, he will list the organisations which endorsed the publication of summary financial statements.

Mr. Redwood: There was general support for this proposal among those consulted. However, it is not the usual practice of my Department to disclose the nature of individual responses to requests for views on company law matters. Comments were received from the following organisations:

the Chartered Association of Certified Accountants;
the Chartered Institute of Management Accountants;
the Chartered Institute of Public Finance and Accountancy;
the Confederation of British Industry;
the Institute of Chartered Accountants in England and Wales;
the Institute of Chartered Accountants in Ireland;
the Institute of Chartered Accountants in Scotland;
the Institute of Chartered Secretaries and Administrators;
the Institute of Directors;
the International Stock Exchange;
the Securities and Investment Board; and
the Wider Share Ownership Council.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if he will give a breakdown of the savings which companies are expected to make following the enactment of section 15 of the Companies Act 1989.

Mr. Redwood: I have made no such estimate.

Accountancy Firms

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will make a statement on his co-operation with the European Community Commission's inquiry into price-fixing by accountancy firms.

Mr. Redwood: The consultants who are carrying out a study on audit and consultancy on behalf of the European Commission met my officials on 19 March this year. My officials made it clear that they were happy to provide any further information that was required.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry how many of the unpublished reports of his Department's inspectors contain criticisms of accountancy firms.

Mr. Redwood: I refer the hon. Member to the reply I gave to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on 19 July 1990, *Official Report*, column *679*.

Auditing Standards

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will bring forward legislation to enable the litigant, in the event of a successful negligence lawsuit against an auditing firm, to sue the Auditing Practices Committee for the promulgation of inadequate auditing standards.

Mr. Redwood: No.

Textiles and Clothing

Sir John Farr: To ask the Secretary of State for Trade and Industry what is the current level of duty including all additional duties on United Kingdom exports of knitted outerwear to *(a)* Turkey, *(b)* India and *(c)* Pakistan; and what non-tariff barriers to these exports exist in the same countries.

Mr. Redwood: Duties on knitted outerwear under chapter 61 of the harmonised system exported from the United Kingdom to Turkey, India and Pakistan are 15, 160, and 125 per cent. respectively. Turkey also applies various additional taxes which add roughly 50 per cent. to the total cost of imports of knitted outerwear.

In addition, imports of knitted outerwear are banned in Pakistan, and in India are permitted only under licences which are issued only if the goods do not compete with domestic production. India also applies numerous other non-tariff barriers, including customs formalities, exchange control procedures and facilities for local producers, on these and other items.

Knowledge-based Systems

Mr. Holt: To ask the Secretary of State for Trade and Industry what measures he is adopting to encourage United Kingdom manufacturers to take advantage of progress in the area of knowledge-based systems.

Mr. Douglas Hogg: I am pleased to announce that my Department has recently agreed to support a £3·8 million programme to encourage United Kingdom manufacturing and processing industries to adopt the computer software

technology of knowledge-based systems, also known as "expert systems". The DTI contribution will be £1·9 million. The programme, called manufacturing intelligence, is targeted at strategic decision makers. It aims to increase awareness of how this technology can enable companies to improve their operational effectiveness and suggests ways in which they might best implement the new methods in their own factories. Innovative applications will be promoted through industrial collaborative projects. The programme is intended to promote the uptake of new technology in United Kingdom industry and should substantially contribute to increased productivity and competitiveness.

David Abell

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what progress has been made in his Department's investigation into allegations of insider trading by David Abell, chairman of Souter; when the report of the investigation will be published; and whether the investigation extends to the conduct of the Souter supplementary pension fund and the Souter group pension fund.

Mr. Redwood: The appointment of inspectors to investigate possible insider dealing offences is not normally announced and section 179 of the Financial Services Act 1986 precludes the publication of their reports. If the hon. Gentleman has information which he believes I should consider I should be pleased if he would pass it to me.

Electrical Contractors (Exhibition Halls)

Mr. Alan Williams: To ask the Secretary of State for Trade and Industry if any appeal has been lodged against his decision, following the Monopolies and Mergers Commission report, to ban ties between electrical contractors and exhibition hall owners; and if he will make a statement.

Mr. Redwood: An application for leave for judicial review of the Monopolies and Mergers Commission report on electrical contracting at exhibition halls in London has been filed by Earls Court and Olympia Ltd., Philbeach Events Ltd. and Ecando Ltd. I understand that they have received leave for judicial review and I expect papers to be served during the course of this week.

Germany (Contracts)

Mr. Knapman: To ask the Secretary of State for Trade and Industry what discussions are being held with the Government of the Federal Republic of Germany regarding opportunities for British firms to compete with West German firms in tendering for contracts in the former German Democratic Republic.

Mr. Redwood: In our recent contracts with the Governments of both the Federal Republic of Germany and the German Democratic Republic both have repeatedly stressed their wish to see British firms extend their activities in the East German market. My own visit to East Berlin last month with a delegation of British business men took forward the process of British involvement. A number of invitations were secured to pursue business opportunities and to submit plans and tenders for work. My right hon. Friend the Secretary of State expects to meet his West German opposite number, Dr Haussmann, in Berlin on 17 September, accompanied by teams of top-level business men. Discussions will focus on the opportunities for Anglo-German trade and co-operation in central and eastern Europe with particular reference to the German Democratic Republic, and on the single market.

Shops (Customer Toilets)

Mr. Dunnachie: To ask the Secretary of State for Trade and Industry if he will introduce legislation to require supermarkets and chain stores to provide toilet facilities for customers' use; and if he will make a statement.

Mr. Forth: No.

Financial Services (Germany)

Mr. Knapman: To ask the Secretary of State for Trade and Industry what discussions are taking place within the European Community concerning opportunities for non-German firms and financial institutions to compete with West German companies in the provision of financial services in the former German Democratic Republic.

Mr. Redwood: The Government expect United Kingdom financial firms to have the same access to the whole of Germany following unification as they presently have to the West German market, including the benefits that derive from European Community legislation on financial services. The EC's programme for the creation of a single European market for financial services, including new directives on banking, investment and insurance business, should ensure that firms from other member states enjoy greater opportunities in the German financial markets from 1 January 1993. The Government expect these directives to apply to the whole of the European Community, including the territory currently covered by the German Democratic Republic.

Swimming Aids (Safety)

Mr. Dunnachie: To ask the Secretary of State for Trade and Industry what steps he takes to ensure that imported swimming aids for children meet British safety regulations; and if he will make a statement.

Mr. Forth: The requirements of the Toys (Safety) Regulations 1989 apply to arm bands with fewer than two air chambers. Other swimming aids are subject to the general safety requirement of the Consumer Protection Act 1987. Trading standards departments of local authorities which have responsibility for enforcing consumer safety legislation have the necessary powers to take action against unsafe goods.

Telecommunications

Mr. Henderson: To ask the Secretary of State for Trade and Industry what was the balance of trade in *(a)* telecommunications operating services and *(b)* telecommunications equipment supply in each year since 1979.

Mr. Forth *[holding answer 19 July 1990]:* Information on the balance of trade in telecommunications operating services is not available. The information for the equipment supply industry is given in the table.

Balance of trade in Activity Heading 3441— Telegraph and Telephone Apparatus and Equipment

	£ million
1979	+50
1980	+27
1981	+36
1982	+19
1983	−43
1984	−51
1985	−71
1986	−146
1987	−276
1988	−357
1989	−245

Source: Business Monitors MQ10.

Mr. Henderson: To ask the Secretary of State for Trade and Industry what proportion of telecommunications equipment sold in the United Kingdom is imported.

Mr. Forth *[holding answer 19 July 1990]:* Twenty-eight per cent. in the 12 months ending March 1989.

Company Relocation (Eastern Europe)

Mr. Allen: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact upon British industry of the relocation of multinational companies from United Kingdom to lower-wage economies in eastern Europe; and if he will make a statement.

Mr. Redwood *[holding answer 19 July 1990]:* I have no evidence of any such problem at present. Nonetheless, I am ready to consider any contrary indications that the hon. Member may wish to draw to my attention. Companies have to take into account a wide variety of factors including market demand, productivity, taxation and skills when locating. The United Kingdom remains a very good place for multinational investment.

Export Credits Guarantee Department

Ms. Quin: To ask the Secretary of State for Trade and Industry (1) what was the average premium rate payable, assuming no claims experience, by those policyholders with the Export Credits Guarantee Department with an annual export turnover of under £500,000 in each of the years 1985 to 1989;

(2) what was the average premium rate payable, assuming no claims experience, by those policyholders with the Export Credits Guarantee Department with an annual export turnover of under £1 million in each of the years 1985 to 1989;

Mr. Morgan: To ask the Secretary of State for Trade and Industry (1) what was the average premium rate payable, assuming no claims experience, in the current financial year by those policyholders with the Export Credits Guarantee Department with an annual export turnover of *(a)* under £1 million and *(b)* under £500,000 in each of the nine regional offices of the Export Credits Guarantee Department;

(2) what was the average premium rate payable, assuming no claims experience, in the current financial year, for those policyholders with the Export Credits Guarantee Department with an annual export turnover of *(a)* under £500,000 and *(b)* under £1 million in each of the five years 1985 to 1989.

Mr. Redwood *[holding answer 19 July 1990]:* The ECGD insures contracts with buyers in specified countries and does not necessarily require policyholders to inform the ECGD of their annual exports turnovers. In addition, the ECGD has a flexible premium policy, which takes account of a number of factors and generally quotes for agreed packages of risks and cover. Accordingly, information is not held in the form required to cover the question.

Ms. Quin: To ask the Secretary of State for Trade and Industry what was the number of policyholders with the Export Credits Guarantee Department with an annual export turnover of under £500,000 in each of the years 1985 to 1989.

Mr. Redwood *[holding answer 19 July 1990]:* The ECGD insures contracts with buyers in specified countries and does not necessarily require policyholders to inform the ECGD of their annual export turnovers. In addition, some companies insure their business with the ECGD through an intermediary rather than direct with the ECGD. Accordingly, information is not held in the form required to answer the question. In the financial year 1989-90, a total of 4,720 policyholders each declared business of less than £1 million. These figures refer only to the Cardiff-based insurance services short-term business and not to project business.

Mr. Cash: To ask the Secretary of State for Trade and Industry how many organisations have indicated an interest in acquiring the Export Credits Guarantee Department's Cardiff-based short-term credit insurance operations.

Mr. Sainsbury *[holding answer 20 July 1990]:* A number of representations and expressions of interest have been received. However, the details are a matter of commercial confidence.

Mr. Cash: To ask the Secretary of State for Trade and Industry what steps he is taking to ensure that a monopoly is not created as a result of the privatisation of Export Credits Guarantee Department's Cardiff operations.

Mr. Redwood *[holding answer 20 July 1990]:* No decisions have yet been taken on the future ownership of ECGD's insurance services operations. The normal competition legislation and procedures will apply.

Manufacturing Engineering

Mr. Cash: To ask the Secretary of State for Trade and Industry if he will publish a table showing the share of gross domestic product contributed by manufacturing engineering in the Group of Seven countries in 1979 and in the latest available year.

Mr. Redwood *[holding answer 20 July 1990]:* The information is in the table.

Manufacturing engineering[3] as a percentage of gross domestic product in the Group of Seven countries

	1979	*1987*
Canada	5·9	[1]5·7
France	9·7	8·2
Germany	14·6	[2]15·0
Italy	10·3	8·4
Japan	11·1	12·1
United Kingdom	12·5	9·6
United States of America	9·9	8·1

[1] Latest year 1985.
[2] Latest year 1986.
[3] Manufacturing engineering for the Group of Seven (except the United Kingdom) is defined in the table according to the International Standard Industrial Classification (ISIC) division 38 (covering manufacture of fabricated metal products, machinery and equipment). For the United Kingdom the definition of manufacturing engineering used is the Standard Industrial Classification (SIC) section 3 (covering metal goods, engineering and vehicle industries). The percentages shown are based on current market prices, with the exception of the United Kingdom where factor costs are used.

Mr. Cash: To ask the Secretary of State for Trade and Industry what percentage change has taken place in real terms in the value of United Kingdom exports of mechanical engineering and metal goods between 1979 and 1989.

Mr. Redwood *[holding answer 20 July 1990]:* The relevant classifications in this area are mechanical machinery—standard international trade classification 71-74 less 716—and metal manufactures—SITC 69. Between 1979 and 1989 export volumes for these sectors rose by 15 and 2 per cent. respectively in real terms.

Mr. Cash: To ask the Secretary of State for Trade and Industry what estimate he has made of the future trends in United Kingdom exports of mechanical and metal engineering products.

Mr. Redwood *[holding answer 20 July 1990]:* The Department does not publish any forecasts of this sort. A number of private sector organisations compile sectoral forecasts which are available on a commercial basis.

Exports

Mr. Cash: To ask the Secretary of State for Trade and Industry if he will give a breakdown of exports between 1979 and 1989, showing which discrete sectors have increased the value of their exports in real terms.

Mr. Redwood *[holding answer 20 July 1990]:* Annual figures for United Kingdom exports volumes indices by commodity type are given on an SITC basis in tables B7-B12 of the Central Statistical Office's monthly review of external trade statistics. Annual supplement No. 10 gives years to 1988, including 1979; issue No. 174 gives data for 1989. These publications are held by the House of Commons Library. In 49 out of 52 sectors in the above review there have been increases in export volume.

Export Credit Agencies

Mr. Cash: To ask the Secretary of State for Trade and Industry if he will publish details of the premium rates charged by the export credit agencies of the Group of Seven countries for medium and long-term project cover.

Mr. Redwood *[holding answer 20 July 1990]:* The premium rates charged by officially supported export credit agencies in the Group of Seven countries for medium and long term project cover vary, depending, inter alia, on the nature of the risk to be insured. Most are not published. It is not, therefore, possible to provide the information requested.

THE ARTS

Arts Bodies

82. **Mr. Harry Greenway:** To ask the Minister for the Arts what information he has on the total numbers employed in Government-funded arts bodies and projects; and if he will make a statement.

Mr. Luce: There are 9,000 staff in the institutions funded directly by my office, but there are many more in the arts organisations and projects which are the ultimate recipients of Government funding.

Private Sponsorship

84. **Mr. John Marshall:** To ask the Minister for the Arts if he will make a statement about the level of private sponsorship of the arts.

Mr. Luce: The level of business sponsorship of the arts continues to grow. Under the Government's business sponsorship incentive scheme over £32 million new money has been raised and nearly 1,500 first-time sponsors have supported the arts.

Arts Institutions (Borrowing Powers)

85. **Dr. Goodson-Wickes:** To ask the Minister for the Arts what consultations he has had in order to give arts and science institutions borrowing powers; and if he will make a statement.

Mr. Luce: The Government's financial support to the institutions sponsored by my office is in the form of grants and grants-in-aid.

Although the Government do not normally permit borrowing powers in these circumstances, I and my colleagues study any new proposals with care.

West Yorkshire Playhouse

86. **Mr. Battle:** To ask the Minister for the Arts when he plans to visit the West Yorkshire Playhouse to discuss arts policy and its future level of funding.

Mr. Luce: I am pleased to say that I hope to visit the West Yorkshire Playhouse tomorrow.

Planning Policy

87. **Mr. Tony Banks:** To ask the Minister for the Arts what representations he has received on the importance of developing planning policy guidance on the arts.

Mr. Luce: Planning policy guidance is a matter for my right hon. Friend the Secretary of State for the Environment. I refer the hon. Member to the answer given to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) on 11 July, *Official Report*, column *196*.

Buildings Audit

88. **Mrs. Golding:** To ask the Minister for the Arts whether he will make it his policy to establish a national audit of buildings in the arts, museums and library services.

Mr. Luce: As I made clear in the debate on the arts and heritage on 4 July, I take account of the buildings' needs

and priorities set out in the corporate plans I receive annually from the trustees of the national museums and galleries in England. I am at present providing £180 million over the next three years towards these needs. It is for other relevant funding bodies, including local authorities, to determine the needs for the buildings within their responsibility, but I have indicated my support for the general need to put arts buildings in good order over the coming years.

Arts Funding, Leicestershire

89. **Mr. Vaz:** To ask the Minister for the Arts what representations he has received concerning funding for the arts in Leicestershire.

Mr. Luce: I receive representations about funding for the arts in Leicestershire from time to time.

Natural History Museum

91. **Ms. Armstrong:** To ask the Minister for the Arts what recent representations he has received about the impact of proposed staff reductions on the natural history museum's scientific and educational work.

Mr. Luce: I have received a number of further representations from hon. Members and members of the public about the natural history museum's future plans for scientific and educational work.

Performers (Taxation)

92. **Dr. Marek:** To ask the Minister for the Arts what representations he has received on the tax position of performers.

Mr. Luce: I have received several representations on the tax position of performers.

Scottish Arts Council

93. **Dr. Godman:** To ask the Minister for the Arts when he last met the chairman of the Scottish Arts Council; and what subjects were discussed.

Mr. Luce: I last met Sir Alan Peacock on 19 October 1989 when we discussed various matters.

Arts and Heritage (Legislation)

Ms. Walley: To ask the Minister for the Arts what representations he has received about the importance of including *(a)* the arts and *(b)* heritage in the Government's legislative programme.

Mr. Luce: I have received no representations about the inclusion of the performing arts in the Government's legislative programme. I have, however, received a number of representations calling for fresh legislation to control the export of works of art, antiques and collectors' items, particularly in the light of 1992.

Disabled People

95. **Mrs. Mahon:** To ask the Minister for the Arts what plans he has to increase investment in arts facilities for people with disabilities.

Mr. Luce: My aim is for the arts to be accessible to everyone. In December 1988 I gave £150,000 to the Carnegie Trust's adapt fund for the improvement of facilities for disabled people in arts venues. By use of challenge grants the fund aims to encourage additional, and at least equal, financial contributions for local communities. In addition, the Arts Council has published a report on arts and disability to encourage arts organisations to take account of the needs of disabled people in their planning. A copy of the report is available in the Library of the House.

Works of Art (Disposal)

Mr. Faulds: To ask the Minister for the Arts if he will list the items for which the issuing of export licences was withheld on the recommendation of the reviewing committee on the export of works of art during the half year ended 30 June, specifying in each case the valuation and whether an item was exported or retained, with particulars in the latter event of the acquiring institution; whether he will list any items for which licences have been withheld but the final disposal of which is not yet decided, specifying in each case *(a)* the valuation and *(b)* the relevant time limits; and whether a press notice will be issued from his Department covering the information given in his reply.

Mr. Luce: My right hon. Friend the Secretary of State for Trade and Industry accepted my recommendation, following consideration by the reviewing committee on the export of works of art, to defer making for a specified period a decision on an export licence application in respect of the items listed. Details of all the items listed were given in press notices issued at the time the Secretary of State decided to accept the recommendation.

Description of Item	*Valuation* £	*Outcome*
The Razzle Dazzle fairground ride	135,000	Decision with the Secretary of State for Trade and Industry
The Steam Yacht Neptune fairground ride	110,000	Decision with the Secretary of State for Trade and Industry
Sardinian Bronze figure carrying a sacrificial goat 7th/8th century BC	50,000	Export licence granted
A painting of "Queen Esther at the palace of Ahasueras" by Claude Lorrain	718,000	Export licence granted
A marble statue "The Eagle Slayer" by John Bell	55,750	Export licence granted
A painting "The villa Loredan, near Paese, with elegant couples out walking" by Francesco Guardi	3,262,000	Export licence granted
A bronze statuette "Dancing Faun" by Adrien de Vries	7,502,000	Export licence granted
Pair of woman's mule shoes in pink silk damask	6,690	Decision deferred until 25 July 1990

Description of Item	*Valuation £*	*Outcome*
George III ormolu-mounted mahogany oval wine cooler	56,856.30	Retained: Purchased by the National Museum of Wales
Roman marble and giltwood centre tables by Giacomo Raffaelli and Giuseppe Leonardi c.1850	530,906	Decision deferred until 25 August 1990

AGRICULTURE, FISHERIES AND FOOD

Imports and Exports

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food if he will list the United Kingdom's exports to and imports from *(a)* France, *(b)* West Germany, *(c)* the Netherlands and *(d)* Italy for (i) beef, (ii) lamb, (iii) pigmeat, (iv) milk products and (v) eggs in 1987, 1988 and 1989.

Mr. Curry: The information requested is given in £ million in the following table. Except for bacon and ham, only fresh, chilled or frozen meat has been included.

£ million

	Beef	*Lamb and mutton*	*Pigmeat*[1]	*Milk products*[2]	*Eggs*[3]
Exports					
France					
1987	154·1	110·1	3·7	19·1	3·4
1988	127·5	125·5	4·3	20·8	2·8
1989	157·3	138·1	3·7	30·7	4·6
Federal Republic of Germany					
1987	32·3	6·3	31·2	20·7	3·6
1988	19·3	7·5	36·9	30·5	3·7
1989	29·9	9·3	43·6	30·2	3·7
Netherlands					
1987	24·2	0·2	0·6	110·3	0·8
1988	19·7	[4]—	0·5	136·2	1·3
1989	24·4	0·3	1·6	176·5	2·6
Italy					
1987	8·3	5·0	0·1	4·4	1·6
1988	6·9	6·0	[4]—	2·8	3·0
1989	6·5	5·7	0·3	2·4	3·6
Imports					
France					
1987	13·0	[4]—	2·0	41·0	1·8
1988	26·9	0·1	10·9	60·7	2·5
1989	34·7	0·1	23·6	79·2	4·5
Federal Republic of Germany					
1987	15·4	0·2	18·1	65·3	2·0
1988	37·1	0·2	23·4	103·7	3·1
1989	28·0	0·2	28·4	111·3	3·9
Netherlands					
1987	46·9	[4]—	161·8	53·5	10·0
1988	65·3	0·1	182·5	70·8	10·7
1989	56·7	0·4	230·8	75·1	17·4
Italy					
1987	1·3	[4]—	3·6	10·8	[4]—
1988	4·4	0·1	3·9	12·1	0·6
1989	3·8	0·1	4·8	14·7	0·2

[1] Including dried, salted or smoked bacon and ham.
[2] Including a small trade in liquid milk.
[3] Covers all eggs and parts thereof whether or not for human consumption.
[4] Less than £0·05 million.
Source: Her Majesty's Customs and Excise.

Livestock Holdings

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many livestock holdings there are currently in the United Kingdom.

Mr. Maclean: Based on the June 1989 Agricultural census, the estimated number of United Kingdom holdings, excluding minor holdings, with any type of livestock, including poultry, is 183,813.

Swine Swill Farms

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer to the hon. Member for Southwark and Bermondsey of 5 July, *Official Report* column *688*, how many swine swill farms were visited last year; what was the total number of visits conducted by the State Veterinary Service; on how many occasions *(a)* prosecution was recommended, *(b)* prosecution followed and *(c)* conviction followed; and what was the fine or other penalty in each case.

Mr. Maclean: In 1989, a total of 330 swill premises in Great Britain were visited and 1,453 visits were made, in total. Prosecution was recommended to the local authority on eight occasions and actual prosecutions followed in four cases. All four prosecutions were successful. Penalties were as follows: £500, £250, £250 and £300. In each case the defendant was also required to pay costs.

Perrier Water (Labelling)

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his reply of 21 May, *Official Report*, column *83*, what progress has been made in securing the correct labelling of Perrier water.

Mr. Maclean: I am continuing to press for the labelling of Perrier to be adjusted to ensure consumers are properly informed of the true nature of the product. I hope to have something to report shortly.

Rights of Way

Dr. Woodcock: To ask the Minister of Agriculture, Fisheries and Food if he will make funds available to create temporary rights of way over land which is not in the set-aside scheme so as to link land which is in the set-aside scheme, and to which public access could be given, to areas over which the public have access rights or with existing rights of way.

Mr. Curry: I have no powers to make funds available to create temporary rights of way to enable set-aside land to be linked to the existing network of public rights of way. Owners or occupiers of land are, of course free to dedicate land as a public right of way or to create permissive paths. Under section 25 of the Highways Act 1980 the highway authorities can, by agreement with owners or occupiers of land create paths and provide payments.

Dr. Woodcock: To ask the Minister of Agriculture, Fisheries and Food if he will include as a condition of the registration of all land in set-aside schemes a requirement that rights of way must be maintained in good order.

Mr. Curry: No. It is already a statutory requirement that all landowners should maintain stiles and gates across public rights of way, keep rights of way clear of overhanging vegetation and prevent rights of way from becoming obstructed by, for example, growing crops or barbed wire. Set-aside land is no different from any other land in this respect.

Countryside (Access)

Dr. Woodcock: To ask the Minister of Agriculture, Fisheries and Food what plans he has to increase public access to the countryside.

Mr. Curry: Under section 17 of the Agriculture Act 1986, my right hon. Friend the Minister has to balance the interests of promoting an efficient agricultural industry, the conservation and enhancement of the natural beauty and amenity of the countryside and its enjoyment by the public. It is generally recognised that there is a delicate balance between the increasing demand for public access and its impact upon the countryside and farming. The Department's policies are designed to encourage farmers, wherever practicable, to provide for countryside recreation. To this end, grants are available under the farm diversification grant scheme for farm walks and nature trails. The Department has also, jointly with the Countryside Commission, published a ploughing code which reminds farmers of their responsibilities in relation to rights of way. This will shortly be revised to take account of the new provisions of the Rights of Way Act 1990 which comes into operation on 13 August.

Dr. Woodcock: To ask the Minister of Agriculture, Fisheries and Food if he will modify the set-aside scheme to require public access to be given on a proportion of the land.

Mr. Curry: The non-agricultural use option under the set-aside scheme already enables participants to use the land for activities allowing public access such as tourist facilities, caravan and camping sites and sports and recreational pursuits. In addition, the countryside premium scheme for set-aside land, currently operating in seven eastern counties of England, offers payments to farmers who agree to manage their set-aside land in ways which benefit wildlife, the landscape and informal recreation. The most popular choice is the meadowland option, which is designed to provide areas for quiet enjoyment by local communities.

Data Protection

Mr. Cohen: To ask the Minister of Agriculture, Fisheries and Food how many subject access requests under the terms of the Data Protection Act his Department has received; what was his estimate of the number of requests that would be received; what consideration he is giving to the subject access fee charged by his Department as a result; and whether he will make a statement.

Mr. Curry: During the period that the Data Protection Act has been in force the Department has received 220 requests for subject access, including one from a member of the public, for which a fee was charged. Based on central guidance, it was estimated orginally that around 3,200 requests might have been received in this period.

There have been very few inquiries on subject access from members of the public and there is no evidence to suggest that the fee is an inhibiting factor. Therefore we are not at present reconsidering the subject access fee charged by the Department.

Abattoirs

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library a list of abattoirs in the United Kingdom, indicating which are European Community approved and which have had their European Community licences suspended.

Mr. Gummer: I am placing in the Library of the House a current list of the abattoirs in England and Wales which identifies those which are export approved. Seven of the export-approved abattoirs are temporarily suspended from engaging in intra-Community trade. Suspension is applied for a short period while attention is given to some structural or operational requirements, and it would not be appropriate to identify those plants which may be suspended at any one time.

The Secretaries of State for Scotland and Northern Ireland have responsibility for abattoirs in those parts of the United Kingdom.

Renderers

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food on how many occasions, for each year since 1979 inclusive, representatives of the Renderers Association or similar organisations have met Ministers.

Mr. Gummer: In recent years Ministers from my Department have had frequent meetings with representatives of the United Kingdom rendering industry to discuss matters of mutual interest.

Departmental Staff

Mr. Nellist: To ask the Minister of Agriculture, Fisheries and Food for how many of its own employees his Department proposes to pay the poll tax; what will be the cost to public funds; and if he will make a statement.

Mr. Curry: The Department has increased the good local practice element of payments to 188 full-time farm workers employed at the ADAS experimental husbandry farms and the horticultural stations in the British Society of Horticultural Research by amounts sufficient to retain our competitive position as employers of farm labour in the respective localities. The additional cost involved will be about £44,000 in the current financial year.

Fishing Industry

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about recent representations he has received concerning fishing in sea area VII.

Mr. Curry: I have received a number of representations from hon. Members and fishing industry representatives. I have had a useful and constructive exchange of views with industry representatives about the problem of misreporting and how to limit misreporting in future.

Spanish Fishing Vessels

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what are the implications for the United Kingdom fishing fleet of recent court decisions relating to re-registered Spanish fishing vessels; and whether he will make a statement.

Mr. Curry: The recent judgment of the European Court of Justice in case 213/89 Factortame means that national courts may grant interim relief in respect of a national law when there is an alleged breach of Community law rights, pending a ruling on the substantive issue. The question whether such relief should be given was heard by the House of Lords at the beginning of the month.

The House of Lords is expected to give a ruling before the summer recess and it is not possible to assess the implications before that announcement is made.

Marine Life

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what research is being carried out on the long-term effects of dredging on marine life.

Mr. Curry: The Ministry has carried out research investigations relevant to the problems posed to fish and shellfish resources by gravel extraction since the 1970s. In the vicinity of Hastings shingle bank they have comprised diving and sonar studies on the infilling of experimental pits; diver, underwater camera and remote vehicle searches for overwintering crabs and a general description of the benthos using scientific dredges. Current commercial dredging activity off Hastings and the Isle of Wight is being monitored by side scan sonar prior to future benthic studies. The importance of the eastern channel for crab spawning and potential impact of aggregate extraction is currently being asessed using plankton surveys.

The Ministry is now initiating a three-year study to assess the impact of gravel extraction on marine life. The objectives will be to assess the initial impact of dredging benthos and the recovery of benthic life once dredging has ceased. The study will identify recruitment from plankton and other benthic communities in terms of the diversity of taxonomic groups present and the densities of individuals.

Beef Premium

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food when the widow of Mr. L. T. Smith, formerly of Lyn Jay Farm, India Row, Monkton, Pembroke, will receive from the beef intervention board premium payment for three cattle sold on 19 July 1989, in respect of which certificate 043929 was issued on that date.

Mr. Curry: This certificate could not be cleared until probate documentation was available. Payment was made on 11 July 1990.

Fishing Catches

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food whether he will hold a full inquiry into the misreporting of catches alleged to have come from sector VIIa.

Mr. Curry: As I said in my reply to the hon. Member on 18 July, Fisheries Departments accept that the circumstantial evidence points to some misreporting having taken place, but we must have hard evidence in order to prosecute. Departments are therefore examining all fishing documents of vessels which might have been involved. They are also looking urgently at ways of limiting misreporting in future.

Committees (Disclosure of Information)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library a copy of each of the different types of form the members of his various committees have to sign concerning the disclosure of information from the those committees.

Mr. Maclean *[holding answer 16 July 1990]:* Copies are being placed in the Library of declarations about the unauthorised disclosure of information from the following committees:

Consumers Committee for Great Britain.
Consumers Committee for England and Wales.
Advisory Committee on Pesticides.
Salmon Advisory Committee.

Avon Dam Drought Order

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what was the cost of the public inquiry into South West Water's application for an Avon dam drought order.

Mr. Moynihan *[holding answer 16 July 1990]:* I have been asked to reply.

The payroll cost to the Department of providing an inspector to hold a public inquiry and report on the application by South West Water services to reduce the compensation flow from the Avon dam into the River Avon near South Brent was £598. There were also costs incurred by the Department on administration and by other public bodies involved in the inquiry.

WALES

Myalgic Encephalomyelitis

Mr. Gareth Wardell: To ask the Secretary of State for Wales if his Department will fund a development office for the ME Association in Wales.

Mr. Grist: The association received £5,000 grant aid from the Department in 1988-89 and £7,500 in 1989-90 towards the cost of a development officer, but returned £2,500 of the latter following the resignation of the person whose post had been supported. No formal application for further grant has yet been received, but any future applications will be carefully considered.

Disabled People

Mr. Wigley: To ask the Secretary of State for Wales (1) what consultations he has had with *(a)* health authorities and *(b)* local authority associations in Wales concerning the regulations to be made under section 2(7) of the Disabled Persons (Services, Consultation and Representation) Act 1986 in order to extend the rights of authorised representatives; and if he will make a statement;

(2) when he intends to lay an order to bring into force *(a)* sections 1 and 2 and *(b)* section 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(3) what consultations he is having with local authority associations in Wales concerning the implementation of sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(4) what consultations he has had with voluntary organisations in Wales concerning the regulations to be made under section 1 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(5) what representations he has received from voluntary organisations in Wales concerning the implementation of sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement.

Mr. Grist: Voluntary organisations representing people with disabilities and their carers in Wales have often expressed their understandable desire for early implementation of the remaining sections of the Act, but the Government have consistently said that the remaining sections can be implemented only when the necessary resources have been identified and can be made available.

The Welsh Counties Committee (now known as the Assembly of Welsh Counties) and directors of social services in Wales were asked earlier this year to provide detailed estimates of the additional costs likely to arise as a result of implementation of sections 1, 2, 3, 8(2) and 8(3) of the Act, but we have still to receive several of those estimates.

When those estimates are to hand, they will be discussed with local authorities and further consideration will then be given to possible timetables for implementation.

Mr. Wigley: To ask the Secretary of State for Wales (1) what research he has undertaken on the implementation by local authorities in Wales of sections 4, 5, 6, 8, 9 and 10 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he make a statement;

(2) what assessment he has made of how local authorities in Wales are fulfilling their duties under the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he make a statement.

Mr. Grist: The social services inspectorate of the Welsh Office, in its programme of surveys and inspections, is mindful of the requirements of the Act and reports to me on its findings. The required services and arrangements are not yet fully developed, but I am satisfied that authorities are making genuine endeavours to fulfil their duties under the Act.

AIDS

Mr. Strang: To ask the Secretary of State for Wales what were the cumulative totals on 31 December 1987, 30 June 1988, 31 December 1988, 30 June 1989, 31 December 1989 and 30 June 1990 of *(a)* people who have died with AIDS, *(b)* people with AIDS including those who have died and *(c)* HIV antibody-positive persons in Wales (i) by patient characteristic and (ii) in total.

Mr. Grist: The information requested is as follows:

People who have died with AIDS

	Number
31 December 1987	14
30 June 1988	16
31 December 1988	20
30 June 1989	26
31 December 1989	34
30 June 1990	38
People with AIDS including those who have died	
31 December 1987	18
30 June 1988	27
31 December 1988	34
30 June 1989	37
31 December 1989	48
30 June 1990	57

	Number
HIV antibody-positive persons—cumulative total	
31 December 1987	67
30 June 1988	113
31 December 1988	121
30 June 1989	131
31 December 1989	149
30 June 1990	171

A breakdown of the number of HIV antibody-positive persons by patient characteristic is not readily available and could be obtained only at disproportionate cost.

Needle Exchange Schemes

Mr. Strang: To ask the Secretary of State for Wales how many needle exchange schemes are currently operating in each district health authority area in Wales.

Mr. Grist: With the exception of Pembrokeshire, all district health authorities in Wales operate a needle exchange scheme. A number of these schemes involve more than one location within the district.

Social Care

Mr. Morgan: To ask the Secretary of State for Wales whether he will issue instructions to the nine health authorities to suspend all closure proposals for geriatric and mental handicap and mental illness hospitals, pending the full implementation in April 1993 of his care in the community proposals.

Mr. Grist: Such closures take place now, and I see no reason why they should not continue in the usual planned way.

Mr. Morgan: To ask the Secretary of State for Wales what consultations with the chairmen of the health authorities in Wales he proposes on geriatric care hospitals, pursuant to his written answer of 18 July on social care and related health services.

Mr. Grist: It is for health authorities and local authorities to liaise to ensure proper integration in the delivery of their services.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he now proposes with *(a)* the director of social services, *(b)* the voluntary agencies representing carers and the elderly and *(c)* the nursing and medical professions, pursuant to his written answer of 18 July on social care and related health services.

Mr. Grist: The well-established arrangements for consultation with all appropriate agencies will continue.

Mr. Morgan: To ask the Secretary of State for Wales what additional consultation procedures he proposes arising from his written answer of 18 July on the introduction of full care in the community to deal with closure proposals for hospitals housing the elderly.

Mr. Grist: The well-established arrangements for consultation with all appropriate bodies will continue.

Mr. Morgan: To ask the Secretary of State for Wales whether he now proposes to meet the Welsh Counties Committee regarding the delayed implementation of the care in the community proposals.

Mr. Grist: Our officials have written to the Assembly of Welsh Counties, as the former committee is now known, on this matter.

Prescribing

Mr. Michael: To ask the Secretary of State for Wales (1) if he will place in the Library a copy of all the professional publications his Department has provided to national health service doctors containing advice about drug prescribing, together with any departmental cover letters sent with such documents;

(2) if he will list the specific circulars, documents and advice notes issued by his Department over the past 10 years in respect of *(a)* over-prescribing and *(b)* under-prescribing; and if he will place copies of all such documents in the Library.

Mr. Grist: I refer the hon. Gentleman to the reply given to him by my right hon. Friend the Minister of State, Department of Health on 16 July. The same range of publications is provided to national health service doctors in Wales at an annual cost to the Welsh Office of around £180,000. Copies of the documents referred to are already in the Library.

Health Authority Lending

Mr. Morgan: To ask the Secretary of State for Wales whether he approved, either in principle or in detail the £500,000 loan from South Glamorgan health authority to Gwynedd health authority in 1990-91.

Mr. Grist: I am not aware that the South Glamorgan health authority has entered into an arrangement to lend money to any health authority in 1990-91. However, in 1989-90 South Glamorgan health authority made available £0·5 million to Gwynedd health authority under normal inter-year cash management arrangements. The loan was mutually agreed by the two authorities and the Department made the necessary cash limit adjustments to give effect to the loan and to its repayment in the current financial year.

High Schools (Redundancies)

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement concerning the number of staff redundancies in high schools in Wales since 1 January 1989.

Sir Wyn Roberts: Local Education Authorities in Wales reported 42 premature retirements on the grounds of redundancy in the period 1 January 1989 to 30 June 1990 amongst secondary school teachers.

Local Government Finance

Mr. Michael: To ask the Secretary of State for Wales when his consultation paper on the operation of the standard community charge and other matters will be made available in *(a)* the Vote Office and *(b)* the Library.

Mr. David Hunt: The Document "The Standard Community Charge and other matters—A consultation paper for Wales" has already been sent to Members representing Welsh constituencies, to the Vote Office, and to the Library of the House.

General Practice

Mr. Michael: To ask the Secretary of State for Wales if he will list all the statistical indicators collected and maintained by the Welsh Office in relation to family practitioner services and general practice in Wales.

Mr. Grist: A set of FPS service indicators, which embraces currently the items listed as follows, has been developed and is maintained by the Welsh Office and the Department of Health. This is supplied to family practitioner committees in Wales and is used by them and by the Department for management purposes. A review of the range and content of the indicators is in progress.

A selection of the current set of FPS service indicators is published in "Key Statistical Indicators for National Health Services Management in Wales", No. 8, 1989, a copy of which is in the Library.

FPS Service Indicators

Prescriptions per 10,000 OPCS population, pharmacists and dispensing doctor
FPC staff per 10,000 OPCS population
FPC patient registration data inflation
Total FPS payments, £000s per 10,000 registered population
FPC administration costs, £000s per 10,000 OPCS population
Registration transactions as a percentage of registered population
Expenditure on GMS per 10,000 registered population
GMPs per 10,000 patients on their lists
Turnover of GMPs per GMP
Percentage of GMPs with list sizes under 1,000
Percentage of GMPs with list sizes over 2,500
Percentage of GMPs under 65 practising single handed
Percentage of GMPs aged 65+
Dispensing doctors as a percentage of GMPs
Dispensing patients as a percentage of registered population
Whole time equivalent ancillary staff per partnership
Whole time equivalent ancillary staff per practitioner
Practice nurses per partnership
Practice nurses per practitioner
Percentage of GMPs with consent to use a deputising service
Percentage of night visits made by deputising services
Night fees for GMPs, £000s per 10,000 registered population
Vaccination and immunisation fees, £000s per 10,000 registered population
Cervical cytology fees, £000s per 10,000 females aged 35-64
Cervical cytology recalls per 10,000 females aged 20-64
Ordinary contraceptive claims per 10,000 females aged 15-49
IUD claims per 10,000 females aged 15-49
Maternity medical services claims for full care per 100 births
Maternity medical services claims for some care per 100 births
Perinatal mortality rate
Formal allocations to GMPs per 10,000 registered population
Formal complaints to medical services committee per GMP
Informal complaints involving a conciliator per GMP
Other informal written complaints per GMP
Expenditure on GDS per 10,000 registered population
Dentists per 10,000 OPCS population
Turnover in dentists per dentist
Courses of dental treatment per 10,000 OPCS population
Courses of dental treatment per 10,000 OPCS population < 16
Courses of treatment per dentist
Extractions per 1,000 courses, persons < 16
Extractions per 1,000 courses, persons 16+
Fillings per 1,000 courses, persons < 16
Sessions per 10,000 OPCS population under emergency dental service
Recall fees per 10,000 OPCS population
Formal complaints to dental services committee per dentist
Informal written complaints per dentist
Expenditure on pharmaceutical service per 10,000 registered population
Pharmacies per 10,000 OPCS population
Net ingredient cost, £000s per 10,000 OPCS population (pharmacies)
Prescriptions dispensed per 10,000 OPCS population (pharmacies)
Net ingredient cost, £000s per 10,000 OPCS population (dispensing doctors)
Prescriptions dispensed per 10,000 OPCS population (dispensing doctors)
Exemption certificates per 10,000 non-age-exempt population
Prepayment certificates per 10,000 non-age-exempt population
Expenditure on general ophthalmic service per 10,000 registered population
Opticians per 10,000 OPCS population
Sight tests per 10,000 OPCS population

ENVIRONMENT

Local Government Finance

Mr. Ground: To ask the Secretary of State for the Environment what was (i) the net rate and (ii) the grant-borne expenditure of the London borough of Hounslow in each year since 1978-79 *(a)* as estimated and *(b)* in the outturn.

Mr. Chope: The available information, as returned by the London borough of Hounslow is as follows:

Local rate income and expenditure

£ million

	Budget		*Outturn*	
	Local rate income[1]	*Expenditure*[2]	*Local rate income*[1]	*Expenditure*[2]
1980-81	36·6	75·1	41·2	78·7
1981-82	56·4	84·7	58·0	84·6
1982-83	51·4	89·1	51·6	85·2
1983-84	56·4	91·2	57·3	91·2
1984-85	67·7	92·7	67·7	93·7
1985-86	77·5	98·0	79·0	90·8
1986-87	98·3	119·3	n.a.	n.a.
1987-88	100·2	111·9	103·3	126·4
1988-89	108·8	127·9	112·6	141·1
1989-90	117·2	160·9	n.a.	n.a.

n.a.—Not available.
[1] Rate income gross of rebates but net of domestic rate relief grant.
[2] Expenditure funded by rates, grants and balances.

Mr. Allen: To ask the Secretary of State for the Environment what was the revenue support grant for 1990-91, expressed as a sum per head of population, for *(a)* Nottinghamshire, including its constituent districts, *(b)* the City of Westminster and *(c)* Wandsworth.

Mr. Chope: The average revenue support grant for 1990-91, expressed as an amount per adult for Nottinghamshire districts is £201·78. The figure for the City of Westminster is £865·84 and for Wandsworth £572·27.

Standard Spending Assessments

Mr. Wilshire: To ask the Secretary of State for the Environment what allowances are made for providing local government services to Heathrow airport when calculating the standard spending assessments of the relevant councils.

Mr. Chope: Standard spending assessments measure the cost of providing a standard level of service. They make no specific allowance for the cost of providing services to airports, such as Heathrow. But the assessments for the relevant authorities for police, highway maintenance and other services, which includes environmental health, will reflect the policing needs of the airport and the other demands imposed by visitors and the working population.

Mr. John Evans: To ask the Secretary of State for the Environment if he has any plans to amend or alter the factors used to arrive at local authorities' standard spending assessments for 1990-91.

Mr. Chope: No.

Mr. Allason: To ask the Secretary of State for the Environment (1) on what date he intends to announce the standard spending assessments for borough councils for the next financial year;

(2) if he has decided whether to give additional weight to the value of tourism in Torbay's standard spending assessment for the next financial year.

Mr. Chope: My right hon. Friend will announce his proposals for standard spending assessments in the autumn.

Mr. Allason: To ask the Secretary of State for the Environment how up to date the statistics relating to the proportion of elderly in particular boroughs, that he will use when calculating the standard spending assessments for the next financial year, will be.

Mr. Chope: We intend to use estimates of the resident population at 30 June 1989, prepared by the registrar general, as the source for the proportion of the elderly in each relevant authority. These will be the latest available estimates compiled on a consistent basis across all authorities.

Community Charge

Mr. Allason: To ask the Secretary of State for the Environment whether he will take steps to give relief to those who enter residential nursing accommodation but experience delay in selling their homes thereby incurring liability for a standard community charge.

Mr. Chope: We have already prescribed that no standard charge is payable where less than 12 months has elapsed since the date on which a patient became solely or mainly resident in a hospital, residential care home, nursing home, mental nursing home or hostel. We have proposed that from 1 April 1991 this limit should be removed.

Mr. Allason: To ask the Secretary of State for the Environment whether he will end the liability of executors of wills for a standard charge on the home of someone who has died.

Mr. Chope: We have already prescribed that no standard charge is payable on unoccupied property where the person subject is acting in his capacity as personal representative, and with respect to which either no grant of probate or letters of administration has been made, or less than three months have elapsed since either of those events. We have proposed that this period should be extended to six months as from 1 April 1991.

Mr. Allason: To ask the Secretary of State for the Environment whether he has any plans to exclude non-working mothers from the community charge.

Mr. Chope: I have nothing to add to the statement made by my right hon. Friend on 19 July.

Mr. Cohen: To ask the Secretary of State for the Environment (1) whether he will introduce legislation to prevent charging authorities from using community charge information for purposes that are not directly relevant to the management or collection of the community charge; and whether he will make a statement;

(2) whether he will introduce legislation to prevent a community charge registration office or charging authority from disclosing community charge information for purposes that are not directly relevant to the management or collection of the community charge; and whether he will make a statement.

Mr. Chope: I refer the hon. Member to my reply to him of 5 February 1990 at column *429*.

Mr. Cohen: To ask the Secretary of State for the Environment what plans he has for regulations concerning the disclosure of anonymous poll tax data; what advice he intends to give to community charges registration officers on how to ensure that the identity of individuals is guaranteed; and whether he will make a statement.

Mr. Chope: I have nothing to add to the answer that I gave the hon. Member on 15 January 1990, at column *100*.

Mr. Cohen: To ask the Secretary of State for the Environment whether he will introduce regulations to prevent the disclosure of information by charging authorities, whenever the information disclosed relates to community charge debts and the recipients of information are not acting as agents of the authority with respect to debt recovery; and whether he will make a statement.

Mr. Chope: No such regulations are necessary. I refer the hon. Member to my reply to him of 15 January 1990, at column *99*.

Mr. Nicholas Brown: To ask the Secretary of State for the Environment what is the average community charge bill in Great Britain net of transitional relief.

Mr. Chope: The figure is £342; charge capping is expected to reduce this to £337.

New Properties (Water Rates)

Mr. David Nicholson: To ask the Secretary of State for the Environment what arrangements he has for assessing the rateable values of newly built properties for water rate purposes; what is his estimate of the number of staff employed in England for this purpose and their cost; and whether the water plcs, central Government or local authorities meet these costs.

Mr. Heathcoat-Amory: There is no need for such arrangements. For all newly built domestic properties, water companies are charging on bases other than rateable value. If a water company has decided to use rateable value for the time being as the basis for charging in the case of newly built non-domestic properties, rateable values for those properties will in any case have been assessed for the purpose of the uniform business rate.

Right to Buy

Sir Thomas Arnold: To ask the Secretary of State for the Environment what recent estimate he has made of the number of council properties sold under the Government's right-to-buy scheme since 1979.

Mr. Michael Spicer: Between October 1980, when the right-to-buy legislation came into effect, and March 1990, about 970,000 tenants purchased their homes from English local authorities and new towns under this scheme.

Toxic Sites

Mr. Steinberg: To ask the Secretary of State for the Environment what progress has been made in making toxic sites safe; what methods are to be used; and if he will make a statement.

Mr. Trippier: In so far as the question relates to landfill sites receiving toxic waste, the licensing provisions of the Control of Pollution Act 1974 require waste disposal authorities to satisfy themselves initially that there are no risks of water pollution or public health dangers and to supervise licensed activities to ensure that this continues to be the case. Authorities have powers to carry out remedial work, should that be necessary, and to recover costs, but there are no central records of such action.

In so far as the question relates to problems of contaminated land, such sites need to be made safe by landowners to ensure that there are no risks to public health or liabilities arising from use of the site. The National Rivers Authority have powers under the Water Act 1989 to take remedial or preventive action in relation to risks of water pollution and to recover costs. The Government provides guidance notes on monitoring, assessment and treatment of contaminants and a wide variety of treatment methods can be adopted, but there are no central records of work undertaken.

Local Authority Estates

Mrs. Gorman: To ask the Secretary of State for the Environment how many estates owned by local authorities have held ballots to opt out of local authority control under the Housing Act 1988.

Mr. Michael Spicer: Ballots under the tenants' choice provisions of the Housing Act 1988 are conducted when the alternative landlord has made a formal offer to tenants. Two tenants' choice applications have been made to acquire property, but neither of these has reached the stage of the ballot.

The Housing Corporation is carrying out preliminary tests of tenant opinion in a further 12 areas.

House Demolition

Mr. Onslow: To ask the Secretary of State for the Environment what response he has now received to his Department's consultation paper about the demolition of houses; and if he he will make a statement.

Mr. Michael Spicer: Responses to the Department's consultation paper "Planning Permission: Demolition of Houses" were invited by 25 June. Over 160 responses have been received. The Government will announce their conclusions when they have been fully analysed.

Furnished Tenancies

Mr. Solely: To ask the Secretary of State for the Environment if he will give figures for rents for furnished tenancies on the same basis as those shown in table 8.11 of the public expenditure White Paper, Cm. 1008.

Mr. Michael Spicer: Average registered fair rents for non-housing association furnished tenancies in England are as follows:

	£ per week
1984	24·58
1985	26·62
1986	29·38
1987	30·96
1988	36·06
1989	38·56

Mr. Soley: To ask the Secretary of State for the Environment if he will give figures for rents for private tenancies by region.

Mr. Michael Spicer: The available information is for fair rents registered under the Rent Act 1977 (as amended), or housing benefit cases referred to rent officers under section 121 of the Housing Act 1988.

1989	*Registered Rents*			*Housing Benefit Referrals*[1]	
£ per week	*Non-housing Association*		*Housing*		
	Furnished	*Unfurnished*	*Association*	*Furnished*	*Unfurnished*
Northern	33·46	17·80	23·03	31·67	26·28
Yorkshire and Humberside	32·91	19·85	25·74	31·90	29·97
North West	31·91	17·35	22·98	33·28	30·10
West Midlands	29·84	19·75	24·85	33·78	35·25
East Midlands	31·66	19·98	26·60	33·04	31·40
East Anglia	42·31	25·32	27·44	40·47	43·09
South West	40·44	29·03	32·09	37·28	39·34
London	46·36	30·76	29·20	56·44	51·33
Rest of South East	43·22	27·98	30·82	43·05	45·77

[1] since April 1989

Radon Gas

Mr. Ward: To ask the Secretary of State for the Environment if he will extend the practical guidance given in building regulations on dealing with anti-radon measures in new homes.

Mr. Chope: My Department will shortly be issuing a consultation paper containing proposals for the revision of the requirements and guidance relating to part C of the Building Regulations 1985. This will include the latest guidance on the special measures which should be taken when new houses are being constructed in Cornwall and in parts of Devon particularly at risk from radon. We have asked the National Radiological Protection Board to provide further advice which will enable decisions to be taken on other areas where such measures need to be taken.

Local Councils (Planning Powers)

Mr. David Porter: To ask the Secretary of State for the Environment if he will make it his policy to seek to upgrade the responsibilities and duties of town and parish councils in respect of planning issues.

Mr. Moynihan: Statutory consultation procedures already provide an opportunity for town and parish councils to contribute to the preparation of development plans. Those councils also have a statutory power (paragraph 20 of schedule 16 to the Local Government Act 1972) to require the district council for their area to keep them informed about planning applications it receives. Where such a requirement is made, and the councils make representations about an application, they have the right to appear at any public inquiry held to consider that application or a related appeal. There are no proposals at present to extend these arrangements.

Local Councils (Maladministration)

Mr. David Porter: To ask the Secretary of State for the Environment if he will make it his policy to seek to widen the powers of the local government ombudsman to include investigations of alleged maladministration by town and parish councils.

Mr. Heathcoat-Amory: No. Local government electors can raise the actions of town and parish councils directly at town and parish meetings.

Derelict Land

Mr. Hardy: To ask the Secretary of State for the Environment what is the total area of land redeemed from dereliction in each region of the United Kingdom during the last seven years; what is the present area of dereliction in each region; and by how much the area of dereliction has changed within each region.

Mr. Moynihan: The information requested is not available. However, the survey of derelict land in England in 1988 shows the following changes in the area of derelict land in England between 1982 and 1988.

Derelict land in England 1982-1988

Hectares

Standard Region	*Area of derelict land at 1 April 1982*	*Area of derelict land at 1 April 1988*	*Net decrease/ increase*	*Area reclaimed 1 April 1982— 1 April 1988*
North	7,307	5,945	−1,362	2,472
North West	10,042	8,823	−1,219	3,671
Yorkshire and Humberside	5,431	6,145	714	2,055
West Midlands	5,787	5,575	−212	2,279
East Midlands	5,198	4,407	−791	1,586
East Anglia	804	593	−211	182
South West	6,635	5,827	−808	667
South East[1]	2,525	1,794	−731	607
Greater London	1,954	1,386	−568	494
England	45,683	40,495	−5,188	14,013

[1] Excluding Greater London.

Mr. Hardy: To ask the Secretary of State for the Environment what sums from the European structural fund have been devoted since 1986 to the clearance of dereliction in South Yorkshire; and what action he is taking to ensure that this level of support is significantly measured.

Mr. Moynihan: Information is not readily available for schemes approved by the European Commission under the previous ERDF Regulations. No schemes for clearance of dereliction have been approved under the Yorkshire and Humberside steel area integrated development operation or the resider and non-quota measures for steel areas.

Water and Sewerage Undertakers

Mr. Mullin: To ask the Secretary of State for the Environment (1) if he will give for each water and sewerage undertaker, which plans he has approved with modifications, pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(2) if, for each water and sewerage undertaker, he will list the dates on which the undertakers submitted their plans, pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(3) if he will give for each water and sewerage undertaker, which plans he has approved without modifications, pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(4) if he will place in the Library copies of the plans submitted to him by each water and sewerage undertaker, pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(5) if he will give for each water and sewerage undertaker the form in which he has prescribed the reports shall be submitted, pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Heathcoat-Amory: The former water authorities prepared and submitted plans progressively, under letters of direction issued in 1983, until 1986. Undertakers are currently reviewing these plans, following the 1989 direction. In addition, plans for expenditure each year on the provision or purchase of facilities and equipment are submitted to the Department for approval, with modifications if necessary. It is neither in the interests of national security nor commercial confidentiality to provide the further information requested.

Mr. Mullin: To ask the Secretary of State for the Environment if, for each water and sewerage undertaker, he will list the land he has specified, pursuant to paragraph 3(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Heathcoat-Amory: Paragraph 3(2) does not refer to land. It would not be in the interests of national security to give the information requested in relation to paragraph 3(1).

Mr. Mullin: To ask the Secretary of State for the Environment (1) whether, having regard to the Civil Defence (General Local Authority Functions) Regulations 1983 and section 3 of the emergency planning guidance to local authorities, the duty to consult other water and sewerage undertakers, pursuant to paragraph 5(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989 is to be extended to local authorities with civil defence functions under regulation 4 of the 1983 regulations; and if he will make a statement;

(2) whether, having regard to the Civil Defence (Fire Services) (Water) Regulations 1956, the duty to consult other water and sewerage undertakers, pursuant to paragraph 5(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989 is to be extended to fire authorities; and if he will make a statement;

(3) if he will give for each water and sewerage undertaker the extent to which he has required their plans, operations, facilities and services to be complementary and co-ordinated, pursuant to paragraph 5(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Heathcoat-Amory: Extension of paragraph 5(1) of the Direction as suggested is not considered necessary. Responsibility for ensuring the co-ordination of water undertakers' civil defence planning in peacetime is delegated to Chief Regional Water Co-ordinators.

Mr. Mullin: To ask the Secretary of State for the Environment if for each water and sewerage undertaker he will list the number of employees he has required to be made available *(a)* as regional co-ordinators and *(b)* in such other capacity as he has required and in what capacity, pursuant to paragraph 5(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Heathcoat-Amory: My right hon. Friend the Secretary of State has appointed chief regional water co-ordinators, deputy chief regional water co-ordinators and further regional water co-ordinators for the various home defence regions. The numbers of employees made available by undertakers to fulfil these roles are as follows:

Water undertaker	*Number of employees*
Anglian Water Services Ltd.	8
North West Water Ltd.	6
Northumbrian Water Ltd.	2
The Newcastle and Gateshead Water Co.	1
Severn Trent Water Ltd.	9
Southern Water Services Ltd.	4
South West Water Services Ltd.	3
Thames Water Utilities Ltd.	8
Wessex Water Services Ltd.	3
Yorkshire Water Services Ltd.	3

There has been no requirement to make employees available in any other capacity pursuant to paragraph 5(2) of the direction.

Mr. Mullin: To ask the Secretary of State for the Environment (1) if, for each water and sewerage undertaker, he will list the dates on which the undertakers reported to him, pursuant to paragraph 6(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(2) if he will place in the Library copies of the reports submitted to him on or before 1 April, pursuant to paragraph 6(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(3) if, for each water and sewerage undertaker, he will give the form in which he has prescribed their reports shall be submitted, pursuant to paragraph 6(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(4) if, for each water and sewerage undertaker, he will give the losses which it has sustained by reason of compliance with the direction, pursuant to paragraph 6(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Heathcoat-Amory: The chief regional water co-ordinators have submitted at various dates reports on action taken pursuant to the direction. It is not in the interests of national security to provide details. Information on the losses sustained by each undertaker in complying with the direction is subject to the normal rules of commercial confidentiality.

Mr. Mullin: To ask the Secretary of State for the Environment (1) what general policy in respect of civil defence he has notified to the water and sewerage undertakers, pursuant to paragraph 2(1)(a) of the Security Measures (Water and Sewerage Undertakers) Direction 1989; and if he will place a copy in the Library;

(2) what guidance, procedures and requirements have been notified to the water sewerage undertakers by him, pursuant to paragraph 2(1)(b) of the Security Measures (Water and Sewerage Undertakers) Direction 1989; and if he will place copies in the Library.

Mr. Heathcoat-Amory: Water and sewerage undertakers were told that Government policy would be one of minimum change following the introduction of section 170 of the Water Act 1989. But current policy is under discussion following recent international developments. General policy had been set out in the Civil Defence Manual for Water Services and section 12 of the Emergency Planning Guidance to Local Authorities. A copy of the latter document is already available in the Library. I will be placing in the Library a copy of "National Security Measures in the Water Industry: Notes for Guidance of Water Undertakers and Sewerage Undertakers on Grant (with effect from 10 October 1989)".

Falconers

Mr. Hinchliffe: To ask the Secretary of State for the Environment if he will provide a breakdown of the species of birds that falconers were licensed to set birds of prey on in 1989; what criteria a falconer must fulfil before being issued with a licence; what are the terms and conditions of the licence issued for a bird of prey to be set on a blackbird; and how many licences have been issued to date in 1990.

Mr. Trippier: In 1989, the Department issued licences to falconers to fly birds of prey at the following species: blackbird, skylark, black-headed gull, song thrush, mistle thrush, redwing, fieldfare and meadow pipit. Before a licence is issued, falconers must identify the bird of prey they intend to fly and specify the number and species of their proposed quarry and the county in which they will be taken.

Licences are subject to conditions restricting them to the period 1 September to 28 February, imposing a limit of 50 on the number of quarry which may be killed; requiring that the bird of prey to which the licence refers is properly ringed and registered, and requiring that a return showing the birds killed be made by 31 March.

To date, two licences have been issued this year.

Planning Application Fees

Mr. Bradley: To ask the Secretary of State for the Environment if he will take steps to compensate local authorities for loss of income against forecasts due to the lack of any increase in planning application fees.

Mr. Michael Spicer: No. It would not be appropriate to provide compensation for any shortfall against any authority's own forecasts.

Mr. Bradley: To ask the Secretary of State for the Environment when he will next increase planning application fees for local planning authorities.

Mr. Michael Spicer: I will make an announcement shortly.

Extraction Licences

Mr. Morley: To ask the Secretary of State for the Environment if he has any plans to review the role of the Crown Estates Commission in the granting of extraction licences.

Mr. Moynihan: The Secretary of State has no plans to review the role of the Crown Estate in the granting of extraction licences. The Government view procedure for determining marine dredging production licences was reviewed recently following public consultation in 1988 and the revised procedure published in May 1989.

Homelessness

Mr. Andrew Welsh: To ask the Secretary of State for the Environment what proportion of the £15 million announced on 22 June to help single homeless people is allocated for a rent deposit fund.

Mr. Michael Spicer: Decisions have yet to be taken on the balance of the package. Discussions are currently taking place between my Department, housing associations, the voluntary sector and local authorities about how to make the best use of the resources.

Stoke Park, Guildford

Mr. Fearn: To ask the Secretary of State for the Environment if he will call in for public inquiry the application to build a sports and leisure complex in Stoke Park, Guildford.

Mr. Moynihan: My right hon. Friend considered requests that he should call in the application for outline permission in June 1988 when the borough council decided to proceed with the scheme. He considered that the issues raised were local ones and not such as to justify his intervention. That remains his view in respect of any other related applications for the provision of a sports and leisure complex on this site.

Television Cables

Mr. Steen: To ask the Secretary of State for the Environment what regulations govern the installation of cable television lines above ground in *(a)* national parks, *(b)* areas of outstanding natural beauty, *(c)* areas of great landscape value and *(d)* conservation areas.

Mr. Moynihan: Operators of local broad band cable systems are licensed by the Department of Trade and Industry and benefit from the permitted development rights set out in Part 24 of the Town and Country Planning General Development Order 1988. In addition, their licences restrict the manner and circumstances in which different forms of development may be undertaken. These conditions relate in particular to the placing of overhead wires and poles, and help provide for the protection of particularly sensitive areas such as national parks, AONBs, conservation areas etc. by requiring consultation with or the agreement of local planning authorities and others before apparatus is installed.

Green Belt, Brentwood

Mr. Fearn: To ask the Secretary of State for the Environment pursuant to his answer of 20 June *Official Report*, column *568*, if the Brentwood district council local plan which provides for a change of designation from green belt to that of an employment area meets the exceptional circumstances to which he referred.

Mr. Moynihan: Brentwood district council has not as yet published its draft local plan for public consultation, prior to placing it on formal deposit, it is during those stages and any subsequent local public inquiry that there will be opportunities to consider whether any proposed changes to the green belt are justified.

Extraction Licences

Mr. Morley: To ask the Secretary of State for the Environment what steps are being taken to ensure the conditions of extraction licences are complied with.

Mr. Moynihan: The Crown Estate, which grants the extraction licence, monitors the conditions that the Secretary of State has imposed when a favourable Government view has been given. If the Secretary of State is advised that such conditions are not adhered to, he can review the provision of the Government view and in some circumstances the Crown Estate could withdraw the licence.

DEFENCE

Aldermaston A-90 Building

Mr. Pike: To ask the Secretary of State for Defence what changes to the original programme of work have been made during the construction of the Aldermaston A-90 building.

Mr. Neubert: Changes to the programme of work for the A90 building at AWE Aldermaston were made as a result of the Government's decision to purchase the Trident system and in response to subsequent programme slippage. I refer the hon. Member to appendix 4 of the July 1987 report by the Comptroller and Auditor General—

"Control and Management of the Trident Programme" —HC27. The construction of A90 is now complete and equipment installation is proceeding within the scheduled time scale for Trident.

Warships (Satellite Communication Terminals)

Mr. Gareth Wardell: To ask the Secretary of State for Defence what is the current number of satellite communication terminals available for use by frigates or destroyers in the Royal Navy.

Mr. Neubert: Twenty-six satellite communications terminals are available for use by Royal Navy destroyers and frigates. Plans exist to fit the terminals to all Royal Navy destroyers and frigates.

Hypox Deck Flooring

Mr. Gareth Wardell: To ask the Secretary of State for Defence if he will list in the *Official Report* those frigates and destroyers in the Royal Navy fitted with Hypox deck flooring; and if he will separately distinguish the percentage of the total deck area covered in those vessels so fitted.

Mr. Neubert: Hypox was introduced into service in 1988 as an internal deck covering primarily for passages and wet spaces, which together comprise some 25 per cent. of the internal deck area of warships. It is used as appropriate as an alternative to linoleum and painted deck finishes. It is fitted on an opportunity basis, for example during refits, when existing deck surfaces are beyond repair. Material of this type is being fitted progressively in new frigates.

The actual amount fitted thus varies considerably from ship to ship and details of the amounts in individual ships are not available.

Lynx Helicopters (Radar System)

Mr. Gareth Wardell: To ask the Secretary of State for Defence if he will give consideration to updating the radar system on Royal Navy Lynx helicopters to give a 360 degrees scanning facility.

Mr. Neubert: We regularly assess proposals to maintain and enhance the effectiveness of the equipment available to the armed forces, taking into account a variety of factors, including the potential threat and the resources available. All our requirements are, therefore, subject to revision in the light of circumstance. We do not at present have any plans to update the Lynx radar system.

Low Flying

Mr. Robertson: To ask the Secretary of State for Defence if he will list the deployments of Skyguard radar to monitor low-flying exercises in the United Kingdom since October 1989; and if he will make a statement on the number and nature of any breaches of low-flying regulations that were detected.

Mr. Neubert: Since October 1989, the Skyguard system has been deployed to the following areas to monitor low flying:

North East England and Borders area
(Exercise Mallet Blow)—27 to 29 March 1990.
Shepton Mallet area—9 to 13 July 1990.

No breaches of low-flying regulations were substantiated during the March deployment. The results of the July deployment are still awaited.

RAF Leuchars (Noise)

Mr. Menzies Campbell: To ask the Secretary of State for Defence whether the results of the recent noise survey carried out in the vicinity of RAF Leuchars indicate that an extension of the noise insulation scheme would be required to bring all properties suffering from excessive noise within its ambit.

Mr. Archie Hamilton: The results show that further properties are subject to the qualifying level of noise for the payment of noise insulation grants.

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will publish the results of the noise survey recently carried out in the vicinity of RAF Leuchars.

Mr. Archie Hamilton: Yes. In accordance with established practice, this will coincide with the announcement of a revised noise compensation scheme.

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he has any plans to extend the area covered by the noise insulation scheme in the vicinity of RAF Leuchars; and if he will make a statement.

Mr. Archie Hamilton: My noble Friend the Under-Secretary of State for the Armed Forces intends to authorise an extension of the area of entitlement to noise insulation grants as soon as resources are available. The funding position is being monitored closely and my noble Friend will, in any event, be reviewing the situation towards the end of 1990.

RAF Greenham Common

Mr. Cohen: To ask the Secretary of State for Defence how many persons have been removed from RAF Greenham Common since 12 July.

Mr. Archie Hamilton: Members of the public were escorted from RAF Greenham Common on 128 occasions between 12 and 22 July 1990. This figure does not refer to 128 different people as many individuals have been escorted from the base on more than one occasion.

Mr. Cohen: To ask the Secretary of State for Defence what is the current policy of the Ministry of Defence police towards members of the public walking within the confines of the perimeter fence at RAF Greenham Common.

Mr. Archie Hamilton: RAF Greenham Common is Ministry of Defence property and there is no general right of access to it. The current policy of the Ministry of Defence police towards members of the public walking within the confines of the perimeter fence at the station is that trespassers who have committed no criminal damage will be escorted from the site, while persons who are suspected to having committed an offence, for example criminal damage, will be arrested and charged accordingly. The police wil not prevent the valid exercise of commoners' rights by those who are entitled to do so.

Mr. Cohen: To ask the Secretary of State for Defence how many arrests there have been within the confines of the perimeter fence at RAF Greenham Common since 12 July.

Mr. Archie Hamilton: There were 16 arrests within the confines of the perimeter fence at RAF Greenham Common between 12 and 22 July, all in connection with instances of criminal damage.

Mr. Cohen: To ask the Secretary of State for Defence if members of the public found within the confines of the perimeter fence at RAF Greenham Common are requested to leave before being placed into Ministry of Defence police vehicles.

Mr. Archie Hamilton: It is Ministry of Defence policy that members of the public found within the confines of the perimeter fence at RAF Greenham Common are requested to leave before being escorted off the base. For their own safety, trespassers are always taken to the base exit in MOD vehicles if it is beyond reasonable walking distance.

Regimental Running Costs

Mr. O'Neill: To ask the Secretary of State for Defence if he will estimate the average annual running costs of *(a)* the Life Guards, *(b)* the Blues and Royals, *(c)* the Grenadier Guards, *(d)* the Coldstream Guards, *(e)* the Scots Guards, *(f)* the Irish Guards and *(g)* the Welsh Guards.

Mr. Archie Hamilton: Information regarding the running costs of individual units is not held centrally and could be provided only with disproportionate time and effort.

Uniforms

Mr. O'Neill: To ask the Secretary of State for Defence what is his policy towards the wearing of service uniforms by civilians for commercial purposes.

Mr. Neubert: My noble Friend the Under-Secretary of State for the Armed Forces will write to the hon. Member.

Eastern Europe

Mr. O'Neill: To ask the Secretary of State for Defence what re-assessment has been made of the threat as a result of the Soviet troop withdrawals from Hungary and Czechoslovakia that have been made so far.

Mr. Archie Hamilton: Soviet withdrawals from Hungary and Czechoslovakia are well under way and are expected to be completed by mid-1991. We keep all threat assessments under review.

Equipment

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 2 May, *Official Report*, column *602*, whether his Department classifies *(a)* tank transmissions, *(b)* tank engine spare parts, *(c)* military avionics equipment, *(d)* encoding equipment, *(e)* military radars and *(f)* military optical equipment as non-lethal defence equipment.

Mr. Alan Clark: Yes.

Noise Regulations

Mr. John Evans: To ask the Secretary of State for Defence if he has issued any exemption certificates from the Noise at Work Regulations 1989 to *(a)* Her Majesty's forces and *(b)* visiting forces; and if he will make a statement.

Mr. Archie Hamilton: No certificates of exemption have been issued by my right hon. Friend under the Noise at Work Regulations 1989, either to Her Majesty's forces or any visiting force.

Expenditure Reductions

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 12 June, *Official Report*, column *142*, when he expects the work currently in progress to assess the possibility of altering the readiness of British military forces will be completed; and what expenditure reductions he estimates will be possible as a result of this work.

Mr. Archie Hamilton: SHAPE's review of the criteria govering the readiness and availability of alliance forces is not expected to be concluded for some time yet. Some interim measures, the details of which are classified, have already been implemented. It is too early to estimate what expenditure reductions may be possible as a result of this work.

Ceremonial Duties

Mr. O'Neill: To ask the Secretary of State for Defence what amount of time *(a)* the Life Guards, *(b)* Blues and Royals, *(c)* the 1 Battalion Grenadier Guards, *(d)* the 2 Battalion Grenadier Guards, *(e)* the 1 Battalion Coldstream Guards, *(f)* the 2 Battalion Coldstream Guards, *(g)* the 1 Battalion Scots Guards, *(h)* the 2 Battalion Scots Guards, *(f)* the Irish Guards and *(g)* the Welsh Guards have spent on ceremonial duties in each year for the last 10 years.

Mr. Archie Hamilton: Disproportionate effort would be required to identify actual periods spent on ceremonial duties by these units for each of the last 10 years.

Mr. O'Neill: To ask the Secretary of State for Defence what communications take place between his Department and the London tourist board regarding the ceremonial duties of the Guards division.

Mr. Archie Hamilton: There is regular contact with the London tourist board on the ceremonial duties of the Household Division including the provision of forecasts of events and press releases.

Mr. O'Neill: To ask the Secretary of State for Defence what is the approximate value of one Guards ceremonial uniform.

Mr. Archie Hamilton: The cost of ceremonial uniform varies. For example, the uniform for a guardsman of a foot Guards regiment costs approximately £970 whilst that of a trooper of the Household Cavalry mounted regiment costs about £4,450.

Service Catering

Mr. O'Neill: To ask the Secretary of State for Defence whether British meat is provided in service establishments.

Mr. Archie Hamilton: Yes.

HEALTH

Medicines Control Agency

Mr. Rost: To ask the Secretary of State for Health on what basis the Medicines Control Agency is obliged to recover all its running costs.

Mrs. Virginia Bottomley: The Evans Cunliffe report, a copy of which is available in the Library, on the control of medicines recommended inter alia that the full cost of the regulation of medicines should be recovered from industry.

This was one of the recommendations which Ministers accepted and the effect of this on fees was explained in the Department's consultative letter of 22 December 1988 (MLX 175) a copy of which is available in the Library.

I also refer my hon. Friend to the reply I gave him on 6 June at column *629*.

Mr. Rost: To ask the Secretary of State for Health what activity study of the Medicines Control Agency has recently been carried out; and if he will publish the results.

Mrs. Virginia Bottomley: A confidential activity analysis of the Medicines Control Agency was recently carried out by independent consultants. The information is being used in the current review of the Medicines Control Agency's fee structure.

Mr. Rost: To ask the Secretary of State for Health whether the Medicines Control Agency is presently subject to exemption from gross running costs control.

Mrs. Virginia Bottomley: The Medicines Control Agency—MCA—was approved for exemption from 1989-90 on the basis that the necessary information systems would be introduced that year. However, the MCA has experienced greater difficulty than anticipated in putting those systems into effect, and therefore the operation of the exemption attributes relating to its expenditure has been suspended temporarily, pending review in the current public expenditure survey. Under these temporary arrangements any increase in the MCA's gross expenditure as well as the funding of such an increase is required to be discussed and agreed with Treasury. In the meantime, the MCA has been working to meet the requirements for restoration of full exemption from gross running cost control and has continued to plan the restructuring of its fee income on the basis that the full exemption will be restored.

Mr. Rost: To ask the Secretary of State for Health what are the reasons for the difference between the figure given in the supply estimates for 1990-91 for the expenditure of the Medicines Control Agency and that quoted in his Department's letter to the hon. Member for Erewash of 6 April.

Mrs. Virginia Bottomley: The expenditure and income figures given in the supply estimates for 1990-91 represent payments and estimated receipts of cash voted and required for the operational costs of the Medicines Control Agency during the financial year 1990-91. Voted provision includes capital expenditure but excludes payments to the civil superannuation vote. The figures quoted in the Department's letter of 6 April are derived from accrual accounting and take into account depreciation, notional staff insurance, superannuation costs as well as interest on capital employed, and so on.

Mr. Rost: To ask the Secretary of State for Health whether it is open to the Medicines Control Agency to charge fees based on turnover.

Mrs. Virginia Bottomley: I have nothing to add to the reply I gave my hon. Friend on 6 June at column *629*.

Mr. Rost: To ask the Secretary of State for Health in what circumstances he envisages using the powers granted under the Health and Medicines Act 1988 to charge fees based on turnover through the Medicines Control Agency.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave him on 21 May 1990 at column *630*. Section 21 of the Health and Medicines Act clarified the basis under which regulations could be made in relation to an annual fee and also validated the basis on which previous annual fees had been charged. Any such proposals would be preceded by full consultation as is required under Section 129(6) of the Medicines Act 1968.

Mr. Rost: To ask the Secretary of State for Health whether Treasury guidelines cover the inclusion of work connected with the European Communities in those activities of the Medicines Control Agency of which the costs are to be met by licence fees.

Mrs. Virginia Bottomley: No Treasury guidelines have been issued specifically referring to EC work and the Medicines Control Agency. The rules which govern the factors to be taken into account in fixing fees under the Medicines Act 1971 are set out in the Medicines (Fixing of Fees Relating to Medicinal Products for Human Use) Order 1989 (SI 1989 No. 684) a copy of which is available in the Library.

Schedule 1 to that order sets out the functions which are to be taken into account in fixing fees under the 1971 Act, and schedule 2 details the matters to be taken into account in determining the cost of those functions. In relation to EC work I refer my hon. Friend to paragraphs 5 and 10(b) of schedule 1 and paragraph 1 of schedule 2.

AIDS

Mr. Kirkwood: To ask the Secretary of State for Health what further steps are being taken further to educate the general public about the risks of AIDS.

Mrs. Virginia Bottomley: We are fully committed to taking effective action to prevent the spread of HIV in all sections of the United Kingdom population. In the absence of a vaccine against HIV infection or a cure for AIDS, public education remains the cornerstone in our strategy and we continue to spend more on AIDS health education than on any other single health education programme.

The expert symposium convened by the United Kingdom Health Departments and the Health Education Authority on 24 November 1989 was successful in keeping this issue before the public and in providing a sound scientific basis for further campaign work at all levels about this serious threat to public health.

The Health Education Authority has already launched an effective TV and press campaign building on the conclusions reached at the symposium. The HEA is developing further campaign material and has also launched a campaign to warn young holidaymakers about the risks of casual sex while away from home. Targeted work aimed at influencing the behaviour of specific groups will also continue including among those whose activities may place them at particular risks of HIV infection.

To support this work we have encouraged health authorities to work with other statutory and voluntary agencies to develop local programmes for HIV prevention and have made new money available for this. We have also asked health authorities to appoint HIV prevention co-ordinators to spearhead this work and to pay particular attention to developing genito-urinary medicine and drug misuse services because of the crucial part both must play in HIV prevention.

We are also committed to continued support for the national AIDS helpline which acts as a valuable resource in support of our public education work.

We are determined to make further progress in the area of women and AIDS. This will be the theme of World AIDS Day 1990 on 1 December. Women have a central role in preventing the spread of HIV as health educators, carers and mothers.

We will continue to give high priority to HIV prevention and to ensure that health authorities and the health professions bring this into the mainstream of their work.

Mr. Strang: To ask the Secretary of State for Health what were the cumulative totals on 31 December 1987, 30 June 1988, 31 December 1988, 30 June 1989, 31 December 1989 and 30 June 1990 of *(a)* people who have died with AIDS, *(b)* people with AIDS including those who have died and *(c)* HIV antibody positive persons (i) in England by patient characteristic, (ii) in the United Kingdom by patient characteristic, (iii) in each of the regional health authority areas in England, (iv) in total in England and (v) in total in the United Kingdom.

Mrs. Virginia Bottomley: Information is not available in the specific form requested and special analyses to obtain this could be provided only at disproportionate cost. The hon. Member might find it helpful to see the AIDS HIV quarterly surveillance tables produced by the public health laboratory service AIDS centre and communicable diseases Scotland unit. These contain detailed data on HIV and AIDS surveillance. Copies will be placed in the Library.

Mr. McAllion: To ask the Secretary of State for Health what is his assessment of the annual cost to the national health service arising from the treatment of a patient suffering from AIDS.

Mrs. Virginia Bottomley: Spending on care for AIDS patients is not separately identified. This year, £127·5 million has been made available to health authorities in England as a contribution towards the costs of work to prevent the spread of HIV infection and the provision of diagnostic, treatment, care and support services for people infected with the virus, including those with AIDS.

Respite Care

Ms. Walley: To ask the Secretary of State for Health if he will make a statement on his policy on the need for provision of respite care in the proposals for community care.

Mrs. Virginia Bottomley: Respite care has an important part to play both in supporting carers and enabling dependent people to continue living in the community. Local authorities already have power to arrange short term admissions to care for this purpose. It is for the authority concerned to decide what facilities to provide in individual cases, taking account of the views of the person concerned and their carers.

Authorities are required to charge for residential care they provide or arrange but have discretion to limit the charge payable in the first eight weeks of any admission to the statutory minimum—currently £37·50 a week.

Disabled People

Mr. Tom Clarke: To ask the Secretary of State for Health what responses he has received from the local authority associations to his Department's letter of 19 February regarding the implementation of the Disabled Persons (Services, Consultation and Representation) Act 1986.

Mr. Dorrell: We received a response dated 4 July setting out the associations' initial thoughts and suggesting a meeting on 12 July. This meeting was subsequently postponed at the request of the associations.

NHS Reforms

Mr. Thurnham: To ask the Secretary of State for Health if he will make a statement on the progress of the implementation of reforms to the national health service.

Mrs. Virginia Bottomley: Progress on the implementation of the reforms set out in the White Paper "Working for Patients" is proceeding according to plan. The number of formal applications received so far from hospitals and units to become National Health Service trusts is 58. We expect about 400 GP practices are likely to undertake preparatory work to become fund holders in April 1991. So far, there have been about 150 expressions of interest to hold practice funds in 1992-93. It would not be practicable to phase in all the proposals set out in the White Paper "Caring for People" from the same date, but we will begin to implement them from 1 April 1991.

NHS Trusts

Mrs. Wise: To ask the Secretary of State for Health what is his estimate of the total amount of interest-bearing debts facing proposed self-governing hospital trusts which is now to be written off.

Mr. Dorrell: None of the potential NHS trusts have any interest bearing debts at present. When an NHS trust is set up it will be given an originating capital debt. Part of this debt will bear interest and will have to be repaid; as will interest bearing loans which a trust takes out to finance its activities. There are no plans to write off these debts or loans.

Mr. Blunkett: To ask the Secretary of State for Health what restraint will apply to national health service trust hospitals to avoid pre-empting public sector borrowing requirement assumptions for national health service capital spending; and if he will make a statement.

Mr. Dorrell: NHS trusts' borrowing for capital spending will be constrained by the size of their external financing limits. These will be set annually for each trust taking account of its forward business plan and available resources.

Family Planning

Ms. Primarolo: To ask the Secretary of State for Health if he will bring forward proposals to improve family planning services.

Mrs. Virginia Bottomley: I refer the hon. Member to the replies I gave my hon. Friend the Member for Bournemouth East (Mr. Atkinson) on 19 June at column *508* and on 27 June at columns *249-50*.

Community Care

Mr. Allen: To ask the Secretary of State for Health what plans he has to ensure that assessments of possible need for social care are carried out by local authority staffs before a patient is discharged from hospital, so that continued in-patient treatment can be offered if no appropriate care outside hospital is available.

Mrs. Virginia Bottomley: Health authorities, in conjunction with local authorities, are already responsible for developing individual discharge plans that ensure a continuity of health and social care. The existing circulars on hospital discharges—HC(89)5 and LAC(89)7—copies of which are available in the Library, instruct health authorities to start planning for discharge at as early a stage as possible, giving local authorities adequate notice to assess and provide for social care needs.

Mentally Ill People

Mr. Allen: To ask the Secretary of State for Health how many patients were discharged from mental illness hospitals for the latest available year *(a)* in total, *(b)* in under one month, *(c)* in under three months and *(d)* in under six months.

Mr. Dorrell: The information available centrally is given in the following table. The number of discharges is greater than the number of patients treated as some will be admitted more than once in a year.

Discharges by duration of stay 1987-88
Mental illness specialty

	Number
Total discharges	181,400
Length of stay	
Less than one month	117,960
One month or more but less than three months	45,250
Six months or more but less than one year	14,250

Mental Health Act Commission

Mr. Kirkhope: To ask the Secretary of State for Health if he has yet responded to the third biennial report of the Mental Health Act Commission.

Mr. Dorrell: I have today written to Mr. Louis Blom-Cooper QC, chairman of the Mental Health Act Commission, thanking the commission for all the excellent work over the period 1987 to 1989 summarised in its third biennial report, which my right hon. and learned Friend the Secretary of State laid before the House on 14 December 1989. I also included with my letter more detailed papers produced in the Department of Health, Home Office, Welsh Office and Department of Social Security responding to a number of specific points made in the report. The chairman of the Special Hospitals Service Authority has also written to the chairman of the Mental Health Act Commission responding to points made about the special hospitals. I have placed copies of my letter and the other documents in the Library.

Medicines Commission

Mr. Burns: To ask the Secretary of State for Health when he expects to receive the annual report of the Medicines Commission for 1989.

Mrs. Virginia Bottomley: I have received the report and copies have today been laid before both Houses of Parliament in accordance with the requirements of section 5(2) of the Medicines Act 1968.

Bound volumes will shortly be placed in the libraries containing the 1989 reports of the Medicines Commission, the Committee on Safety of Medicines, the Veterinary Products Committee, the British Pharmacopoeia Commission, the Committee on the Review of Medicines and the Committee on Dental and Surgical Materials.

I am glad to pay tribute to the highly valuable work done by the distinguished members of the Medicines Act advisory bodies and thank them warmly for the time and effort which they contribute to the public interest in this most important field.

Centre for Applied Microbiology and Research

Mr. Key: To ask the Secretary of State for Health if he will now make a further statement about the future of the Centre for Applied Microbiology and Research at Porton Down near Salisbury.

Mr. Dorrell: I have nothing to add to the reply my hon. Friend the then Parliamentary Under-Secretary of State gave my hon. Friend on 19 April at column *990*. A further statement will be made as soon as there is any substantial development to report.

Intensive Care Units

Mr. Tony Lloyd: To ask the Secretary of State for Health how many intensive care units there are; and what is the total number of beds in such units which have *(a)* a one-to-one nurse to patient relationship, *(b)* at least four beds per unit, *(c)* more than 250 admissions per annum and *(d)* full-time residential cover.

Mr. Dorrell: This information is not collected centrally.

Mr. Tony Lloyd: To ask the Secretary of State for Health on what basis he assesses the provision by district health authorities of intensive care treatment.

Mr. Dorrell: The provision of treatment in intensive care is a matter for clinicians. The facilities required are determined by health authorities in the light of local needs.

Radon Gas

Mr. Ward: To ask the Secretary of State for Health what funding has been made available by his Department for research into the health risks of radon gas.

Mr. Dorrell: The Department sponsors the National Radiological Protection Board which is conducting a substantial research programme into the effects of radon. A total of £4·7 million was committed by the Department of Health to the NRPB in 1989-90. The Department together with the Department of Environment, the NRPB and the Imperial Cancer Research Fund, is funding a research project entitled "A Study into the Effects of Radon in Houses" at the cancer epidemiology unit, Oxford. Total Government funding for the study, until the end of the financial year 1989-90, was nearly £88,000 of which £31,355 was provided by the Department of Health.

Old Medicines

Mr. Ward: To ask the Secretary of State for Health what steps his Department is taking to encourage the public to return old and unwanted medicines.

Mrs. Virginia Bottomley: Old and unwanted medicines are collected regularly by pharmacies, even in the absence of locally organised DUMP—disposal of unwanted medicines and pills—campaigns.

The Department supports the role of the Royal Pharmaceutical Society and local environmental health and district health authorities in organising, publicising and disposing of returned medicines from DUMP campaigns, and in educating the public to dispose of medicines safely.

Electoral Registration

Mr. Harry Barnes: To ask the Secretary of State for Health if he will list the numbers of parliamentary constituencies in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland, showing in each case how many constituencies experienced (i) an increase and (ii) a decrease in electoral registration in the periods (i) 1987 to 1988, (ii) 1988 to 1989 and (iii) 1989 to 1990.

Mr. Dorrell: The information requested is given in the table.

Number of parliamentary constituencies

	1987 to 1988 Electorates		*1988 to 1989 Electorates*		*1989 to 1990*[1] *Electorates*	
	Increased	*Decreased*	*Increased*	*Decreased*	*Increased*	*Decreased*
England	283	240	253	270	286	237
Wales	23	15	27	11	34	4
Scotland[1]	18	54	15	57	38	33
Northern Ireland	11	6	12	5	14	3

[1]The parliamentary electorate remained unchanged in one Scottish constituency between 1989 and 1990.

NHS (Food Sales)

Mr. Speller: To ask the Secretary of State for Health if he will take steps to prevent food products purchased by national health service institutions at special trade terms from being resold at discounted prices.

Mr. Dorrell: No. Since the passing of the Health and Medicines Act (1988), national health organisations have been allowed to sell goods and services at a profit to the private sector. The Government have made it clear to health authorities in the White Paper and follow-up guidelines that they should seek opportunities for sensible income generation as one way of increasing funds available for patient care. The core business of the NHS Supplies Organisation nevertheless remains the provision of a service to the national health service.

Orthotic Service

Mr. Ashley: To ask the Secretary of State for Health what action his Department has taken following the recommendations of the national health service management consultancy services in its study of the orthotic service, which was published in October 1988; and if he will make a statement.

Mrs. Virginia Bottomley: Comments received on the report are being considered. We are reviewing future arrangements for orthotic contracts with a view to introducing revised arrangements from 1 July 1991.

Hospital Discharges

Mr. Ashley: To ask the Secretary of State for Health if he will list the number of *(a)* physically handicapped people, *(b)* mentally handicapped people and *(c)* mentally ill people who were discharged from hospital after a period of treatment lasting (i) one month, (ii) three months and (iii) six months, during each of the last five years.

Mr. Dorrell: The information available centrally is given in the table. The number of discharges is greater than the number of patients treated as some will be admitted more than once in a year.

Discharges by duration of stay 1983 to 1987-88[1]

Length of stay	*1983*	*1984*	*1985*	*1986*	*1987-88*
(a) Physically handicapped people. No information is available centrally.					
(b) Mentally handicapped					
Less than 1 month	27,549	31,548	34,380	36,155	30,870
One month or more but less than 3 months	1,208	1,213	1,188	1,178	1,100
Three months or more but less than 6 months	326	303	378	405	570
Six months or more but less than 1 year	256	285	309	566	
(c) Mental illness					
Less than 1 month	109,757	112,759	116,919	115,868	117,960
One month or more but less than 3 months	48,591	48,574	50,323	50,245	45,250
Three months or more but less than 6 months	10,396	11,219	11,408	11,645	14,250
Six months or more but less than 1 year	4,697	5,043	4,921	5,149	

[1]For 1987-88 the figures given are for finished district spells which are not strictly comparable with the discharges shown for earlier years.

Wheelchairs and Seating

Mr. Ashley: To ask the Secretary of State for Health if he has received the report by the Leonard Cheshire Foundation on its wheelchair and seating project; and if he will make a statement.

Mr. Dorrell: The report has not been formally submitted to the Department. I understand a copy of the report has now been made available to the Disablement Services Authority and that a meeting has been arranged with the director of the Leonard Cheshire Foundation.

Mr. Ashley: To ask the Secretary of State for Health what representations he has received from the Disablement Services Authority concerning the level of funding required for the provision of special seating for disabled people; and if he will make a statement.

Mr. Dorrell: The Disablement Services Authority has brought the matter of funding for special seating for severely disabled people to our attention on several occasions and in particular at the formal reviews of the authority in 1988 and 1989. As a result, we have provided £1 million for this purpose from the present year onwards.

Mr. Ashley: To ask the Secretary of State for Health what representations he has received concerning the level of funding required for the provision of special seating for disabled people; and if he will make a statement.

Mr. Dorrell: We have received a small number of recent letters from voluntary organisations. The Disablement Services Authority, which has the primary responsibility for the provision of special seating for severely disabled people in wheelchairs, has been allocated an additional £1 million specifically for this purpose from 1990-91 onwards. District health authorities continue to provide some special seating.

Prosthetic and Orthotic Courses

Mr. Orme: To ask the Secretary of State for Health what representations he has received about the concern caused to patients, doctors, voluntary organisations and paramedical professional staff by the delay in funding the training of orthotists and prosthetists at Salford; and if he will make a statement.

Miss Lestor: To ask the Secretary of State for Health what representations he has received concerning, and what action he proposes to take to meet, the shortfall of skilled prosthetists and orthotists arising from the delay in establishing the relevant courses at Salford; and if he will make a statement.

Mrs. Virginia Bottomley: Representations about funding for training have been received from the Orthotic and Prosthetic Training and Education Council, the London School of Prosthetics and the National Association of Limbless Disabled, and from some individuals. We have discussed the provision of a degree level course for orthotists and prosthetists at Salford with the Orthotic and Prosthetic Training Committee Universities Funding Council, Salford university and Salford polytechnic. Because of the complex issues involved, no decision is expected for some time.

Until the start of a new degree course, the Orthotic and Prosthetic Training and Education Council, which has responsibility for training of orthotists and prosthetists, are making plans to continue present training arrangements.

NHS Statistics

Sir Norman Fowler: To ask the Secretary of State for Health (1) how many in-patient cases are now being treated in the national health service; what is the

percentage difference between this figure and the figures in 1987, 1983 and 1979; and whether he will make a statement;

(2) how many day cases are now being treated in the national health service; and what is the percentage difference between this figure and the figures in 1987, 1983 and 1979.

Mr. Dorrell: A total of 6·59 million in-patient cases were treated in NHS hospitals in England during 1988-89, the latest date for which figures are available; this is 1 per cent. less than in 1987-88, 9 per cent. more than in 1983, and 22 per cent. more than in 1979.

A total of 1·02 million day cases were treated in NHS hospitals in England during 1988-89, the latest date for which figures are available; this is 15 per cent. more than in 1987-88, 25 per cent. more than in 1983, and 72 per cent. more than in 1979.

Sir Norman Fowler: To ask the Secretary of State for Health what savings to the health servide have been made from the introduction of the selected list of drugs; and whether he will make a statement.

Mrs. Virginia Bottomley: In 1985-86 the Selected List Scheme saved £75 million on the drugs bill. It is not possible to make meaningful estimates for subsequent years, but there is good reason to believe that significant savings continue to be made.

Whooping Cough

Sir Norman Fowler: To ask the Secretary of State for Health what is the current estimated vaccination rate against whooping cough currently; what is was in 1978, 1979 and 1987; and whether he will make a statement.

Mr. Dorrell: The percentage vaccination rates in England against whooping cough for the earlier years quoted were:

	Number
1978	31
1979	35
1987-88	73

The latest year for which confirmed figures are available is 1988-89, when the uptake in England was 75 per cent. I am delighted to say, however, that the COVER—cover of vaccination evaluated rapidly—programme at the public health laboratory service board's communicable disease surveillance centre has recently reported results which demonstrate that at May this year vaccination coverage on whooping cough had reached 82 per cent. for England. Several district health authorities are believed to have reached coverage of 90 per cent. or more. These figures do not take account of the effect on uptake of the immunisation bonus payments for general practitioners, introduced in the new contract from April this year, or of the acceleration to two, three, and four months of the schedule for vaccinating infants against diphtheria, tetanus, whooping cough and poliomyelitis, which began on 1 May. We hope that both these developments will lead to even better coverage.

Needle Exchange Schemes

Mr. Strang: To ask the Secretary of State for Health how many needle exchange schemes are currently operating in each regional health authority area in England.

Mrs. Virginia Bottomley: This information is not held centrally. I refer the hon. Member to the reply I gave him on 5 June at column *582*.

NHS Industrial Therapy Units

Mr. Blunkett: To ask the Secretary of State for Health if he will estimate the numbers of patients working in industrial therapy units in national health service hospitals *(a)* in Britain and *(b)* by region.

Mr. Dorrell: The information requested is not collected centrally.

Southern Derbyshire Health Authority

Mrs. Currie: To ask the Secretary of State for Health how many *(a)* nurses and midwives, *(b)* hospital doctors, *(c)* general practitioners, *(d)* general practitioners' support staff and *(e)* dentists were employed by Southern Derbyshire health authority in 1984 and in the latest year for which figures are available.

Mr. Dorrell: The information requested is as follows:

	1984	*1988*
Nurses and midwives[1]	3,870	3,980
General practitioners[2]	438	475
General practitioner support staff[3]	483	631
Dentists[3]	190	219
Hospital and community health service dentists[4]	13·1	10·9

[1] Whole time equivalents.
[2] Unrestricted principals in the Derbyshire family practitioner committee area.
[3] Figure covers dentists in general practice in the Derbyshire family practitioner area.
[4] Includes permanent paid, honorary and locum staff but excludes all consultants and senior registrars whose contracts are held by the regional health authority.

I shall write to my hon. Friend with the figures for hospital doctors, once the figures have been verified.

Mrs. Currie: To ask the Secretary of State for Health how many *(a)* in-patients, *(b)* out-patients and *(c)* day-cases were treated by Southern Derbyshire health authority in 1984 and the latest year for which figures are available.

Mr. Dorrell: The information requested is given in the table.

Southern Derbyshire District Health Authority

	1984	*1988-89*	*Percentage change*
In-patients	53,558	54,759	+2
Out-patients	324,497	[1]317,672	−2
Day-cases	3,262	4,977	+52

Sources: 1984. SH3
1988-89. SH3A, KH05, KH09, KH18

[1] The 1988-89 data include 2,041 ward attenders who would previously have been classified as out-patients.

GP Lists

Mrs. Currie: To ask the Secretary of State for Health what was the average general practitioner list size in Derbyshire health authority in 1984 and in the latest year for which figures are available.

Mrs. Virginia Bottomley: At 1 October 1984, the average list size of general practitioners in Derbyshire family practitioner committee's area was 2,179. At 1 October 1988, the latest year for which figures are available, the figure was 2,043.

Hampshire GPs (Late Payment)

Mr. John Browne: To ask the Secretary of State for Health if he will make a statement on the late payment by Hampshire family practitioner committee to general practitioners in Hampshire; and what steps have been taken to remedy the shortfall in cash flow to doctors.

Mrs. Virginia Bottomley: All general practitioners in Hampshire were paid an advance by the due date of 29 June. Further advances were made to GPs on 6 July and 13 July which were designed to remedy any shortfall against the amount due. If, in any particular case, a doctor continues to experience a cash flow problem he or she should discuss the matter with the family practitioner committee. The committee will make any necessary adjustments as soon as possible.

Heart Disease

Mr. David Young: To ask the Secretary of State for Health what is the rate of ECG testing for heart disease per 1,000 of population in each of the district health authorities in the north-west region.

Mr. Dorrell: The available information is given in the table. Patients may be referred for an electrocardiogram to a district other than the one in which they reside. The rates per thousand population may therefore have little significance.

Requests for electrocardiograms[1] (ECGs) and rates per thousand population, North Western region, 1988-89

District Health Authority	*ECG request*	*Population estimates (000's)*	*Requests per 1,000 population*
Lancaster	11,835	131·1	90·2
Blackpool, Wyre and Fylde	21,743	320·0	67·9
Preston	15,413	128·1	120·4
Blackburn, Hyndburn and Ribble Valley	13,381	264·8	50·5
Burnley, Pendle and Rossendale	7,308	228·3	32·0
West Lancashire	10,196	105·4	96·8
Chorley and South Ribble	740	196·8	3·8
Bolton	16,726	263·6	63·4
Bury	18,316	175·0	104·7
North Manchester	20,971	139·7	150·1
Central Manchester	22,401	122·4	183·1
South Manchester	48,424	183·8	263·4
Oldham	14,947	219·5	68·1
Rochdale	14,079	214·2	65·7
Salford	27,756	235·6	117·8
Stockport	22,894	290·9	78·7
Tameside and Glossop	15,908	247·0	64·4
Trafford	12,471	215·8	57·8
Wigan	27,289	307·6	88·7
Total	342,798	3,989·8	85·9

[1] Request for a single diagnostic investigation on an individual, regardless of the number of ECGs involved. Requests for ambulatory ECG monitoring and exercise ECGs are included.

Source:

KH13 return.

Mid 1988 population estimates, Office of Population, Censuses and Surveys.

Mr. David Young: To ask the Secretary of State for Health what is the number of staff employed in ECG testing for heart disease in each district health authority in the north-west region.

Mrs. Virginia Bottomley: This information is not held centrally.

Prescribing

Mr. Michael: To ask the Secretary of State for Health if he will place in the Library a copy of all the professional publications his Department has provided to national health service doctors containing advice about drug prescribing, including those referred to in his reply of 16 July *Official Report*, column *411*, together with any departmental cover letters sent with such documents.

Mrs. Virginia Bottomley: The professional publications containing advice about drug prescribing which are provided to NHS doctors at the Department's expense are as follows:

British National Formulary
Drug and Therapeutics Bulletin (including adverse Drug Reactions Bulletin)
Prescriber's Journal
Current Problems

Copies of each edition of these publications are already sent routinely to the Library.

Mr. Michael: To ask the Secretary of State for Health further to his answer of 16 July *Official Report*, column *411*, if he will list the specific circulars, documents and advice notes issued by his Department over the past 10 years in respect of *(a)* over-prescribing and *(b)* under-prescribing; and if he will place copies of all such documents in the Library.

Mrs. Virginia Bottomley: The Department issued comprehensive guidance to family practitioner committees' on the management of the general medical services under the White Paper "Promoting Better Health", including prescribing, in November 1989. FPCs are now concentrating their efforts on preparing for the introduction of the indicative prescribing scheme in April 1991. To assist them we issued on 23 May 1990 "Improving Prescribing" a working paper on the operation of the scheme. Copies of "Promoting Better Health" and "Improving Prescribing" were placed in the Library at the time of their issue. We intend to issue further guidance on financial and other matters relating to the scheme in the autumn.

Asthma

Mr. Andrew Welsh: To ask the Secretary of State for Health how many people have *(a)* suffered from and *(b)* died from asthma in each of the last five years for which

figures are available; how many family practitioner committees curently fund asthma clinics run by their general practitioners; and whether the Government intends to continue their support for asthma screening clinics in general practice.

Mrs. Virginia Bottomley: Information on the number of people suffering from asthma is not available. The information requested on deaths from asthma is set out in the table. Information on the number of family practitioner committees making sessional payments to GPs running health promotion clinics for asthma sufferers is not collected centrally. It is for family practitioner committees to determine which clinics will qualify for sessional payments as health promotion clinics. In principle, and provided the FPC is satisfied that the other criteria—duration, numbers attending, and so on—are met, there is no reason why asthma clinics should not qualify for payments.

Number of deaths due to asthma[1], England and Wales 1985-89

Year	Males	Females	Total
1985	828	1,144	1,972
1986	827	1,163	1,990
1987	803	1,095	1,898
1988	832	1,174	2,006
[2]1989	782	1,175	1,957

Note:
From 1986 onwards an underlying cause of death was not assigned to deaths occurring to those aged 28 days. 1986[2] data therefore relate to those deaths occurring at 28 days[2].
[1]International Classification of Disease Code 493.
[2]Provisional.

Food Poisoning

Sir Michael McNair-Wilson: To ask the Secretary of State for Health how many cases of campylobacter food poisoning have been reported to his Department over the last 12 months; and whether any health warnings about the bacteria have been published.

Mr. Dorrell: Laboratory reports to the public health laboratory service communicable disease surveillance centre of campylobacter for England and Wales are:—
1989 = 32,745[1]
1990 to week 26 (that is, week ending 29 June) = 15,768[1].

[1] Provisional.

In May 1989, 14 million copies of the food safety leaflet —a copy is available in the Library—jointly published by the Department of Health and the Ministry of Agriculture, Fisheries and Food were distributed to the general public. This leaflet gave advice on how food could be handled safely to avoid the human health risks posed by some types of bacteria, including campylobacter.

SOCIAL SECURITY

Single Parents

Mrs. Gorman: To ask the Secretary of State for Social Security if he will commission a study on the disincentive effects of specific welfare benefits in relation to the encouragement of single mothers to return to work.

Mrs. Gillian Shephard: Social security benefits are structured so that, while not requiring lone parents with children up to the age of 16 to be available for work, they contain measures which help lone parents who wish to work. In income support lone parents have the first £15 of their earnings disregarded; this is higher than for most single people and couples. In family credit loan parents get the same adult credit as two-parent families and one-parent benefit is disregarded in calculating their income. In addition, in October the earnings disregard in housing benefit and community charge benefit for lone parents not on income support will be raised from £15 to £25 a week. We keep these arrangements under continuing review to ensure they work in the way intended, and commission independent research where appropriate.

Local Offices

Mr. Meale: To ask the Secretary of State for Social Security (1) if he will provide details of the agreed timetables for the introduction of new local office reorganisation, region by region;

(2) if he will make it his policy that the full range of social security benefits and levels of services provided by local offices of his Department, in particular that located at Hill House, Mansfield, will continue after the implementation of his Department's organisation review.

Mrs. Gillian Shephard: I am happy to confirm that it is our policy that local offices should continue to provide the full range of social security benefits and current or improved levels of service following implementation of our network review. Once local managers have been appointed later this year they will start detailed planning, the principal aim of which will be to ensure that the best possible service to local customers is provided.

The timetable for implementation of the new network will depend on many local and national factors including the availability of resources. Final decisions have yet to be taken.

I refer the hon. Member to the reply given to the hon. Member for Rochdale (Sir C. Smith) on 11 July at columns *242-43* for more details of the network review.

Social Fund

Ms. Mowlam: To ask the Secretary of State for Social Security how many applications for review were received during the period April 1989 to March 1990 inclusive in respect of *(a)* social fund community care grants, *(b)* social fund budgeting loans and *(c)* social fund crisis loans, by each of his Department's local offices at Eston, Hartlepool, Middlesbrough, Redcar and Stockton, and how many of each of these applications for review resulted in revised decisions.

Mr. Scott: The following tables show the number of applications for review that were made at the Eston, Hartlepool, Middlesbrough, Redcar and Stockton local offices in the period April 1989 to March 1990 and the number of revised decisions in that period.

	Applications received	Decisions revised
Eston		
Community care grants	180	23
Budgeting loans	493	53
Crisis loans	9	2
Hartlepool		
Community care grants	265	36
Budgeting loans	444	55

	Applications received	Decisions revised
Crisis loans	9	3
Middlesbrough		
Community care grants	1,137	144
Budgeting loans	1,483	288
Crisis loans	77	12
Stockton		
Community care grants	1,016	153
Budgeting loans	1,076	169
Crisis loans	30	6
Redcar		
Community care grants	239	47
Budgeting loans	282	48
Crisis loans	8	2

Some of the revised decisions will refer to review applications made in a previous period and decisions may not have been made on some of the review applications made in the period shown.

Ms. Mowlam: To ask the Secretary of State for Social Security how many applications for review of social fund decisions were received by the office of the social fund inspectors during the period April 1989 to March 1990 inclusive in respect of *(a)* social fund community care grants, *(b)* social fund budgeting loans and *(c)* social fund crisis loans, relating to decisions made by each of his Department's offices at Eston, Hartlepool, Middlesbrough, Redcar and Stockton; and how many of these applications for social fund inspectors review resulted in (i) decisions substituted by the social fund inspectors, (ii) decisions referred back to the social fund office and (iii) decisions confirmed by the social fund inspectors.

Mr. Scott: I am advised by the Social Fund Commissioner that, between 1 April 1989 and 31 March 1990, a total of 430 applications for review were received at the office of the social fund inspectors from the Department's offices at Eston, Hartlepool, Middlesbrough, Redcar and Stockton. The social fund inspectors have reached decisions in 358 cases from these offices in this period.

The information, as requested, is shown in the following table

Numbers of applications for review received at the office of the social fund inspector April 1989 to March 1990

	Budgeting loans	Crisis loans	Community care grants
Eston			
Received	37	[illegible]	15
Confirmed	7	0	5
Referred back	22	0	8
Substituted	2	0	0
Hartlepool			
Received	8	1	13
Confirmed	2	1	2
Referred back	4	0	8
Substituted	2	0	0
Middlesbrough			
Received	75	9	120
Confirmed	24	1	18
Referred back	32	4	65
Substituted	8	1	16
Redcar			
Received	9	1	16
Confirmed	5	0	4
Referred back	2	1	6
Substituted	0	0	2
Stockton			
Received	41	0	85
Confirmed	7	0	17
Referred back	26	0	40
Substituted	3	0	13

Pensions

Mr. Ashley: To ask the Secretary of State for Social Security what information he has as to which countries in the EEC pay a pension equivalent to the invalid care allowance; and what are the rates paid to people who receive this pension *(a)* before 60 years of age and *(b)* after 60 years of age in each country.

Mrs. Gillian Shephard: The United Kingdom is the only country in the European Community which pays a benefit to a carer, in the form of invalid care allowance—as distinct from any other benefit paid to an invalid person.

Young People (Benefits)

Mr. Fatchett: To ask the Secretary of State for Social Security how many families with children in full-time education *(a)* 16 years, *(b)* 17 years and *(c)* 18 years were in receipt of (i) income support, and (ii) family credit, in 1989-90; and how many families lost the child allowance in the benefit during the course of that year because the child, even though in full-time education, reached the age of 19 years.

Mrs. Gillian Shephard: The information requested is set out in the table. Families appear in each age category in which they have a child.

Families with children	On income support[1]	On family credit[2]
Aged 16 years	66,000	20,000
Aged 17 years	26,000	9,500
Aged 18 years	15,000	5,000

[1] *Source:* annual statistical inquiry May 1989.

[2] Figures relate to awards current at 31 March 1990 and refer to the age of the child at the beginning of the 26-week award.

I regret that information on the number of families on income support where the child's personal allowance was lost during 1989-90 is not available. Family credit awards have regard to the age of the child at the start of the award and the amount payable remains unchanged throughout the period of the 26-week award, even if the 19th birthday falls in that period. No information is available about the number of 19-year-olds still in full-time, non-advanced education at the expiry of the last family credit award in which they were included as a dependant.

Women Pensioners

Mr. Meacher: To ask the Secretary of State for Social Security what was the average contribution record, including credits for home responsibility of women retiring in each of the last 10 years.

Mrs. Gillian Shephard: I regret that the information is not available in the form requested and could be obtained only at disproportionate cost.

Mr. Meacher: To ask the Secretary of State for Social Security what percentage of women retiring in each of the last 10 years received a full category A pension.

Mrs. Gillian Shephard: The information requested is set out in the table.

Percentage of awards of retirement pension to women at the full category A rate

Period ending	*Per cent.*
12 months to May 1980	16·4
13 months to June 1981	16·9
11 months to May 1982	20·3
10 months to March 1983	17·1
12 months to March 1984	15·8
12 months to March 1985	17·5
12 months to March 1986	16·1
6 months to September 1986	16·3
12 months to September 1987	16·9
6 months to March 1988	16·9
12 months to March 1989	16·7

Source: Departmental statistics.

Mobility Allowance

Mr. Patchett: To ask the Secretary of State for Social Security if he will bring forward proposals to amend section 37A(5)(a) of the Social Security Act 1975, to ensure disabled under-fives have an entitlement to mobility allowance.

Mr. Scott: We have no plans to do so.

Severe Disablement Allowance

Mr. Allen: To ask the Secretary of State for Social Security what is the estimated *(a)* gross cost and *(b)* net cost to the Exchequer of increasing the present severe disablement allowance to the full rate of invalidity benefit; and how many people will be affected by this.

Mr. Scott: I refer the hon. Member to my reply to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) on 12 June at column *164*. The current number of recipients of severe disablement allowance is 274,500.

Disabled People

Mr. Allen: To ask the Secretary of State for Social Security how many people have *(a)* 40 per cent. or more disability and *(b)* 80 per cent. or more disability; and how many in each category are aged (i) 60 to 65 years, (ii) 65 to 70 years (iii) 70 to 75 years and (iv) over 75 years.

Mr. Scott: Information is not available in the form requested. Available details for people receiving industrial injuries disablement benefit and war disablement pension are in the table.

(a) Industrial Injuries Disablement Benefit

	35 per cent. disablement and over	*75 per cent. disablement and over*
Total (all ages)	49,950	6,780
Age 60-64	7,710	820
65-69	7,700	1,140
70-74	5,400	670
75 and over	6,460	860

(b) War Disablement Pension

	40 per cent. disablement and over	*80 per cent. disablement and over*
Total (all ages)	[1]71,460	19,527

[1] Of these about 48,000 are aged 65 or over.

Disability Employment Credit

Mr. Hannam: To ask the Secretary of State for Social Security if his Department intends to issue a consultative document based on the proposals for a disability employment credit published in the White Paper entitled "The Way Ahead".

Mr. Scott: When we announced our proposals in "The Way Ahead: Benefits for Disabled People" (Cm 917) on 10 January we made it clear that we would continue to welcome views and comments whilst work was progressing on the two new benefits, disability allowance and disability employment credit.

Operational Strategy

Mr. Meacher: To ask the Secretary of State for Social Security if he will give the latest estimate of the cost of the operational strategy, indicating how and why this differs from the original estimate.

Mrs. Gillian Shephard: The latest available estimate is in the order of £1,800 million up to the end of March 1999. The reasons for the difference between this figure and the estimate made in 1982 were examined by the Committee of Public Accounts in its 24th report—HC 179. I refer the hon. Member to that report.

Unemployment Costs

Mr. Nicholas Brown: To ask the Secretary of State for Social Security what is the latest estimate of the saving to the Exchequer of each 100,000 reduction in the number of people unemployed.

Mrs. Gillian Shephard: The latest estimate is contained in table 14.22 of Cm 1014. The figure for 1990-91 is £265 million.

Pensioners

Mr. Nicholas Brown: To ask the Secretary of State for Social Security how many pensioners there are over the age of 75 years, divided into males and females; and what is *(a)* their average income from all sources and *(b)* the income distribution of such pensioners.

Mrs. Gillian Shephard: It is estimated in March 1989 that there are 1·33 million male pensioners and 2·58 million female pensioners over the age of 75.

(Source: Retirement Pension statistics March 1989).

The average net income of pensioners[1] over 75 from all sources was £87·70 per week in 1987. The income distribution was as follows[2]:

	Per cent.
Up to £50 per week	18
£50·01 to £75 per week	42
£75·01 to £100 per week	19
Over £100 per week	21

[1] All figures refer to single pensioners aged over 75 and couples where the head is over 75. Figures for males and females cannot be provided separately due to inadequate statistical sample size.
[2] Source: Family Expenditure Survey.

Epilepsy

Mr. John Hughes: To ask the Secretary of State for Social Security how many people suffering from epilepsy have been refused attendance allowance benefit.

Mr. Scott: The information requested is not available.

Young People

Mr. Andrew Welsh: To ask the Secretary of State for Social Security if he will make a statement concerning the Government's intention to commission independent research into the operation of benefit and youth training provision for 16 and 17-year-olds; and if the research will include an examination of the appropriateness or suitability of the training for the young people's needs and the size of the sample.

Mrs. Gillian Shephard: Further details of the proposed research into the operation of arrangements for 16 and 17-year-olds, announced by my noble Friend in another place on 2 July, will be given shortly.

Mr. John Hughes: To ask the Secretary of State for Social Security what differences apply between the rights of European Community students and European Community non-students in claiming social security benefits.

Mrs. Gillian Shephard: Students and non-students who are nationals of other EC member states and have a right of residence in the United Kingdom have the same social security benefit rights as their counterparts who are United Kingdom nationals. In addition EC nationals who are workers, whether or not they are also students, are covered by the provisions of Social Security Regulations (EEC) No. 1408/71—co-ordination of member states' social security schemes for migrant workers and their families.

Community Care

Mr. Meacher: To ask the Secretary of State for Social Security if he will give full details of the expenditure implications for his Department of delaying full implementation of the community care proposals.

Mrs. Gillian Shephard: The public expenditure White Paper—Cm. 1014—contains the present planning totals for social security expenditure. These totals do not take account of the community care benefit changes now planned for 1993. Adjustments to these totals for any reason will be made in this year's public expenditure survey in the usual way.

Attendance Allowance

Mr. Livsey: To ask the Secretary of State for Social Security what measures he proposes to implement in order to increase the take-up of attendance allowance among members of the social security disabled persons register.

Mr. Scott *[pursuant to his reply of 11 July 1990, c. 243]:* The reply should have read:

"We have no plans to mount such a campaign. The number of people receiving attendance allowance has more than doubled from 286,000 in 1979 to 763,000 in 1989".

Bradford and Keighley Local Offices

Mr. Madden: To ask the Secretary of State for Social Security if he will provide for the Bradford and Keighley social security offices comparable information to that provided in his answer of 6 July to the hon. Member for Islington, North, (Mr. Corbyn) *Official Report*, column *721*, together with the same information for the years 1985-86 and 1986-87.

Mr. Scott *[holding answer 17 July 1990]:* The tables show the comparative single payments and social fund expenditures for the Bradford East, Bradford South, Bradford West and Keighley Department of Social Security offices as reckoned by the gross domestic product deflator.

£ millions

	Expenditure
Bradford East	
1985-86 Single Payments	1·6
1986-87 Single Payments	1·2
1987-88 Single Payments	0·6
1988-89 Social Fund:	
Gross	0·5
Net	0·2
1989-90 Social Fund:	
Gross	0·5
Net	0·2
Bradford South	
1985-86 Single Payments	1·0
1986-87 Single Payments	0·9
1987-88 Single Payments	0·6
1988-89 Social Fund:	
Gross	0·4
Net	0·2
1989-90 Social Fund	
Gross	0·5
Net	0·2
Bradford West	
1985-86 Single Payments	1·4
1986-87 Single Payments	1·1
1987-88 Single Payments	0·6
1988-89 Social Fund:	
Gross	0·5
Net	0·2
1989-90 Social Fund:	
Gross	0·5
Net	0·2
Keighley	
1985-86 Single Payments	0·5
1986-87 Single Payments	0·5
1987-88 Single Payments	0·3
1988-89 Social Fund	
Gross	0·2
Net	0·1
1989-90 Social Fund	
Gross	0·2
Net	0·1

Figures are summed to the nearest £100,000.

Household Incomes

Mr. Frank Field: To ask the Secretary of State for Social Security if he will now publish the 1987 data on households below average income.

Mrs. Gillian Shephard *[pursuant to her reply, 20 July, 1990]:* We are today publishing the new edition of "Households Below Average Income", copies of which I am placing in the Library. I am also placing in the Library

copies of my right hon Friend the Secretary of State's response to the Social Services Select Committee's fourth report, on low-income statistics.

EMPLOYMENT

Nottingham TEC

Mr. Allen: To ask the Secretary of State for Employment when he next plans to visit Nottingham training and enterprise council.

Mr. Eggar: My right hon. and learned Friend visited Nottingham on 15 June and was delighted to be able to confirm the award of development funding to the Greater Nottingham training and enterprise council (TEC). He has no immediate plans to make a further visit to the TEC.

Training Agencies

Mr. McLeish: To ask the Secretary of State for Employment what assistance his Department has given to the fraud squad in its investigation into the Mutual Aid Centre Managing Agency; and if he will make a statement.

Mr. Eggar: Every assistance requested was given by my Department to the fraud squad, to help them with their investigations relating to the Mutual Aid Centre Managing Agency.

As always, it is the policy of my Department where there are cases of alleged misuse of public funds or fraud, to carry out investigations and to provide every assistance to the appropriate authorities.

Mr. McLeish: To ask the Secretary of State for Employment if he will provide the total funding given to each of *(a)* Mutual Aid Centre Managing Agency, North London Managing Agency, South London Managing Agency, East London Managing Agency, Birmingham Managing Agency and Chilterns Managing Agency, *(b)* Inner City Training Ltd., *(c)* City Training Link, *(d)* Electronics Aids Workshop and *(e)* High Wycombe (Brass Tacks) Workshop Ltd.

Mr. Eggar: I regret that the information could be obtained only at disproportionate cost.

Mr. McLeish: To ask the Secretary of State for Employment if the Training Agency receives annual accounts and lists of company shareholders for all training agents and managers involved in the delivery of employment training/community project and youth training.

Mr. Nicholls: My Department receives annual accounts from training providers contracted with the Training Agency for the delivery of employment training/youth training. Under the former community programme, managing agents provided audited accounts on an annual basis. Lists of company shareholders are not received.

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement on *(a)* the monitoring of expenditure in employment training by the Training Agency, *(b)* the role of the Training Advisory Standard Service in ensuring the quality of employment training and *(c)* the progress made by the Training Agency in training agents and training managers achieving approved training organisation status.

Mr. Nicholls: My Department monitors closely the level of expenditure on employment training through its financial management and accounting system. The Training Standards Advisory Service provides an objective assessment of the quality of training offered by approved training organisations. At 31 May 1990, 153 training agents and 881 training managers had received approval for stage 1 and one training agent and six training managers had received approval for stage 2. I refer the hon. Member to the reply given to the hon. Member for Amber Valley (Mr. Oppenheim) on 20 July 1990.

Mr. McLeish: To ask the Secretary of State for Employment if he will list the number of visits made by the Training Agency to each of *(a)* Mutual Aid Centre Managing Agency, *(b)* Inner City Training Ltd, *(c)* City Training Link, *(d)* Electronics Aids Workshop, and *(e)* High Wycombe (Brass Tacks) Workshops Ltd.

Mr. Eggar: Training Agency staff have made a large number of formal and informal visits to Inner City Training Limited and City Training Link. Precise numbers are not available. The other organisations listed by the hon. Member ceased to deliver training programmes before or shortly after September 1988, when the Training Agency came into existence.

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement about Inner City Training Ltd's termination of its horticultural scheme.

Mr. Eggar: Information on this matter is relevant to a contract with an individual training provider and is therefore commercial in confidence.

Mr. McLeish: To ask the Secretary of State for Employment what was the total expenditure on *(a)* employment training agents and *(b)* employment training training management in the period September 1988 to April 1990.

Mr. Nicholls: For the period September 1988 to end March 1990, total expenditure on employment training (ET) training agents was £37·9 million and ET training managers was £667·9 million. Expenditure information for April 1990 is not available in the form requested.

Mr. McLeish: To ask the Secretary of State for Employment if he will review the use of training agents and training managers in the delivery of employment training; and if he will make a statement.

Mr. Nicholls: My right hon. and learned Friend has no plans to review the current use of training agents and training managers in employment training. My Department keeps their performance under constant review. Training and enterprise councils and local enterprise companies will make arrangements to deliver employment training in the manner most appropriate to the needs of their areas. These arrangements are described in the corporate and business plans approved by the appropriate Secretary of State.

Mr. McLeish: To ask the Secretary of State for Employment if the £65,000 owed to the Training Agency by Mutual Aid Centre Managing Agency, as a result of the company going into receivership, has been repaid.

Mr. Eggar: I am informed that the £65,000 mentioned in the Mutual Aid Centre Managing Agency's schedule of creditors has not been repaid.

Mr. McLeish: To ask the Secretary of State for Employment when the fraud squad completed its investigation of the Mutual Aid Centre Managing Agency's involvement in the community programme and youth training; and if he will make a statement.

Mr. Eggar: My Department has no information on the date when the fraud squad completed its investigation.

Mr. McLeish: To ask the Secretary of State for Employment when involvement of City Training Link in employment training and community programme and youth training was approved; and if he will make a statement.

Mr. Nicholls: City Training Link was approved to deliver employment training on 22 September 1988. The organisation has not been involved in the community programme or youth training.

Mr. McLeish: To ask the Secretary of State for Employment if he will list those managing agencies whose involvement in Government training schemes has been discussed with the National Audit Office.

Mr. Eggar: The National Audit Office visits a large number of managing agents each year as part of their normal audit of my Department's accounts. Further visits may occur in connection with value-for-money studies. My Department is in frequent contact with National Audit Office about its findings, as a matter of routine. It is not possible to provide a list containing the name of every managing agent whose involvement in training schemes has at some time been discussed.

Mr. McLeish: To ask the Secretary of State for Employment when involvement of Inner City Training Ltd. in employment training, community programme or youth training was approved; and if he will make a statement.

Mr. Nicholls: Inner City Training Ltd. was approved to deliver employment training on 2 September 1988. This organisation has never participated in the community programme or youth training.

Labour Statistics

Mr. Hardy: To ask the Secretary of State for Employment in how many and in which areas of the European Community more jobs have been lost, both in proportion and in total, than in the metropolitan borough of Rotherham during the last 10 years.

Mr. Nicholls: Comparable information is not available.

Mr. Hardy: To ask the Secretary of State for Employment in how many areas of the European Community the level of unemployment is higher than in the metropolitan borough of Rotherham.

Mr. Nicholls: Comparable information is not available.

Employment Service Offices (Closures)

Mr. McLeish: To ask the Secretary of State for Employment if he will list, pursuant to the reply from Mr. M. Fogden of 29 June, the jobcentres and employment offices due to close by parliamentary constituency; and if he has received representations about the closures from any right hon. and hon. Members.

Mr. Eggar: The agency framework document for the employment service (ES) sets out the relationship between the Secretary of State for Employment and the chief executive of the agency.

I am informed by the chief executive of the employment service that the information requested about ES local offices is set out in the table. The offices are all small part-time or limited offices which only provide a restricted range of services. A number of representations have been received from right hon. and hon. Members.

Region and name of office	*Parliamentary constituency*
Yorkshire and Humberside	
Brigg	Brigg and Cleethorpes
Filey	Rydale
Hebden Bridge	Calder Valley
Ripon	Skipton and Ripon
Sowerby Bridge	Halifax
Thirsk	Richmond, Yorkshire
Wetherby	Elmet
North West Region	
Aspatria	Penrith and The Border
Ramsbottom	Bury, North
London and South East Region	
Barkingside	Ilford, North
Berkhampstead	Hertfordshire, South-West
Bordon	Hampshire, East
Burnham	Colchester, South and Maldon
Cowes	Isle of Wight
Cranbrook	Tunbridge Wells
Edenbridge	Sevenoaks
Farnham	Surrey, South-West
Freshwater	Isle of Wight
Gerrards Cross	Beaconsfield
Godalming	Guildford
Hainault	Ilford, North
Halstead	Saffron Walden
Haselmere	Surrey, South-West
Hythe	Folkestone and Hythe
Leatherhead	Mole Valley
Maldon	Colchester, South and Maldon
Rickmansworth	Hertfordshire, South-West
Royston	Hertfordshire, North
Saffron Walden	Saffron Walden
Shoreham	Shoreham
Wallingford	Wantage
Wantage	Wantage
Waterlooville	Gosport
Windsor	Windsor and Maidenhead
Northern Region	
Haltwhistle	Hexham
Ferryhill	Sedgefield
East Midlands and Eastern Region	
Attleborough	Norfolk, South-West
Brandon	Bury St. Edmunds
Bungay	Waveney
Halesworth	Waveney
Market Deeping	Stamford and Spalding
Ripley	Amber Valley
Watton	Norfolk, South-West
West Midlands Region	
Biddulph	Moorlands, Stoke-on-Trent, North
Burntwood	Cannock and Burntwood
Wales	
Bethesda	Conwy
Bynamma	Neath
Clydach	Gower
Cwm	Blaenau Gwent
Hirwaun	Cynon Valley
Merthyr Vale (Aberfan)	Merthyr Tydfil and Rhymney

Region and name of office	*Parliamentary constituency*
New Tredegar	Merthyr Tydfil and Rhymney
Pembroke	Pembroke
Senghenydd	Caerphilly
South West Region	
Asburton	Teignbridge
Bovey Tracey	Teignbridge
Camelford	Cornwall, North
Marlborough	Devizes
Nailsworth	Stroud
Seaton	Honiton
Sherborne	Dorset, West
Tidworth	Devizes
Torrington	Devon, West and Torridge

Disabled People

Mr. Morgan: To ask the Secretary of State for Employment whether he will withdraw his consultative document on "Employment and Training for People with Disabilities" pending the completion of consultations on the future of the services currently provided by the employee rehabilitation centre, Western avenue, Cardiff.

Mr. Eggar: No. The consultative document identifies a wide range of action that the Government intends to take and proposals on which we have asked for comments. All of the issues are of considerable importance to the future provision of employment and training for people with disabilities and the consultation process on the document is well under way. As I mentioned in my reply to the hon. Member on 18 July, consultations about the future provision and location of services specifically provided by the employment rehabilitation centre in Cardiff have not yet commenced.

Laurence Rosen

Mr. Gorst: To ask the Secretary of State for Employment (1) if, in the light of the findings resulting from police inquiries made into the activities of Mr. Laurence Rosen of Office Angels Ltd., he will consider whether Mr. Rosen falls within the provisions of section 2(2)(b) or (c) or (e) of the Employment Agencies Act 1973; and whether he proposes to take any action;

(2) whether any inquiries are being or have been made, under the provisions of section 9(1) of the Employment Agencies Act 1973, into the employment business carried out by Mr. Laurence Rosen of Office Angels Ltd.; and if he will make a statement;

(3) if he will consider whether, in the light of police inquiries into the conduct of Mr. Laurence Rosen of Office Angels Ltd., there are sufficient grounds for the licence granted to Mr. Rosen or his company, under the Employment Agencies Act 1973, to be revoked under the provisions of section 3 of that Act.

Mr. Eggar: Since Office Angels Limited began business in 1986, each of its branches has been inspected by an employment agency licensing inspector. No evidence to justify revocation of a licence was discovered.

The hon. Member will know that specific information about Mr. Rosen has just been passed to the Department. My noble Friend Lord Strathclyde will write to the hon. Member as soon as the information has been fully considered.

Sheltered Employment

Mr. Hannam: To ask the Secretary of State for Employment what percentage of the registered disabled people in Great Britain are classified under section 2 of the disabled persons employment register, as eligible for sheltered employment.

Mr. Eggar: The employment service, became an executive agency on 2 April 1990. Mr. Mike Fogden, the Employment Service Agency's chief executive, will be replying in writing to the hon. Gentleman.

Youth Training

Mr. Andrew Welsh: To ask the Secretary of State for Employment how many guarantee liaison officers for youth training have been appointed in the United Kingdom, and how many in Scotland.

Mr. Nicholls: Appointments of guarantee liaison officers are now being made in every training agency area office in Great Britain. Training and enterprise councils are obliged by contract to provide an equivalent service within their areas. The number who have been appointed is not available centrally.

Action for Jobs

Mr. Terry Davis: To ask the Secretary of State for Employment what expenditure was incurred on the action for jobs campaign in 1986-87 in addition to printed material, television advertising, press advertising, radio advertising, outdoor advertising, exhibition materials and presentations.

Mr. Eggar: Expenditure of £150,000 on regional events and £50,000 on research was incurred on the action for jobs campaign in 1986-87 in addition to expenditure on printed material, television advertising, Press advertising, radio advertising, outdoor advertising, exhibition materials and presentations.

Noise Regulations

Mr. John Evans: To ask the Secretary of State for Employment if he will list the companies which have been granted exemptions from the Noise at Work Regulations 1989.

Mr. Nicholls: No exemptions have been granted.

Training Expenditure

Mr. Fatchett: To ask the Secretary of State for Employment if he will list, in cash and constant prices, expenditure on *(a)* the youth training scheme or youth training and *(b)* the community industry training scheme for (i) outturn 1987-88 and 1988-89, (ii) estimated outturn 1989-90 and (iii) planned 1990-91 to 1992-93.

Mr. Nicholls *[holding answer 9 July 1990]:* Expenditure on YTS and community industry in 1987-88, 1988-89 and 1989-90 and planned expenditure on youth training from 1990-91 to 1992-93 is as follows:

	YTS (YT)		*Community Industry*	
	Cash prices £ million	*Constant prices[1] £ million*	*Cash prices £ million*	*Constant prices[1] £ million*
1987-88 outturn	987·8	1,201·9	20·2	24·6
1988-89 outturn	993·8	1,127·0	25·1	28·5
1989-90 outturn	976·0	1,039·2	25·7	27·4

	YTS (YT)		Community Industry	
	Cash prices £ million	Constant prices[1] £ million	Cash prices £ million	Constant prices[1] £ million
1990-91 planned	874·2	874·2	28·8	28·8
1991-92 planned[2]	808·0	724·0	—	—
1992-93 planned[2]	763·0	661·0	—	—

[1] Constant (estimated) 1990-91 prices calculated using the GDP deflator index updated in the Chancellor's Financial Statement and Budget Report of March 1990.

[2] Separate figures for YT and CI are not available. Expenditure on community industry is subsumed within those given for youth training.

Note: These figures do not include £12·0 million and £25·0 million (in 1989-90 prices) set aside for the delivery of YT credit pilots during the financial year 1991-92 and 1992-93 respectively.

Tourism

Mr. Fearn: To ask the Secretary of State for Employment what plans he has to encourage school-leavers into careers in both the public and private sectors of tourist and leisure services.

Mr. Nicholls *[holding answer 17 July 1990]:* The tourism industry already persuades many people to make careers in it. In the year to December 1989 the number of employees in sectors directly related to tourism increased by 50,000. My right hon. and learned Friend is encouraged by many new initiatives that the industry, with the involvement of the tourist boards, has taken to attract young recruits. Total Government support to the national tourist boards has increased in the current financial year to further support this important industry.

Health and Safety

Mr. Tony Lloyd: To ask the Secretary of State for Employment what discussions he has had with representatives from Trans Manche Link over publication of the full Health and Safety Executive accident prevention advisory unit report including conclusions and recommendations on health and safety issues arising from construction of the channel tunnel.

Mr. Nicholls *[holding answer 20 July 1990]:* My right hon. and learned Friend has not had any such discussions with TML.

The reports of such studies are confidential between the Health and Safety Executive and the employer, and it is for them to agree the extent of any publication.

Employment Training Inspectors

Mr. McLeish: To ask the Secretary of State for Employment what is *(a)* the total number of inspectors dealing with adult training, *(b)* the total number of inspectors dealing with youth training and *(c)* the total overall number of inspectors employed by the Training Advisory Standards Service.

Mr. Eggar: The Training Standards Advisory Service has a staff of 45 inspectors, all of whom deal with both youth and adult training.

Employment Training

Mr. McLeish: To ask the Secretary of State for Employment if there is any limit placed on the remuneration paid to directors of companies involved in the delivery of employment training; and if he will make a statement.

Mr. Nicholls: There is no limit placed on the remuneration paid to directors of companies involved in the delivery of employment training. Such matters are for the decision of the providers concerned.

Mr. Blair: To ask the Secretary of State for Employment if he will publish the employment training leavers survey that he referred to in his speech to the National Council of Voluntary Organisations.

Mr. Eggar *[holding answer 16 July 1990]:* I am reviewing the use and publication of the employment training follow-up survey to take into account the needs of TECs. A decision on publication will be made in due course.

FOREIGN AND COMMONWEALTH AFFAIRS

Soviet Union (Exit Visas)

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will make representations to the Soviet Union about their failure to grant an exit visa to Boris Nepomniaschi and his family, of Moscow.

Mr. Waldegrave: We can certainly raise the case of Boris Nepomniaschi and his family with the Soviet authorities, but in order to make our representations as effective as possible we shall need further details.

Khmer Rouge

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the United Kingdom will now withdraw Her Majesty's Government's support for recognition of the Khmer Rouge at the United Nations in the light of Secretary of State James Baker's recent statement on the United States Government's decision to open dialogue with the Vietnamese Government and withdraw recognition from the Khmer Rouge coalition.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration has been given to holding a review of the situation regarding Cambodia's United Nations seat before the autumn.

Mr. Sainsbury: As we have made clear before, we and our European Community partners have for some while been considering what changes are necessary in the arrangements for Cambodia's representation at the United Nations. We do not want the coalition of which the Khmer Rouge is a member to continue to occupy the Cambodian seat.

Vietnam

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) whether he will review Britain's policy on the admission of Vietnam to the International Monetary Fund; and if he will make a statement;

(2) when he last discussed with the American Government Her Majesty's Government's policy on the admission of Vietnam to the International Monetary Fund.

Mr. Sainsbury: Vietnam was admitted to the International Monetary Fund on 21 September 1956 and has been a member ever since.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs when the European Economic Community last discussed the accreditation of a Vietnamese ambassador; and what was the position of *(a)* Her Majesty's Government, *(b)* France, *(c)* Germany and *(d)* Italy.

Mr. Maude: Relations between the Community and Vietnam are regularly discussed within the political co-operation framework. Our position remains as set out in the reply given by my hon. Friend the Under-Secretary of State for Foreign and Commonwealth Affairs to the hon. Member for St. Helen's, North (Mr. Evans) on 4 July. Our EC partners respect our view that it is not yet appropriate to establish diplomatic links with Vietnam. However, we and our partners are keeping this under continuing review.

Rindall River National Park

Mr. Fearn: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the plans of the British company Rio Tinto Zinc to mine uranium in the Rindall River national park, Australia; whether he intends to make any representations to the company or the Australian Government about the likely effect on aboriginals in that area; and if he will make a statement.

Mr. Sainsbury: Our information is that an Australian subsidiary of an Australian company in which Rio Tinto Zinc has an interest has been considering mining uranium in the Rudall River national park. The regulations of mining is a matter for the Australian Government.

South of France

Mr. Hardy: To ask the Secretary of State for Foreign and Commonwealth Affairs what official visits have taken place to Monaco and the south of France in 1990.

Mr. Maude: My hon. Friend the Under-Secretary of State for Industry visited Cannes in May. The vice-chief of the Defence Staff visited Draguignan and Les Issambres also in May. There have also been several visits to Toulon, Marseilles and other ports by Her Majesty's ships.

Diplomatic List

Mr. Maxwell-Hyslop: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the London diplomatic list has not been published by his Department since December 1989; and when the next six-monthly edition will be available.

Mr. Sainsbury: The need for the late amendment of two entries in the list has regrettably resulted in a delay in distributing the edition due at the end of June 1990. It is now due to be distributed before the end of July.

Cambodia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's response to the statement by United States Secretary of State Baker regarding Cambodia on 18 July.

Mr. Sainsbury: We welcome the United States decision to hold talks with Vietnam on Cambodia. We share the United States Government's determination to prevent the Khmer Rouge from taking power. Our common objective is to create conditions for the Cambodian people to elect a government, free from the fear of civil war and Khmer Rouge atrocities.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what composition of a Cambodian Supreme National Council was agreed by the United Nations Permanent Five in Paris on 16-17 July.

Mr. Sainsbury: The Five called on the Cambodian parties to agree to the establishment at an early date, as an integral part of a comprehensive political settlement, of a Supreme National Council composed of representative individuals with authority among the Cambodian people.

A copy of the summary of conclusions of the meeting on 16-17 July has been placed in the Library.

British Embassy, Washington

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff in the embassy in Washington deal with civil aviation matters; what are their grades; and what are their individual job specifications.

Mr. Sainsbury: The transport policy section of the embassy comprises three diplomatic staff, some of whose time is dedicated to civil aviation matters as follows:

Counsellor (assistant secretary): Approx 30 per cent.
First Secretary (principal): Approx 25 per cent.
Second secretary (senior executive officer): Approx 40 per cent.
These are in addition two United Kingdom-based secretaries (S2s) in the section.

The Minister (commercial) also spends approximately 10 per cent. of his time on civil aviation matters; the ambassador is brought in as and when necessary.

The civil aviation objectives of the section, towards which all three front-line staff work, are broadly to help formulate United Kingdom policies in the light of industry and policy developments in the United States; to influence United States policies; to resist protectionist, unilateral, or extraterritorial measures by the United States; to manage and resolve United Kingdom-United States disputes to British advantage.

Fauna Conservation Officers

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current number of FO GII grade officers in the fauna conservation section of the Agriculture and Fisheries Department in Hong Kong; and what plans exist to increase the establishment level.

Mr. Waldegrave *[holding answer 9 July 1990]:* There are currently seven officers of this grade in the fauna conservation section of the Agriculture and Fisheries Department. The establishment level will be reviewed in accordance with normal procedures.

Hong Kong (Customs and Excise)

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current in place staffing level of the special task force set up by the Hong Kong customs and excise service; and if there are any plans to increase staffing levels.

Mr. Waldegrave *[holding answer 9 July 1990]:* The special task force set up by the Hong Kong customs and excise department has a staff of 12, responsible for gathering intelligence, scrutinising manifests, and conducting follow-up investigations on ivory seizures. There are no plans at present to increase its size; the allocation of additional resources will be considered if required.

Ivory

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Hong Kong Department of Agriculture and Fisheries is providing all the information on elephant ivory requested by the World Wide Fund for Nature, Hong Kong.

Mr. Waldegrave *[holding answer 9 July 1990]:* The Hong Kong Agriculture and Fisheries Department has provided all the information on elephant ivory requested by the World Wide Fund for Nature, Hong Kong, which is immediately available. The only information requested by WWF (HK) which has not yet been provided relates to the countries of origin of tusks held in Hong Kong. This information is being compiled and will be forwarded to WWF (HK) as soon as it is available.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current total of all ivory known to be held in Hong Kong; and on what date it was assessed.

Mr. Waldegrave *[holding answer 9 July 1990]:* The current total of all commercial ivory stocks known to be in Hong Kong as at 7 July 1990 was 468 tonnes (to the nearest tonne).

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 7 June, *Official Report*, column *688*, how many spot checks have been made by the Hong Kong authorities to ensure that the regulations regarding the possession and transfer of elephant ivory are complied with.

Mr. Waldegrave *[holding answer 9 July 1990]:* Twenty-seven spot checks to ivory-holding premises were carried out by Hong Kong authorities in June 1990.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have been taken by the Hong Kong authorities to check whether the 960 kg of ivory name seals recently seized by Japanese customs officers and originating from Hong Kong has disappeared from the registered ivory stock; and if he will make a statement.

Mr. Waldegrave *[holding answer 9 July 1990]:* The Hong Kong Customs and Excise Department is investigating this case. Its preliminary findings were that the consignments (manifested as ceramic lions) had been shipped from Hong Kong. But there is no way of identifying whether the seizures in Japan were part of the ivory stock registered in Hong Kong since they were all in the form of name seals. The Agriculture and Fisheries Department is, nevertheless, conducting inspections on selected stock holders. Six persons have been arrested and the Attorney-General's advice on possible prosecution is being sought.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 7 June, *Official Report*, column *688*, if he will give more details of the illegal export of ivory from the United Kingdom seized by the Hong Kong customs and excise special task force.

Mr. Waldegrave *[holding answer 9 July 1990]:* The ivory consignment in question was originally exported from Hong Kong to Spain on 4 July 1989 and subsequently returned to Hong Kong via London on 10 November 1989. On arrival, it was seized by the Hong Kong customs and excise department. The exporter in Hong Kong was prosecuted and fined HK $1,000. The seizure of 55 kgs ivory products was confiscated.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of measures to be adopted by the Hong Kong authorities to prevent further exports of ivory when the reservation ends on 17 July.

Mr. Waldegrave *[holding answer 9 July 1990]:* The Hong Kong customs and excise department will continue to conduct random export checks. The department has also alerted customs administrations in the ESCAP region to the possibility of illicit shipments of ivory from Hong Kong, when the reservation ends on 17 July 1990. The Agriculture and Fisheries Department will continue to conduct suprise checks on ivory stock holders. No export licence will be issued for commercial exports of ivory from 17 July 1990, and any person found to have exported ivory without a licence will be liable to prosecution and a fine, as well as confiscation of the ivory in question.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current number of licensed ivory traders in Hong Kong; and what was the number 12 months ago.

Mr. Waldegrave *[holding reply 9 July 1990]:* The number of possession licences issued to holders of commercial ivory stocks in Hong Kong was 879 as at 7 July 1990. No figures are available for the same period last year since traders have only been required to have possession licences since 12 January 1990.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs at what time and date the reservation entered by Her Majesty's Government on behalf of Hong Kong permitting the continuation of trade in ivory by the Crown colony will end; and if he will make a statement.

Mr. Waldegrave *[holding reply 9 July 1990]:* The six-month reservation entered by us on behalf of Hong Kong was withdrawn with effect from midnight on 17 July 1990.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what circumstances ivory will be allowed to leave Hong Kong following the expiry of the reservation at midnight on 17 July; and if he will make a statement.

Mr. Waldegrave *[holding answer 10 July 1990]:* Following the expiry of the reservation, the export of ivory from Hong Kong will be subject to the conditions specified by article III and article VII of CITES.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current tradeable ivory stock held in Hong Kong; and to which countries ivory has been exported since he last answered a similar question.

Mr. Waldegrave *[holding answer 10 July 1990]:* As at 7 July, a total of 468 tonnes (to the nearest tonne) of ivory was available for trade locally, of which 352 tonnes had CITES documentation and could be exported commercially until the reservation period expired on 18 July 1990.

Between 1 June 1990 to 7 July 1990 the Hong Kong CITES authority has been notified of the following ivory exports:

Destination	*Quantity kilograms*
China	111
Andorra	41·4
Taiwan	14

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take to prevent Hong Kong allowing the export of worked ivory without a licence as personal effects in violation of CITES rules; and if he will make a statement.

Mr. Waldegrave *[holding answer 10 July 1990]:* Hong Kong's legislation complies fully with the CITES Regulations. Under article VII.3 of CITES, the export of personal or household effects (without restriction on quantity) is permitted, without a licence, except where these effects are acquired by the owner outside his state of usual residence, and are being imported into that state.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has regarding the quantity of ivory classified as personal effects which may be exported after 18 July from Hong Kong providing import permission has been obtained from the importing country.

Mr. Waldegrave *[holding answer 16 July 1990]:* The information requested is not available.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the type of ivory personal effects which the Hong Kong authorities will allow to be exported after the current reservation ends at midnight on 17 July.

Mr. Waldegrave *[holding answer 16 July 1990]:* After the reservation expires, the Hong Kong authorities will allow only the export of ivory personal effects in accordance with article III and article VII of CITES.

ENERGY

Electricity Privatisation

12. **Mr. Murphy:** To ask the Secretary of State for Energy when he last met the chairman of South Wales Electricity to discuss privatisation.

Mr. Baldry: My right hon. Friend and I meet regional electricity company chairmen regularly to discuss a range of matters.

Mr. Dobson: To ask the Secretary of State for Energy what was the cost of the launch of the electricity companies' annual reports on 19 July.

Mr. Wakeham: The cost of the launch of the annual reports on 19 July is a matter for the 12 regional electricity companies.

Mr. Dobson: To ask the Secretary of State for Energy what is the latest estimated advertising budget for the sale of the electricity distribution companies.

Mr. Wakeham: I refer the hon. Member to the answers I gave to him on 1 May and 6 June 1990.

Mr. Dobson: To ask the Secretary of State for Energy what are the dates and venues for each of the roadshows for the privatisation of the electricity distribution companies.

Mr. Wakeham: Arrangements for the road shows to promote the offers for sale of the 12 regional electricity companies are being developed. Final dates and venues are not yet available.

Carbon Dioxide Emissions

13. **Mr. Andy Stewart:** To ask the Secretary of State for Energy what proportion of the world's carbon dioxide emissions is emitted in the United Kingdom.

62. **Mr. Couchman:** To ask the Secretary of State for Energy what proportion of the world's carbon dioxide emissions are emitted by the United Kingdom.

65. **Mr. Watts:** To ask the Secretary of State for Energy what proportion of the world's carbon dioxide emissions are emitted by the United Kingdom.

Mr. Wakeham: The United Kingdom contributes about 3 per cent. to global emissions of carbon dioxide.

Scottish Coalfields

14. **Mr. Douglas:** To ask the Secretary of State for Energy if he will make a statement on the current rate of production from the Scottish coalfields.

Mr. Baldry: In 1989-90 the Scottish coalfields produced 1·9 million tonnes from deep mines, and 3·5 million tonnes from opencast.

Coal Imports

15. **Mr. Redmond:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal on the subject of future levels of coal imports.

16. **Mr. Hood:** To ask the Secretary of State for Energy what is his most up-to-date estimate of the level of coal imports in 1990, 1995 and 2000.

Mr. Wakeham: I meet the chairman of British Coal on a regular basis to discuss all aspects of the coal industry, including imports. My Department does not prepare estimates of coal imports.

51. **Mr. Skinner:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal regarding coal imports; and if he will make a statement.

69. **Mrs. Heal:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal to discuss the future level of coal imports.

Mr. Wakeham: I meet the chairman of British Coal on a regular basis to discuss all aspects of the coal industry.

34. **Mr. Patchett:** To ask the Secretary of State for Energy what is his most up-to-date estimate of the level of coal imports in 1990, 1995 and 2000.

Mr. Baldry: We do not make such estimates.

Central Area Transmission System

17. **Mrs. Margaret Ewing:** To ask the Secretary of State for Energy if he will make a statement on the progress of applications relating to the proposed central area transmission system.

23. **Mr. Salmond:** To ask the Secretary of State for Energy if he will make a statement on the progress for applications relating to the proposed central area transmission system.

25. **Mr. Andrew Welsh:** To ask the Secretary of State for Energy if he will make a statement on the progress of applications relating to the proposed central area transmission system.

72. **Mr. Sillars:** To ask the Secretary of State for Energy if he will make a statement on the progress of applications relating to the proposed central area transmission system.

Mr. Peter Morrison: Amoco, the operator for the Everest and Lomond gas fields in the central North sea, has now submitted draft proposals for the development of the fields and for the installation of a pipeline to evacuate the gas from them to Teesside. These draft proposals are currently being examined by my officials.

Offshore Platforms

18. **Dr. Godman:** To ask the Secretary of State for Energy what information he has on the number and value of contracts placed in 1989 and so far in the current year, with United Kingdom offshore fabricators, for the construction of structures for the offshore oil and gas industries.

Mr. Peter Morrison: The value of awards to United Kingdom fabricators reported by operators in 1989 was £511 million. Awards in 1990 already total £594 million.

Oil and Gas Production

19. **Mr. Stern:** To ask the Secretary of State for Energy what is his estimate of the level of oil and gas production in the United Kingdom continental shelf between 1990 and 1994.

Mr. Peter Morrison: Forecasts for oil production during this period are set out in the report to Parliament of April 1990 "Development of the Oil and Gas Resources of the United Kingdom". Gas production will depend on many factors, but I expect it to grow strongly over this period.

60. **Mr. Paice:** To ask the Secretary of State for Energy what progress is being made in reducing the number of fallow blocks on the United Kingdom continental shelf.

Mr. Nicholas Bennett: To ask the Secretary of State for Energy what progress is being made in reducing the number of fallow blocks on the United Kingdom continental shelf.

Mr. Peter Morrison: The number of fallow blocks, which stood at 125 at the beginning of 1989, had fallen to 88 blocks at the beginning of this year. Fourteen of these had been drilled or surrendered by the end of June. I am keeping in touch with operators and it is clear from their plans that progress will quicken during the second half of 1990, and that by the end of the year the number of fallow blocks will have fallen very substantially.

41. **Mr. Sumberg:** To ask the Secretary of State for Energy what is his estimate of the level of oil production in the current year on the United Kingdom continental shelf.

54. **Mr. Butterfill:** To ask the Secretary of State for Energy what is his estimate of the level of oil production in the current year on the United Kingdom continental shelf.

Mr. Peter Morrison: Total oil production in the first five months of 1990 was some 40·4 million tonnes. I expect production in the full year to be near the 1989 level.

35. **Miss Widdecombe:** To ask the Secretary of State for Energy what is his estimate of the level of oil and gas production on the United Kingdom continental shelf between 1990 and 1994.

Mr. Peter Morrison: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Bristol, North-West (Mr. Stern) today.

Combined Heat and Power

21. **Mr. Rost:** To ask the Secretary of State for Energy what are the latest estimates from the Energy Technology Support Unit of the potential kilowatts that could be contributed from combined heat and power; by how much such potential would raise the overall thermal efficiency of electricity generation; and what percentage contributions this could make to a reduction in greenhouse gas emissions.

Mr. Peter Morrison: The latest estimate is that a potential of 25 billion kilowatt-hours annual generation from small scale CHP, operating at an efficiency of around 80 per cent. could reduce United Kingdom carbon dioxide emissions by 4 per cent.

This level of output equates to about 10 per cent. of present United Kingdom electricity demand or the output of about four large power stations.

39. **Mr. Vaz:** To ask the Secretary of State for Energy if he will make a further statement on combined heat and power schemes.

Mr. Peter Morrison: I refer the hon. Member to the replies I gave to him on 18 December 1989, *Official Report*, column *8*, and 29 January 1990, column *83*.

British Coal

22. **Mr. Stevens:** To ask the Secretary of State for Energy when he last met the chairman of British Coal to discuss the coal industry's record on productivity.

Mr. Wakeham: I meet the chairman of British Coal on a regular basis to discuss all aspects of the coal industry, including productivity in which the corporation has achieved excellent improvements since 1985.

Mr. John Marshall: To ask the Secretary of State for Energy if he will make a statement about the level of public support for British Coal since 1985-86.

Mr. Baldry: Since 1985-86 we have made over £3·5 billion in grants available to the corporation, and a further £6·5 billion is in the pipeline for the present financial reconstruction.

68. **Mr. Boswell:** To ask the Secretary of State for Energy how much the Government have invested in British Coal since 1979.

75. **Mr. Burns:** To ask the Secretary of State for Energy how much the Government have invested in British Coal since 1979.

Mr. Baldry: We have financed over £7 billion investment in the British Coal Corporation since 1979.

57. **Mr. Gow:** To ask the Secretary of State for Energy what assessment he has made of the advantages which would flow from the privatisation of British Coal.

Mr. Baldry: No decisions will be taken on the future structure of the coal industry until after the next election, but we remain firmly committed to privatisation as the best means to achieve a business able to meet the needs of its customers on a sound commercial basis.

53. **Mr. Batiste:** To ask the Secretary of State for Energy when he last met the chairman of British Coal to discuss the coal industry's record on productivity.

73. **Mr. Ashby:** To ask the Secretary of State for Energy when he last met the chairman of British Coal to discuss the coal industry's record on productivity.

Mr. Wakeham: I meet the chairman of British Coal on a regular basis to discuss all aspects of the coal industry, including productivity in which the corporation has achieved excellent improvements since 1985.

42. **Mr. Riddick:** To ask the Secretary of State for Energy whether he has any plans to discuss the privatisation of British Coal with the president of the National Union of Mineworkers.

Mr. Wakeham: We have made it clear that we intend to privatise the coal industry after the next general election, and, when that time comes, we shall welcome the views of all interested parties.

36. **Mr. Buckley:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal regarding future employment levels in the industry.

58. **Mr. Meale:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal regarding future employment levels in the industry.

Mr. Wakeham: I meet the chairman of British Coal from time to time to discuss a range of issues.

North Sea Development

24. **Mr. Hayward:** To ask the Secretary of State for Energy how many North sea development projects he has approved since June 1987.

48. **Mr. Viggers:** To ask the Secretary of State for Energy how many North sea development projects he has approved since June 1987.

Mr. Peter Morrison: Since June 1987 I have approved 45 development projects on the United Kingdom continental shelf, comprising 16 oil fields, 12 gas fields, one condensate field and 16 incremental developments of fields already producing. I have also approved 14 onshore development projects during the same period.

Nuclear Electric

26. **Mr. Illsley:** To ask the Secretary of State for Energy when he expects to receive Nuclear Electric's first audited set of accounts.

Mr. Wakeham: Nuclear Electric is continuing work on a full review of its accounting policies. The company's opening report and accounts will be published later in the summer.

66. **Mr. Jack Thompson:** To ask the Secretary of State for Energy when he next expects to meet the chairman of Nuclear Electric regarding the future of the company's power station programme.

Mr. Wakeham: I meet the chairman of Nuclear Electric frequently to discuss various matters.

Rural Electricity Supplies

27. **Mr. Amos:** To ask the Secretary of State for Energy if he will make a statement on the supply of electricity to remote rural areas.

Mr. Baldry: The Electricity Act 1989 gives all consumers, including these in rural areas, the right to receive a supply on reasonable terms from their public electricity supplier.

Disconnections

28. **Mr. French:** To ask the Secretary of State for Energy what is the current level of disconnection for debt of domestic electricity customers.

59. **Mr. Oppenheim:** To ask the Secretary of State for Energy what is the current level of disconnection for debt of domestic electricity customers.

77. **Mr. Ian Taylor:** To ask the Secretary of State for Energy what information he has on the current level of disconnection for debt or domestic electricity customers.

Mr. Baldry: The latest available information shows that for the year ended 31 March 1990 the number of disconnections for non-payment of electricity bills in England and Wales was 67,421: the lowest annual level since records began.

Mr. Robert G. Hughes: To ask the Secretary of State for Energy when he last met the Director General of Gas Supply to discuss the level of disconnection for debt of domestic customers.

Mr. Peter Morrison: My right hon. Friend and I meet the Director General of Gas Supply from time to time to discuss a range of issues of mutual interest. We have noted that the level of disconnection for debt is lower than at any time since records were first kept in 1977.

Mr. Bowis: To ask the Secretary of State for Energy when he last met the chairman of British Gas to discuss the level of disconnection for debt of domestic customers.

Mr. Peter Morrison: My right hon. Friend and I meet the chairman of British Gas from time to time to discuss a range of issues of mutual interest. We have noted that the level of disconnection for debt is lower than at any time since records were first kept in 1977.

Oil Industry

29. **Mr. Favell:** To ask the Secretary of State for Energy if he has any plans to meet representatives of the oil industry to discuss green issues.

Mr. Peter Morrison: I regularly meet representatives of the oil industry to discuss a range of relevant issues.

Oil and Gas Production

30. **Sir Antony Buck:** To ask the Secretary of State for Energy when he last met representatives of the United Kingdom Offshore Operators Association to discuss prospects for further development of the United Kingdom continental shelf energy resources; and if he will make a statement.

Mr. Peter Morrison: My right hon. Friend the Secretary of State and I maintain frequent contacts with the United Kingdom Offshore Operators Association to discuss North sea issues, including the prospects for future developments. I have no plans to make a statement.

Clean Coal Burn

31. **Mr. Allen McKay:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal regarding Britain's future level of investment in clean coal-burning technologies.

45. **Mr. Lofthouse:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal regarding the level of investment in clean coal-burn technology.

Mr. Wakeham: I meet the chairman of the British Coal Corporation regularly to discuss all aspects of the coal industry.

Landfill Gas

32. **Mr. William Powell:** To ask the Secretary of State for Energy what is his estimate of the level of current energy savings from the operation of landfill gas schemes.

Mr. Colvin: To ask the Secretary of State for Energy what is his estimate of the level of current energy savings from the operation of landfill gas schemes.

Mr. Peter Morrison: Current landfill gas utilisation schemes provide an energy saving equivalent to 160,000 tonnes of coal per annum.

Energy Efficiency

33. **Mr. Waller:** To ask the Secretary of State for Energy how much was spent on the promotion of energy efficiency *(a)* in 1979 and *(b)* in 1989; and if he will make a statement.

Mr. Peter Morrison: Expenditure by my Department on energy efficiency programmes in 1979-80 was £2·4 million. The provision for expenditure by the Energy Efficiency Office in 1989-90 was £15 million.

40. **Mr. Squire:** To ask the Secretary of State for Energy what further steps he is considering to increase energy efficiency.

Mr. Peter Morrison: We are preparing a new scheme to provide grants for basic insulation measures in low-income households. In addition, we have received the report on the efficiency of electrical appliances which was commissioned by the Energy Efficiency Office and are considering the need for further action in this area.

In a further initiative I am currently undertaking a series of regional events at which I am promoting the benefits of energy efficiency to top decision-makers in industry and commerce. The Government's energy efficiency programmes and the need for further initiatives will be discussed in the White Paper on the environment to be published this autumn.

Mr. Harry Greenway: To ask the Secretary of State for Energy if he will estimate the number of domestic energy consumers to have received an energy efficiency improvement grant *(a)* currently and *(b)* in 1978; what were the costs involved; and if he will make a statement.

Mr. Peter Morrison: From September 1978 grants were available under the homes insulation scheme. In the period September to December 1978, grants were paid in respect of 94,400 dwellings in Great Britain at a cost of £3·8 million. In the period January 1979 to December 1989 grants were paid under that scheme in respect of 3,598,200 dwellings in Great Britain at a cost of £237·6 million. Additionally, it is estimated that nearly 700,000 homes were draughtproofed by community insulation projects operating under the Government's employment and training programmes from when they first commenced work in 1982 through to the end of 1989.

71. **Mr. Cummings:** To ask the Secretary of State for Energy when he last met Neighbourhood Energy Action and other bodies concerned with community insulation programmes regarding the home energy efficiency scheme.

Mr. Flynn: To ask the Secretary of State for energy when he last met Neighbourhood Energy Action to discuss the home energy efficiency scheme.

Mr. Peter Morrison: I last met the director of Neighbourhood Energy Action to discuss the scheme on 21 June, and have since met representatives from a number of trade associations.

67. **Mr. Cousins:** To ask the Secretary of State for Energy when he next expects to meet Neighbourhood Energy Action to discuss the home energy efficiency scheme.

Mr. McAvoy: To ask the Secretary of State for Energy when he expects to meet Neighbourhood Energy Action and others regarding progress on the home energy efficiency scheme.

Mr. Peter Morrison: I refer the hon. Members to the answer I gave to the hon. Member for Ogmore (Mr. Powell) earlier today.

Community Insulation Projects

37. **Mr. Carrington:** To ask the Secretary of State for Energy how many community insulation projects are currently in operation.

38. **Mr. Jacques Arnold:** To ask the Secretary of State for Energy how many community insulation projects are currently in operation.

Mr. Peter Morrison: There are currently some 311 such projects in operation.

Renewable Energy

43. **Mr. Quentin Davies:** To ask the Secretary of State for Energy how much the Government plans to invest in the development of renewable sources of energy over the next four years.

61. **Mr. Dunn:** To ask the Secretary of State for Energy how much the Government plan to invest in the development of renewable sources of energy over the next four years.

Mr. Peter Morrison: Energy paper 55 "Renewable Energy In The UK: The Way Forward" sets out the Government's strategy for the development of renewable energy sources. The Department of Energy's budget provision for research and development into renewable energy for the year 1990-91 is £20·3 million.

Global Warming

44. **Mr. Win Griffiths:** To ask the Secretary of State for Energy when he last met his European counterparts to discuss global warming and possible answers in the energy field.

47. **Dr. Kim Howells:** To ask the Secretary of State for Energy when he next proposes to meet his European Community counterparts to discuss energy sector remedies for global warming.

Mr. Wakeham: My hon. Friend the Parliamentary Under-Secretary of State discussed these matters with Community colleagues at the informal Energy Council in Rome on 16 July. I also expect these matters to be discussed with other EC Ministers both individually and at future Energy Councils.

Sizewell B

46. **Mr. Frank Cook:** To ask the Secretary of State for Energy what consultations he has undertaken with the nuclear installations inspectorate regarding the future of Sizewell B nuclear power station.

Mr. Baldry: There are frequent discussions between my Department and the Health and Safety Executive's nuclear installations inspectorate on the safety of nuclear installations—including Sizewell B.

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer of 5 July, *Official Report*, column *670* what consideration he has given to the implications of the decision of Nuclear Electric to charge costs related to Sizewell B for the exercise of his functions under section 97 and schedule 12 of the Electricity Act 1989.

Mr. Wakeham: I assume the hon. Member refers to Nuclear Electric's recent decision to write off to revenue £199 million of nugatory expenditure relating to the construction of a family of four PWR stations. These costs are not eligible for financial assistance under section 97 and schedule 12 of the Electricity Act 1989.

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer of 5 July, *Official Report*, column *670*, if he will meet the Director General of Electricity Supply to discuss the implications for the exercise of his tariff-setting powers of the accounting practices of Nuclear Electric in respect of revenue and capital costs relating to Sizewell B power station and the costs of electricity generation related to Magnox and AGR stations.

Mr. Wakeham: The accounting practices of Nuclear Electric referred to by the hon. Member have no implications for these functions of the Director General of Electricity Supply.

56. **Mr. Beith:** To ask the Secretary of State for Energy how much public money to date *(a)* has been spent on Sizewell B and *(b)* is committed currently; and if he will make a statement.

Mr. Baldry: I refer the hon. Gentleman to the reply my right hon. Friend the Secretary of State gave earlier today to the hon. Member for Southwark and Bermondsey (Mr. Hughes).

Power Stations

49. **Mr. John P. Smith:** To ask the Secretary of State for Energy when he next expects to meet the chairman of National Power to discuss future power station configuration.

Mr. Wakeham: I meet the chairman of National Power regularly to discuss matters of mutual interest.

Offshore Supplies Industry

50. **Mr. Michael Brown:** To ask the Secretary of State for Energy what information he has on trends on the level of the volume of orders for the United Kingdom offshore supplies industry in 1988 and 1989.

Mr. Peter Morrison: The total value of orders for the UKCS reported for 1988 was £2·5 billion and for 1989 was £3·9 billion. United Kingdom industry won 84 per cent. of the orders in 1988 and 81 per cent. of the much larger market in 1989.

EC Large Combustion Plant Directive

52. **Mr. Moss:** To ask the Secretary of State for Energy what progress is being made in meeting the terms of the European Community large combustion plant directive in full.

55. **Mr. John Browne:** To ask the Secretary of State for Energy if he will make a statement on the Government's commitment to meeting the terms of the European Community large combustion plant directive in full.

Mr. Baldry: The Government are committed to complying with the large combustion plants directive. The electricity generators have identified a range of options to enable them to comply fully with their obligations under the directive. These include retrofitting power stations with

FGD equipment, the use of low-sulphur fuels, the construction of new clean generating plant and increasing the efficiency of existing plant.

Electricity Privatisation

63. **Mr. Mullin:** To ask the Secretary of State for Energy when he last met the chairmen of the area distribution companies to discuss privatisation.

Mr. Wakeham: I refer the hon. Member to the answer I gave to the hon. Member for Redcar (Ms. Mowlam) earlier today.

Wave power

64. **Dr. Michael Clark:** To ask the Secretary of State for Energy what representations he has received about the economics of electricity generated from wave power.

Mr. Peter Morrison: I have received a number of letters about the economics of electricity generated from wave energy. Also, I have recently met Professor Salter to discuss wave energy and I shall be visiting him when I am next in Edinburgh.

Nuclear Power

70. **Mr. Alan W. Williams:** To ask the Secretary of State for Energy when he expects to publish his response to the Select Committee on Energy's report on "The Cost of Nuclear Power".

Mr. Wakeham: The Government will respond shortly to the Committee's report.

Britoil

74. **Mr. Holt:** To ask the Secretary of State for Energy whether he has anything to add to the Government's response to the first report of the Energy Select Committee this Session.

Mr. Quentin Davies: To ask the Secretary of State for Energy whether he has anything to add to the Government's response to the first report of the Energy Select Committee during the current Session of Parliament.

Mr. Peter Morrison: I refer my hon. Friend to the statement I made last Friday, *Official Report*, col. *1303-14*.

Offshore Licensing

76. **Mr. Arbuthnot:** To ask the Secretary of State for Energy if he will make a statement on the level of interest so far recorded in the 12th round of offshore licensing.

Mr. Peter Morrison: A high level of interest across a wide range of companies has been shown in the 12th round. Strong competition for blocks is expected. I look forward to a successful round.

Gas Prices

78. **Mr. Hardy:** To ask the Secretary of State for Energy what consideration he has given to the implications of gas price rises during the next 15 years for energy policy.

Mr. Peter Morrison: Gas prices during the next 15 years will depend on the availability of supplies and the level of demand over the period. I am confident, given the large reserves available both in United Kindom and in western Europe, that gas will remain highly competitive with other fuels.

Electricity Prices

Mr. John Evans: To ask the Secretary of State for Energy when he last met the chairman and women of the 12 electricity consumer committees to discuss future domestic price increases.

Mr. Baldry: The electricity consumer committees have been established under the new regime to advise the Director General of Electricity Supply. He will be monitoring the performance of the regional electricity companies in meeting the price controls contained in their licences and will draw on the advice of his consumer committees in performing his duties.

Energy Conservation

Mrs. Gorman: To ask the Secretary of State for Energy what measures his Department is promoting to promote energy conservation.

Mr. Morrison: The Energy Efficiency Office (EEO) offers a substantial range of programmes and initiatives to encourage consumers to improve their energy efficiency. The EEO's current main programmes are as follows:

—the best practice programme to give independent and authoritative information and advice backed by thorough technical research;

—an enhanced regional programme, stimulating the development and application of energy management skills and techniques.

Mersey Barrage

Mr. Butler: To ask the Secretary of State for Energy what information he has on the current status of the Mersey barrage project.

Mr. Alton: To ask the Secretary of State for Energy if he will make a statement on the construction of the Mersey barrage.

Mr. Peter Morrison: I am pleased to welcome the recent proposal for a third stage of feasibility studies for a tidal energy barrage by the Mersey Barrage Company, the details of which are now being considered by my Department. A Government contribution of up to £1·5 million, anticipated to be 50 per cent. of the study costs, will be made available subject to satisfactory contractual negotiations.

I have also established an interdepartmental ministerial committee, under my chairmanship, which will meet for the first time later this week, to consider the wider, non-energy and regional implications of the proposed barrage. The Mersey barrage is a major renewable energy project, which could provide over a half of 1 per cent. of the United Kingdom's present electricity needs.

Mersey Estuary (Gas Find)

Mr. Wareing: To ask the Secretary of State for Energy what assistance he is giving to the development of the Mersey estuary gas find, officially listed as block 110/13; and if he will make a statement.

Mr. Peter Morrison: I understand that Hamilton Brothers Oil and Gas Ltd. has recently made a significant gas find in the Mersey estuary.

The results from the well are still being evaluated. Further appraisal will be necessary to establish what the development prospects are.

Electricity Boards (Rate of Return)

Mr. Morgan: To ask the Secretary of State for Energy if he will list those electricity area boards which have failed to achieve his rate of return target.

Mr. Baldry: Two of the 12 regional electricity companies in England and Wales reported in their annual report and accounts for 1989-90 that they achieved their rate of return target. They were Yorkshire Electricity plc and South Western Electricity plc.

Renewables (Research)

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to the answer of 6 June, *Official Report*, columns *617-18*, if he will give for each year from 1979-80 to 1990-91 spending figures for research funded by his Department into renewables consistent with those given in that answer.

Mr. Wakeham: The figures are given in the table:

Renewables

£ million

	Money terms	*1990-91 real terms*	*Per cent. of total R&D expenditure*
1979-80	8·2	17·5	4·7
1980-81	11·3	20·4	5·1
1981-82	15·3	25·1	6·4
1982-83	12·7	19·5	5·2
1983-84	11·9	17·4	5·0
1984-85	14·9	20·8	6·4
1985-86	13·6	18·0	6·1
1986-87	12·5	16·0	6·5
1987-88	16·1	19·6	9·1
1988-89	16·3	18·5	8·6
1989-90	17·9	19·1	10·0
1990-91	20·3	20·3	11·3

Notes:
1979-80 and 1980-81 figures are taken from Departmental records and do not include associated Departmental staff costs.
1981-82 to 1987-88 are taken from the "Annual Review of Government Funded R&D" and cover R&D plus associated Departmental staff costs (ie Frascati R&D). 1988-89 figures are calculated on the same basis.
1989-90 figures are forecast outturn and 1990-91 figures are taken from Estimates. These do not include associated Departmental staff costs. The 1989-90 figure may be subject to end year adjustment.

Electrical Goods

Mr. Morgan: To ask the Secretary of State for Energy if he will list the representations he has received from private electricity goods retailing companies regarding competition with the electrical goods retailing activities of the electricity distribution companies.

Mr. Baldry: I have no representations on appliance retailing to report. In this activity the regional electricity companies are of course governed by general competition law and overseen by the Director General of Fair Trading.

Electricity Generators

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received from prospective independent electricity generators regarding the proposed gearing ratio of National Power and PowerGen.

Mr. Baldry: Discussions with National Power and PowerGen about their capital structures are continuing. Appropriate account will be taken of representations from independent generators.

Public Bodies

Mr. Morgan: To ask the Secretary of State for Energy if he will list all chairmen or women and vice-chairmen or women of non-departmental public bodies in Wales who are also members of at least one other such body.

Mr. Wakeham *[holding answer 16 July 1990]:* No chairman or woman or vice-chairman or woman of any of the non-departmental public bodies in Wales, listed in the written reply by my right hon. Friend the Secretary of State for Wales to the hon. Member on 11 July 1990 at columns *245-48*, is a member of any such body for which I hold responsibility.

Written Answers to Questions

Tuesday 24 July 1990

DEFENCE

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Defence if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Alan Clark: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance.

To assist in obtaining better value for money through broadening its competitive base, the Ministry of Defence has continued to provide a new suppliers service responsible for encouraging and assisting small firms to compete for defence business. Over the past 12 months the new suppliers service has attended a wide range of seminars and "meet-the-buyer" events and has given advice to about 2,200 companies on how to sell to the Ministry of Defence. The Ministry of Defence has also continued to produce a fortnightly contracts bulletin, which includes notice of almost all contracts the Department expects to place valued at more than £500,000. Since 1 January 1990 clothing and textile requirements have been included in the bulletin at a lower threshold of £250,000. The bulletin will shortly include details of sub-contract opportunities, which will be of particular value to small companies. The success of these measures to encourage a widening of our supplier base is in part reflected by our having placed 67 per cent. of headquarters contracts by value by competition or otherwise by reference to market forces in 1989-90. Details of payments made by the Ministry of Defence to small firms in 1989-90 are not yet available.

In addition, the small firms research initiative aims to encourage small firms to bid for research work. In 1989-90, 36 research contracts were placed with small firms at a total value of £1·3 million.

Government Contracts (Profit Formula)

Mr. Patrick Thompson: To ask the Secretary of State for Defence if he will make a statement on the report by the review board on its sixth general review of the profit formula for Government contracts.

Mr. Alan Clark: The main recommendation in the report is for an increase, based on comparability, in the overall target rate of return on non-competitive contracts.

After careful consideration I have concluded that we cannot adopt that recommendation and that the current target rate should remain in force. This decision implies no criticism of the review board. It is based on my assessment in present circumstances that the maintenance of the existing target rate for such contracts will ensure adequate industrial resources to meet our current needs.

The report raises a number of other issues relating to the operation of the profit formula and the pricing of non-competitive contracts. My officials will be pursuing these with representatives of the CBI and with the review board, as appropriate.

A copy of the review board's report has been placed in the Library.

ATTORNEY-GENERAL

Interviews (Tape-recording)

Mr. Lawrence: To ask the Attorney-General what assessment he makes of the effect of tape-recorded interviews of suspects upon the speed of trials, the delays in bringing cases to trial and the number of pleas of guilty being entered.

The Attorney-General: The effect of tape-recorded interviews has not been assessed pending the completion of the nationwide introduction of the scheme.

Armagh Courthouses (Union Flag)

Mr. John D. Taylor: To ask the Attorney-General for what reasons the Union flag is no longer flown on the flagpole on top of the courthouses in Armagh city; whether the Union flag being flown on a pole at ground level at the courthouse has been damaged; and if he will make a statement.

The Attorney-General: The flagpole on top of the courthouse at Armagh is no longer used for safety reasons. This position affords little or no protection when raising or lowering the Union flag and staff were in danger of falling. The new flagpole was fixed to the inward side of the perimeter wall. A flag was damaged on barbed wire at the new location. Two strands of barbed wire have been removed, and a new flag supplied. It has been flown subsequently without difficulty.

Factortame

Mr. Knapman: To ask the Attorney-General, pursuant to his answer to the hon. Member for Southend, East (Mr. Taylor) of 26 June, *Official Report*, columns *141-42*, if he will make a further statement on the juridical implications of Factortame, in the light of the decision of the House of Lords.

The Attorney-General: The Factortame case was reinstated in the House of Lords on 2 July and the hearing concluded on 9 July. It has been indicated that the House of Lords has decided in principle to grant interim relief in favour of the applicants to the effect that the Secretary of State for Transport should not withhold registration in respect of any fishing vessel if the owner is an "original applicant" for interim relief who is disentitled to registration under section 14 of the Merchant Shipping Act 1988 by reason only of a failure to meet the conditions requiring directors and shareholders of owning companies to be resident and domiciled in the United Kingdom. It would be inappropriate to comment further on the House of Lords' decision until it has determined the form of its order and it has given its fully reasoned judgment.

Small Businesses

Mr. David Shaw: To ask the Attorney-General if he will make a statement on the achievements of the Lord Chancellor's Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors these achievements and the statistical results of such monitoring.

The Attorney-General: The Government have continued to place a high priority on helping small businesses through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance.

The Lord Chancellor has implemented a number of policies designed to ensure that all litigants enjoy the greatest possible quality and speed of service from the civil courts. However, as these policies are not specifically targeted on small businesses, no performance indicators are kept in this regard.

The Lord Chancellor's Department has continued to encourage the use of small businesses as suppliers in line with the Government purchasing initiative. Within the last 12 months guidance issued by the Department of Employment—Central Unit on Purchasing has been circulated to all purchasing and supply staff, and there has been participation in a "meet the buyer" event. The Department's estimated total expenditure with small firms —fewer than 200 employees—in 1989-90 was £14 million.

THE ARTS

Works of Art (Disposal)

Mr. Faulds: To ask the Minister for the Arts if he will specify the allocations made to public institutions in the United Kingdom during the half year ended 30 June of individual works of art and museum objects pre-eminent for national, scientific, historical or artistic interest which have been accepted in satisfaction of inheritance tax or capital transfer tax, together with information, where applicable, as to conditions or wishes expressed by testators or executors in the matter of allocation; whether he will list the works of art and museum objects which are still awaiting allocation, with the respective dates of their acceptance in satisfaction of inheritance tax or capital transfer tax; and whether a press notice will be issued from his Department covering the information given in his reply.

Mr. Mellor *[holding answer 23 July 1990]:* The information the hon. Gentleman requests is as follows:

Item	*To whom allocated*	*Conditions—wishes expressed*
Collection of Anglo-Saxon and medieval coins	Fitzwilliam Museum, Cambridge	Conditional
Collection of modern paintings	Abbot Hall Art Gallery, Cumbria	Conditional
"Allée à Chantilly" by Cezanne	National Gallery	Wish to go to the National Gallery expressed
Painting by van der Heyden	National Gallery	Conditional
Woodcut by Edvard Munch	University of Manchester-Whitworth Art Gallery	Conditional

Items awaiting allocation	*Date of acceptance*
"Farm Cart with Horse in Harness" by Constable	14 February 1990
Harpsichord	14 February 1990
"Richmond près Londres" by Corot	29 March 1990
Portrait by Beechey	20 April 1990
Painting by Lucas de Heere	20 April 1990
Two portraits by Gainsborough, one by Rubens and a landscape by Seghers	20 April 1990

NATIONAL FINANCE

Tax System (Indexation)

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is the latest estimate of the amount of revenue that would accrue to the Government from fiscal drag if the tax system were simply indexed in the 1991 Budget.

Mr. Ryder: Chapter 2 of the 1990-91 "Financial Statement and Budget Report" shows total taxes and national insurance contributions, including the community charge, rising from £206 billion in 1990-91 to £216 billion in 1991-92, on the assumption that the tax system is indexed in the 1991 Budget. This allows for the effects of real fiscal drag, and also for the build-up of effects of the 1990 Budget and earlier Budgets, including independent taxation for husbands and wives.

Excise Duties

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is his estimate of the effect of not indexing excise duties in the 1991 Budget, by product, on *(a)* inflation and *(b)* revenues in 1991-92 and a full year.

Mr. Ryder: The effects of revalorising excise duties on the revenue yield and the retail prices index in 1991-92 and 1992-93 will be published in the autumn statement. The information requested will not be readily available before then.

Income Tax

Mr. William Powell: To ask the Chancellor of the Exchequer what is his estimate of the amount of income tax the Exchequer would forgo in 1990-91 *(a)* if all income from savings were exempted from the tax and *(b)* if income tax were chargeable only to higher rate taxpayers on such income.

Mr. Ryder: The direct revenue cost of exempting from income tax the investment income received by individual savers, including interest received on bank and building society accounts, national savings and dividends received from companies, is estimated to be about £10·5 billion. If the income from savings of higher rate taxpayers remained chargeable to income tax, at their marginal rate of tax, the cost would be reduced to about £5 billion.

Incomes

Mr. Meacher: To ask the Chancellor of the Exchequer if he will give *(a)* the gross incomes before tax and *(b)* the net incomes after tax of each income decile for each year since 1978-79 and also for the top 1 per cent. and the top 5 per cent. of the income distribution, the income level which is the dividing line between the deciles for the top 1 per cent. and 5 per cent. in each case for each year and the average income for each group during each year.

Mr. Ryder: The latest available analyses of the distributions of before and after tax incomes relate to the years 1978-79, 1981-82 and 1984-85 and were published in the November 1987 issue of "Economic Trends", No. 409, a copy of which is available in the Library. The additional details and data for other years requested by the hon. Member could be produced only at disproportionate cost.

Local Authority Transactions

Mrs. Beckett: To ask the Chancellor of the Exchequer if he will publish an updated version of table 6.7 in the "Financial Statement and Budget Report 1990-91".

Mr. Norman Lamont: The latest outturn figures for 1988-89 and 1989-90 are shown in the table. These outturn figures are subject to revision as more information becomes available. It is not the normal practice to publish forecasts other than at Budget time.

	1988-89 outturn £ billion	*1989-90 outturn £ billion*
Receipts		
Domestic rates and community charge	8·5	9·5
Non-domestic rates	10·4	11·2
Current grants from central government	23·8	24·7
Capital grants from central government	0·8	2·6
Other	5·6	5·9
Total receipts	49·2	53·9
Expenditure		
Current expenditure on goods and services	36·4	39·1
Current grants and subsidies	5·8	6·3
Interest	4·6	4·8
Capital expenditure and net lending	2·6	4·9
Total expenditure	49·5	55·2

Taxpayers

Mrs. Beckett: To ask the Chancellor of the Exchequer what is the latest estimate of the number of taxpayers divided into basic rate and top rate and by sex.

Mr. Ryder: Estimates for 1990-91 are as follows:

Millions

	Basic rate (but not higher rate)	*Higher rate*	*Total*
Males	15·0	1·4	16·4
Females	9·5	0·3	9·8
Total	24·5	1·7	26·2

The estimates are based on a projection of the 1987-88 survey of personal incomes and are provisional.

Local Authority Expenditure

Mr. Dewar: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing the expenditure by programme in England to which *(a)* Scottish block expenditure, and *(b)* Welsh block expenditure are held to be comparable for the purposes of the territorial allocation formula; and if he will place in the Library a document explaining the implications for the operation of this formula of the introduction of the new planning total.

Mr. Norman Lamont: The annual public expenditure White Paper shows the individual programme elements of both the Scottish block and the Welsh block—table 15.1 of Cm. 1015 and table 16.1 of Cm. 1016: housing and education. It is the corresponding English programmes which are held to be comparable. The introduction of the new planning total affects the programmes within the Scottish and Welsh blocks in the same way as it affects the corresponding English programmes.

Treasury Model

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what effects the Treasury model currently incorporates concerning the impact on the non-accelerating inflation rate of unemployment of the differences in regional levels of unemployment; and what is the scale of these effects.

Mr. Norman Lamont: In common with other macroeconomic models of the United Kingdom economy, the Treasury model is not disaggregated to a regional level.

Retail Prices Index

Mr. Hanley: To ask the Chancellor of the Exchequer whether he will make a statement about the recent report of the Retail Prices Index Advisory Committee.

Mr. Major: As I told my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) on 4 July, at column *577*, the report examines how the price of holidays might be incorporated into the retail prices index and recommends that the Central Statistical Office should begin to collect relevant data and examine a new methodology which the committee has developed. However, there is no recommendation to include holiday prices in the retail prices index for the moment. I am asking the Central Statistical Office to put in hand the data collection and further work necessary to determine whether it will be possible to overcome the methodological problems associated with incorporating a holiday price index into the retail prices index in due course.

The report also examines the way financial services are taken into account in the retail prices index. On this it recommends that the annual fees which are being introduced for the holders of certain credit cards should not be covered by the retail prices index, and that any supplements which retailers might charge to customers using credit cards should also be ignored in constructing the index, at least for the present. It is also recommended that charges for personal banking services and transaction charges incurred by households buying and selling investments should be excluded from the index, but that the coverage of insurance should be extended to include personal accident and "protection-only" life insurance. I have decided to accept these recommendations.

The full report is being published today as Cm. 1156 and copies are available in the Vote Office.

Taxes and Benefits

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer, further to his answer of 5 July, *Official Report*, column *699*, when he will be able to provide up-to-date figures on the same basis as those provided to the hon. Member for Newcastle upon Tyne, East in his answer of 8 January, *Official Report*, columns *559-64*, revising his figures to include an estimate of the effects of the introduction of the community charge; and what estimate he has made to date of the effect on the tax burden of the introduction of the community charge.

Mr. Ryder *[holding answer 12 July 1990]:* It will be possible to provide estimates of the effects of the introduction of the community charge on the basis requested when relevant data from the family expenditure survey for 1990, the first year of the charge's operation in England and Wales, are available.

Stamp Duty

Mr. William Ross: To ask the Chancellor of the Exchequer (1) if he will publish a table in the *Official Report* to show for each stamp duty office in the United Kingdom the income for stamp duty, the number of transactions, the other functions and the other income, for each of the last three years;

(2) if he will publish a table in the *Official Report* to show for each stamp duty office in the United Kingdom the sums of stamp duty raised on share transfers in each of the last three years and the number of such transactions in each of those years;

(3) if he will publish his estimate of the sums saved, in cash and percentage terms, in *(a)* the sums raised and *(b)* the number of transactions in each stamp duty office in the United Kingdom when those offices move to a system of paperless transactions in 1992;

(4) what is the anticipated cost of retraining staff in the Edinburgh stamp duty centre to comply with Northern Ireland stamp duty legislation;

(5) if he will publish a table in the *Official Report* to show the functions common to all stamp duty centres in the United Kingdom and indicate any other functions which are carried out in each of the others which are not common, with particular reference to the Belfast office;

(6) what is his estimate of the number of staff required to handle Northern Ireland stamp duty centre transactions in *(a)* 1991, *(b)* 1992 and *(c)* 1993;

(7) if he will publish a table in the *Official Report* to show the numbers of staff employed in each of the stamp duty centres in the United Kingdom at present and the total salaries of such staff in the current and past two years;

(8) which of the functions of the Belfast stamp office he proposes to transfer to Edinburgh;

(9) if he will publish a table in the *Official Report* to show how the anticipated saving of £160,000 by the transfer of functions of the Belfast stamp office to Edinburgh arises; whether the calculations take account of *(a)* extra training, *(b)* increased postage and *(c)* the cost of increased liaison between the stamp duty office in Edinburgh and Northern Ireland Government Departments; and if he will show the sums estimated for each of the three above headings and for each Northern Ireland Government Department for the three years after his proposed transfer of functions;

(10) how urgent cases, requiring immediate registration to secure priority under section 4 of the Registration of Deeds Act (Northern Ireland) 1970, will be dealt with after transfer of the functions of the Northern Ireland stamp duty office in Belfast to Edinburgh;

(11) what estimate he has made of the increased costs to *(a)* the legal profession and *(b)* the general public if the proposed transfer of functions of the Belfast stamp office goes ahead.

Mr. Ryder *[holding answer 17 July 1990]:* More time is needed to collect the necessary information and I shall write to the hon. Member when it is available and place a copy in the Library.

Privatisation

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer if he will estimate *(a)* the number of individual shareholders in the United Kingdom and *(b)* the number who are direct shareholders in privatised companies.

Mr. Norman Lamont *[holding answer 23 July 1990]:* There are now nearly 11 million individual shareholders in the United Kingdom and over 5 million who are direct shareholders in privatised companies.

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer if he will estimate the amount of corporation tax received from privatised companies in 1989-90.

Mr. Ryder *[holding answer 23 July 1990]:* The companies privatised since 1979 paid about £1½ billion in corporation tax in 1989-90.

South Yorkshire (GDP)

Mr. Hardy: To ask the Chancellor of the Exchequer by how much gross domestic product per capita in south Yorkshire falls below *(a)* the Community average and *(b)* the United Kingdom average.

Mr. Norman Lamont *[holding answer 23 July 1990]:* In 1987, the latest year for which county figures are available, and taking the Economic Community average as 100, the figures are, based on purchasing power parities—

	Average
Economic Community	100
United Kingdom	107
South Yorkshire	87

Community figures are based on estimates published by the statistical office of the European Communities.

Mortgage Tax Relief

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer how much tax relief goes on mortgage tax relief *(a)* at basic rate and *(b)* in excess of the basic rate in 1989-90 and 1990-91.

Mr. Ryder *[holding answer 23 July 1990]:* Provisional estimates are given in the table; 1990-91 estimates are based on the assumption that interest rates remain at their current levels.

Mortgage Interest Relief

Year	*Total cost of relief*	*Cost of relief at rates in excess of the basic rate of income tax*
	£ million	*£ million*
1989-90	6,900	430
1990-91	8,000	510

Gross Domestic Product

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what the Government estimate gross domestic product will be in 1990-91 and 1991-92 both in current and constant prices.

Mr. Norman Lamont *[holding answer 23 July 1990]:* The information requested can be calculated from table 2.1 of the "Financial Statement and Budget Report 1990".

Capital Gains Tax

Mr. Allen: To ask the Chancellor of the Exchequer (1) how many people would pay more tax than they do at the present time if capital gains tax exemption were at the same level as the personal allowance; what is their average pre-tax income and the distribution of income; and what would be the average and distribution of increased capital gains tax payments;

(2) how many people would pay more tax if capital gains tax exemptions were £3,000; what is their average pre-tax income and the distribution of income; and what would be the average and distribution of increased payments.

Mr. Ryder *[holding answer 23 July 1990]:* It is tentatively estimated that about 260,000 individuals and trusts would pay more capital gains tax in 1990-91 disposals if the annual exempt amount were reduced from £5,000 to either £3,000 or £3,005—the 1990-91 personal allowance—assuming a proportionate reduction in the annual exempt amount for trusts. About 100,000 of these 260,000 losers are not expected to pay capital gains tax on 1990-91 disposals under current rules. The full-year yield from this change is estimated to be about £70 million, implying an average additional payment of about £275 per loser, but estimates of the distribution of extra payments are not available. The estimates allow for some change in taxpayers' behaviour in response to the reduced annual exempt amount, but do not allow for possible short-term effects. No allowance has been made for any change in the treatment of capital gains of companies which are taxed within corporation tax.

Estimates of the income distribution of the 260,000 losers are not available. Some information about the taxable income of capital gains taxpayers in 1985-86 is available in table 11.5 of "Inland Revenue Statistics 1989".

HOME DEPARTMENT

Departmental Property

Miss Hoey: To ask the Secretary of State for the Home Department (1) what steps are taken to make available properties disposed of by his Department to housing associations or local authorities;

(2) how many homes have been sold by his Department since the beginning of 1989 and in the last three months; and what criteria are used in deciding to whom the properties will be disposed;

(3) what policy guidelines exist for his Department in dealing with empty properties.

Mr. Waddington: The Department sold 2,575 prison officers' quarters during the 18-month period 1 January 1989 to 30 June 1990, of which 2,415 were sold to officers under the Department's discount sales scheme and 160 were sold as vacant houses on the open market. During the last three months of that period 223 quarters were sold, of which 194 were sold to officers and 29 were sold on the open market.

Most quarters are sold to officers in occupation under the Department's discount sale scheme. The policy in dealing with vacant quarters is that, unless they are to be retained for essential reallocation, redevelopment or security reasons, they are placed on the open market for sale to the general public at the best price obtainable. No special steps are taken to make such properties available to housing associations or local authorities.

Miss Hoey: To ask the Secretary of State for the Home Department how the money realised from any sales of domestic properties by his Department is treated.

Mr. Waddington: Receipts from the sale of prison officer's quarters are appropriations-in-aid and, as such, are offset against planned expenditure on the prison service. Any receipts in excess of the anticipated level go to the Consolidated Fund.

Warning and Monitoring

Mr. Bill Michie: To ask the Secretary of State for the Home Department what improvements have been made to monitoring posts since the review of warning and monitoring was completed; what the costs of such improvements have been in each of the years 1987-88, 1988-89 and 1989-90; what further improvements are planned or under consideration; and what the costs of any such further improvements are expected to be in each of the years 1990-91, 1991-92 and 1992-93.

Mr. John Patten: Since the review of warning and monitoring was completed, a supply of replacement generator sets has been made available to those monitoring posts whose equipment had become unserviceable. The cost was £26,000 in 1989-90. A study has been undertaken into the provision of ventilation systems and field trials are planned to evaluate costs and effectiveness.

Mr. Bill Michie: To ask the Secretary of State for the Home Department what possible replacements for AWDREY and other Royal Observer Corps instrument systems have been identified; and how much such replacement systems are expected to cost.

Mr. John Patten: Possible replacement systems for AWDREY and other Royal Observer Corps instrument systems have been identified. The systems are based on seismic, optical and electromagnetic pulse detectors but further development is required before the full costs can be estimated.

Mr. Bill Michie: To ask the Secretary of State for the Home Department what options are being considered for

the realignment of United Kingdom Warning and Monitoring Organisation sector boundaries; and what estimates have been made of the costs of implementing these options.

Mr. John Patten: Several options for revising the group and sector warnings and monitoring boundaries to conform with the home defence regions are under consideration. Work is continuing on estimating their costs.

Mr. Bill Michie: To ask the Secretary of State for the Home Department whether any progress has been made regarding the setting up of new systems to convey data within the United Kingdom Warning and Monitoring Organisation.

Mr. John Patten: A study is being conducted into the use of an enhanced emergency communications network to convey data within the United Kingdom Warning and Monitoring Organisation. This study will take account of the scope for introducing new information technology for both administrative purposes and wartime operations.

Mr. Bill Michie: To ask the Secretary of State for the Home Department what options are being considered for the collocation of UKWMO and Royal Observer Corps headquarters; and what estimates have been made of the costs of implementing these options.

Mr. John Patten: The Property Services Agency has identified three collocation options for basing the United Kingdom Warning and Monitoring Organisation and Royal Observer Corps headquarters at Cowley, Oxford. A full feasibility study is to be conducted which will include estimates of the costs of each option.

Mr. Bill Michie: To ask the Secretary of State for the Home Department whether any conclusions have been reached regarding replacement RADIAC instrumentation for monitoring of nuclear fallout; and what costs have so far been identified.

Mr. John Patten: No conclusions have been reached on replacing the RADIAC instrumentation for monitoring fallout. The costs will be identified when the customer requirements have been established.

Mr. Bill Michie: To ask the Secretary of State for the Home Department (1) what options are being considered for the refurbishment and replacement of warning sirens; and what estimates have been made of the costs of implementing these options;

(2) whether any alternative to the use of sirens for warning of air attack is under consideration.

Mr. John Patten: A study of the refurbishment and replacement of sirens has concluded that it would be expensive as a warning option. Further research is therefore being conducted on the cost effectiveness of alternative warning options such as the use of radio and television.

Irish Prisoners

Mr. Kilfedder: To ask the Secretary of State for the Home Department how many prisoners from Northern Ireland and the Irish Republic are currently serving a prison sentence in England and Wales.

Mr. Waddington: According to the records held centrally, on 31 March 1990 about 320 sentenced prisoners in prison service establishments in England and Wales who were citizens of the United Kingdom or whose citizenship was unknown were known to have been born in Northern Ireland.

The recording of nationality in the records held centrally for citizens of the Republic of Ireland is not completely reliable because it depends upon information provided by the prisoner. On 31 March 1990 about 440 sentenced prisoners in establishments in England and Wales were recorded as citizens of or born in the Republic of Ireland.

Police Computer

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department when the new police computer, known as PNC2, will be operational; and what its capacity will be.

Mr. Peter Lloyd: Present plans are for PNC2 to come into operational service by the end of the year. The system's processors will be capable of handling 62 millions of instructions per second. Its main memory will be capable of storing 192 million bytes of data; it will also have sufficient disk capacity to store 80,000 million bytes of data.

Criminal Records

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department what categories of information are considered admissible for entry on the criminal record system; what restrictions are applied; and what is the purpose of information that is not factual.

Mr. Peter Lloyd: The information included in the national collection of criminal records is set out in form NIB 74. A copy of the form is available in the Library, as part of the memorandum submitted by the Home Office to the Home Affairs Committee in connection with its recent inquiry into the collection and use of criminal records.

The national collection of criminal records is maintained by the police to meet its operational needs. All the information contained in it is used primarily for this purpose.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department when guidelines will be issued to chief constables to assist them in deciding whether or not to allow access to police records; and whether there are any plans to update Home Office circular No. 45/1986.

Mr. Peter Lloyd: Guidance to chief officers of police about disclosure of information from police records is contained in a number of Home Office circulars including HOC 45/1986 which is scheduled for revision next year.

Caledonian Sector

Mr. Bill Michie: To ask the Secretary of State for the Home Department when full responsibility for Caledonian sector will be transferred from the Scottish Office to the Home Office; whether this will result in staff redeployment; and what is the expected net cost or gain to be made from this transfer.

Mr. John Patten: Full responsibility for Caledonian sector will be transferred when the detailed arrangements

have been finalised. The staff affected and the departmental trade union sides have been consulted, although no staff redeployment is likely to be involved. There is no expected net cost or gain from this proposed transfer.

Prison Governors Association

Mr. Thurnham: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the Prison Governors Association dated 15 June; and if he will make a statement.

Mr. Waddington: We have no record of a letter of 15 June from the Prison Governors Association although I understand that a copy of the letter sent by the vice-chairman of the association on 4 June about the reorganisation of the prison service was included in the association's bulletin to its members of 15 June. I replied to the letter on 18 June.

Mental Illness

Mr. Ashley: To ask the Secretary of State for the Home Department if he will issue guidance to chief constables that the police should use cautions more widely when dealing with mentally disturbed offenders.

Mr. Peter Lloyd: A forthcoming circular on provision for mentally disordered offenders will emphasise the need to divert such offenders from the formal criminal justice system wherever possible. Cautioning is included among the recommended methods of diverting mentally disturbed offenders from the criminal justice system, the importance of which is emphasised in the circular.

Mr. Ashley: To ask the Secretary of State for the Home Department what steps he is taking to facilitate the transfer of mentally ill prisoners from prisons to mental hospitals.

Mr. Waddington: The prime consideration is to seek to avoid mentally ill people unnecessarily being sent to prison in the first place. The revised Home Office booklet "The Sentence of the Court" and a circular to be issued soon to the police and probation services as well as the courts have the aim of encouraging the diversion of mentally disordered offenders into the care of the health or social services.

The recommendations of the working group of Home Office and Department of Health officials on mentally disordered offenders in the prison system, a copy of whose report is in the Library, include measures designed to facilitate transfer to hospital and these have been brought to the attention of prison medical officers. Consolidated guidance on transfer procedures under the provisions of the Mental Health Act 1983 is to be issued soon to the prison medical service in conjunction with a review of the standing order on health care. This guidance emphasises the need for action to be initiated promptly, including arrangements for a consultant to make an assessment visit, when it is thought that a prisoner's transfer to hospital may be warranted.

The number of mentally disordered prisoners including those who were mentally ill transferred to hospital under section 47 or 48 of the Mental Health Act 1983 has doubled over the last six years.

Mr. Ashley: To ask the Secretary of State for the Home Department if there has been an increase or decrease in the number of psychiatric referrals of prison inmates in the last two years.

Mr. Waddington: The number of inmates referred to visiting or consultant psychiatrists rose from 12,465 in 1986-87 to 16,937 in 1988-89. That represents an increase of 36 per cent.

Mr. Ashley: To ask the Secretary of State for the Home Department what is his estimate of the number of mentally ill people who are in prison.

Mr. Waddington: I refer the right hon. Member to the reply given to a question from the hon. Member for St. Helens, South (Mr. Bermingham) on 5 July at columns *639-40*.

Prison Medical Service

Mr. Ashley: To ask the Secretary of State for the Home Department if he will seek to incorporate the prison medical service within the national health service.

Mr. Waddington: There are no plans to do so. The prison medical service already makes exclusive use of national health service in-patient and out-patient facilities, general practitioners and specialists. However, there will be an opportunity to look afresh at the organisation of the prison medical service when we have the findings of the efficiency scrutiny announced on 20 December 1989 at columns *274-75*. The scrutiny team's report is expected shortly.

Prisoners (Suicide)

Mr. Ashley: To ask the Secretary of State for the Home Department how many prisoners who committed suicide in the last decade underwent psychiatric treatment or assessment before entering custody.

Mr. Waddington: The information is not available. Prison medical officers would normally be aware of any previous psychiatric treatment or assessment only if the inmate chose to disclose the details at interview on reception. The only totally reliable source of information would be any confidential report on an inmate's psychiatric condition prepared by a consultant psychiatrist at the request of the court.

Mr. Alan Williams: To ask the Secretary of State for the Home Department what suicide prevention procedure is recommended for Her Majesty's prisons; what changes in standing orders have been made or are proposed to be made to accommodate this; and if he will make a statement.

Mr. Waddington: Circular instruction 20/1989, a copy of which is in the Library, describes the range of measures taken by the prison service in England and Wales to try to prevent suicide and self-injury among prisoners. The main elements are systematic screening and assessment; suitable location and supervision; sympathetic and supportive contact with staff and others; reducing the opportunities for suicide by physical prevention measures; and ensuring staff awareness.

The prison service is constantly looking to improve its suicide prevention strategy. Among present initiatives are:

a planned trial of the use of closed circuit television; the continuation of the "family ties" programme, including the installation of cardphones in category C establishments, a proposed experiment at Winchester prison in the use of cardphones by remand prisoners and a pilot scheme to reduce routine censorship in category B—non-dispersal—establishments; and encouraging the increasing involvement of the Samaritans.

In addition, Her Majesty's chief inspector of prisons has been asked to review the effectiveness of the prison service's policy and procedures for the prevention of suicide and self-harm, with particular reference to the risks posed by mentally disturbed prisoners. Judge Tumin is expected to report in the autumn.

Traffic Wardens

Mr. Hardy: To ask the Secretary of State for the Home Department when he plans to transfer the functions of traffic wardens to the private sector; and if he expects this service to be operated by existing or by new businesses.

Mr. Peter Lloyd: We have no plans to transfer the functions of traffic wardens to the private sector.

Channel Islands

Mr. Bowis: To ask the Secretary of State for the Home Department if he has any plans to institute a review of the judicial system in the Channel Islands to fulfil his responsibilities to ensure that good government is being maintained.

Mr. Peter Lloyd: I have no reason to believe such a review is necessary.

Mr. Bowis: To ask the Secretary of State for the Home Department (1) what rights of appeal British citizens have to British courts and Government Departments when they have a grievance against courts in the Channel Islands;

(2) how he ensures that the United Kingdom citizens have the same rights of legal review of court decisions in the Channel Islands as on the mainland in cases where appeal judges from the English bench are involved.

Mr. Peter Lloyd: The Channel Islands are not within the United Kingdom. They have their own courts and courts of appeal with full jurisdiction. Senior barristers from the United Kingdom, appointed by the Queen, serve on the panel from which appeal court judges are drawn. There is a final avenue of appeal to the judicial committee of the Privy Council.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for the Home Department if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Waddington: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. The success of these policies is demonstrated by the latest statistics which show a record increase in the number of businesses registered for VAT of 1,700 a week during 1989. Over the decade the overall increase has been 373,000.

Over the past 12 months, the Home Office has helped small firms by continuing to develop and improve the information, access and opportunities necessary to enable them to tender for our business. We have revised and reissued a booklet entitled "Selling to the Home Office", which, together with the list of contact points for each of our local establishments throughout England and Wales, provides details of our typical purchasing needs and guidance for potential suppliers on where and how to make the initial approach. This has been reinforced by the provision of a central point of contact in the Home Office for general supplier inquiries and representation at exhibitions and seminars held locally for small firms.

Home Office performance indicators on purchasing are directed to securing better value for the money we spend, and do not differentiate between the size of firms to which contracts are awarded or provide statistical information about the business placed with small firms.

Broadcasting

Mr. Nicholas Winterton: To ask the Secretary of State for the Home Department if he has received any representations about the quality of the news and current affairs service provided by the managing editors of Greater London Radio, Greater Manchester Radio, and BBC Radio WM for the communities which they serve; and if he will make a statement.

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what recent representations he has received concerning the future of Greater Manchester Radio.

Mr. Waddington: So far this year I have received nine letters from hon. Members and four letters from members of the public expressing support for BBC local radio stations in metropolitan areas.

Mr. Dykes: To ask the Secretary of State for the Home Department what information he has as to the current number of listeners to Greater London Radio.

Mr. Waddington: Any information on listenership is derived from the BBC which will be able to give my hon. Friend its latest estimates and details of the methodology employed.

Data Matching

Mr. Dunnachie: To ask the Secretary of State for the Home Department if he will introduce safeguards to protect the rights of the individual against the dangers of data matching; and if he will make a statement.

Mr. Waddington: Not at present. I will consider carefully any recommendation the Data Protection Registrar may make when his consideration of this issue is complete.

British Overseas Citizens

Mr. Fraser: To ask the Secretary of State for the Home Department in what circumstances east African holders of former United Kingdom passports, which did not give a

right of abode in the United Kingdom, who have adopted east African citizenships are permitted to renounce those citizenships and to resume the status of British overseas citizen.

Mr. Peter Lloyd: I will write to the hon. Member.

Police Complaints Authority

Mr. Shersby: To ask the Secretary of State for the Home Department whether any new appointment has been made to the Police Complaints Authority.

Mr. Waddington: Mr. Edward H. Wignall, who retired from the Electricity Council in September 1989, has accepted my invitation to serve as a member of the Police Complaints Authority. He will take up his post on 30 July 1990. This appointment is being made to fill a vacancy created by the departure of one of the members from the authority to take up the offer of a Harkness fellowship.

Prisoners (Grievance Procedures)

Sir John Wheeler: To ask the Secretary of State for the Home Department whether he has reached a decision on the recommendations made in the report of the working group on grievance procedures concerning the introduction of new procedures for handling prisoners' requests and complaints and the possible establishment of a prison ombudsman.

Mr. Waddington: I have decided that, in the light of experience gained in pilot schemes at Hull, Lindholme and Wakefield prisons, the new procedures which have been developed for handling prisoners' requests and complaints, and which are intended to replace the present petitioning system, should be introduced in all establishments on 25 September to coincide with the reorganisation of prison service headquarters. I have also decided to accept the working group's recommendation that it would be sensible to defer a decision on whether or not to establish a prisons ombudsman until there has been time for the new requests/complaints procedures to bed down and for their impact to be assessed.

Community Service and Probation Orders

Mr. Lawrence: To ask the Secretary of State for the Home Department what is the latest information he has on the proportion of community service orders and probation orders successfully completed; and what was the proportion which were followed by reconvictions for further offences, relative to persons discharged from custodial sentences.

Mr. John Patten: A total of 79 per cent. of the 43,150 probation orders that ended in 1988 were successfully completed—ran their full course, or were terminated early for good progress or were replaced by a conditional discharge order. The specified hours were completed in 72 per cent. of the 35,600 community service orders which ended in 1988.

Source: Probation Statistics, England and Wales, 1988.

The latest available comparative statistics about convictions for further offences relate to 1979—"Reconvictions of those given probation orders", Home Office statistical bulletin 34/86. Comparisons with custody must be interpreted with caution because the figures relate to the two years following release rather than the two years following the start of a community-based sentence and because they reflect the characteristics of the offenders involved as well as the influence of the type of sentence. A new study using the most recent data is planned.

Proportion of persons reconvicted of a standard list offence within two years of starting an order (January-February 1979)

	Males under 21	*Males aged 21 and over*	*Females*
Probation order	56	43	27
Community service order	58	46	37
Within two years of discharge from a custodial sentence in 1979	69	51	42

Firearms Certificates

Mr. Wiggin: To ask the Secretary of State for the Home Department if he will take steps to acquire the information required to total the number of firearms certificates and shotgun certificates which were in force in England and Wales on 31 December 1989.

Mr. Peter Lloyd *[holding answer 23 July 1990]:* The number of firearm and shotgun certificates on issue at 31 December 1988 was published in Home Office statistical bulletin 18/89, a copy of which is in the Library. Information relating to 31 December 1989 will also be published soon in a Home Office statistical bulletin.

Birmingham Public Inquiry Office

Mr. Corbett: To ask the Secretary of State for the Home Department what is the most recent estimate he has made of the cost of *(a)* establishing and equipping and *(b)* operating the proposed Birmingham public inquiry office; and when he now estimates it will be opened.

Mr. Peter Lloyd *[holding answer 5 July 1990]:* The estimated total cost of furnishing and equipping the office is £44,000, of which some £14,000 has already been spent. Annual running costs are expected to be in the region of £140,000. We intend to open the office when the necessary funding can be made available.

Immigration

Mr. John Hughes: To ask the Secretary of State for the Home Department whether a woman European Community student is entitled to bring her husband into the United Kingdom if the husband is not a European Community national.

Mr. Peter Lloyd *[holding answer 23 July 1990]:* European Community law confers right of entry upon spouses and certain other family members of nationals of other EC states who are exercising EC treaty rights in this country. If an EC national is receiving a service which is provided as an economic activity then, under EC law, he or she is exercising those rights. This is normally the case where a student is paying for education at a private college, but not where the education is provided as part of the state education system.

TRANSPORT

Thornbridge Viaduct, M6

Mr. Rooker: To ask the Secretary of State for Transport if he will introduce an immediate ban on Sunday working on the Thornbridge viaduct of the M6 motorway, Birmingham; and if he will make a statement.

Mr. Freeman: No. The contractors are encouraged to complete the work as quickly as possible in accordance with restrictions laid down within their contract.

Mr. Rooker: To ask the Secretary of State for Transport what form of compensation is available to residents whose homes are covered in dust from the work on the Thornbridge viaduct of the M6 motorway, Birmingham.

Mr. Freeman: The Department's standard conditions of contract require contractors to be insured against third party claims. The contract for the reconstruction of the concrete verges of both carriageways of the Thornbridge viaduct is a standard one. The contractor has written to local residents giving them a telephone number to contact if problems arise.

Mr. Rooker: To ask the Secretary of State for Transport if his Department has taken any noise measurements of the repair work on the Thornbridge viaduct of the M6 motorway, Birmingham; and if he will make a statement.

Mr. Freeman: No noise measurements of the repair work have been carried out so far but our agents will take measurements of noise if considered necessary. The environmental health officer for Birmingham has visited the site but as far as we are aware did not take any noise measurements. He is able to take whatever noise measurements he decides.

Wadebridge Bypass

Mr. Neale: To ask the Secretary of State for Transport if he will make a statement on progress made on the design and consultation process leading to the planned construction of the A39 bypass of Wadebridge, north Cornwall; and if he will make a statement.

Mr. Freeman: We have almost completed the statutory procedures. Subject to a successful outcome it should be possible to invite tenders next spring in accordance with the national trunk road programme published in the roads report earlier this year.

Housing (Heathrow)

Mr. Ground: To ask the Secretary of State for Transport how many times houses in the vicinity of Heathrow airport have suffered vortex damage from aircraft in respect of which repairs have been carried out or compensation paid under the airport compensation scheme in each year since the scheme was instituted; and how many such houses have suffered from damage once, twice, three times, four times, five times or more than five times.

Mr. McLoughlin: Information on vortex damage should be sought from Heathrow Airport Ltd.

Property Sales

Miss Hoey: To ask the Secretary of State for Transport how the money realised from sales of domestic properties by his Department is treated.

Mr. Freeman: Proceeds from the sale of properties acquired in connection with the construction of motorways and trunk roads are appropriated in aid of class VII, vote 1—national roads, England. Proceeds from the sale of coastguard cottages are appropriated in aid of class VII, vote 2—administration and transport services.

King's Cross-St. Pancras Project

Sir George Young: To ask the Secretary of State for Transport if his Department has considered an application for an exhibition relating to the King's Cross-St. Pancras project to be displayed in the Upper Waiting Hall.

Mr. Freeman: I understand that, under procedures agreed by the Services Committee, arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from 22 to 26 October 1990.

A629-A650 Airedale Route

Mr. Waller: To ask the Secretary of State for Transport if he will list the average daily traffic flows for the A629-A650 Airedale route at (i) Kildwick to Steeton, (ii) Steeton to Beechcliffe, (iii) Hard Ings road, Beechcliffe to Victoria Park and (iv) Victoria Park to Crossflatts.

Mr. Freeman: The 24-hour average daily traffic flows recorded in 1989 on the A629-A650 Airedale route were:

	Vehicles per day
Kildwick to Steeton	18,600
Steeton to Beechcliffe	24,200
Hard Ings Road, Beechcliffe to Victoria Park	23,500
Victoria Park to Crossflatts	16,800

Vehicle Inspectorate

Mr. Alexander: To ask the Secretary of State for Transport when the vehicle inspectorate executive agency annual report for 1989-90 will be published.

Mr. Chope: The annual report has been published today. Copies are being placed in the House Library.

Rail Freight

Mr. Michael Brown: To ask the Secretary of State for Transport what steps he is taking to encourage further private sector involvement in rail freight.

Mr. Freeman: I welcome greater private sector involvement in the railways and have today launched "Charterail", a new rail freight joint venture between British Rail, GKN and City investors. "Charterail" plans to offer customers a total door-to-door distribution operation and is primarily aimed at the fast-moving consumer goods market.

Marchioness (Report)

Mr. Bowis: To ask the Secretary of State for Transport what action he has taken to implement the recommendations of the chief inspector of marine accidents' interim report on the collision between the Marchioness and the Bowbelle.

Mr. Parkinson: Directly after the tragedy I announced immediate requirements for chartered Thames river craft to record passenger numbers before sailing, and lodge the record ashore, and that passengers should be given proper instructions on where to find emergency equipment and what to do in the case of an emergency. Regulations to make these provisions mandatory for all passenger craft throughout the United Kingdom came into force on 12 April 1990.

Within 10 days I had received the marine accident investigation branch's interim report, and announced that the six recommendations made in that report should take effect as soon as practicable, with the assistance of the Port of London Authority where required.

The two recommendations on look-outs and lights on vessels of more than 40m in length were implemented on 18 September 1989 by amendments to the general direction for navigation in the port of London.

The third recommendation related to the need for those in charge of passenger launches to keep continuous radio watch—implemented in the same general directions for navigation—and look frequently astern—covered in a PLA notice to mariners. This recommendation also proposed that if necessary insulation against noise should be provided on passenger launches. My surveyors are taking action to ensure that launches are modified so that recommended noise levels are not exceeded.

The fourth recommendation proposed a review of traffic control arrangements, particularly under bridges. This has been considered, and a contractor has been appointed to develop a triggered light system, activated by the passage of ships along the river, indicating priority for larger vessels at bridges.

The fifth recommendation was that the interim recommendations should be transmitted to port authorities generally. This has been done.

The final recommendation suggested that the Department should examine the possibility of setting standards for the construction of ships' bridges, with a view to international agreement. This recommendation is being dealt with on two fronts. First, the question of bridge visibility has already been raised at the International Maritime Organisation with a view to incorporating the IMO guidelines as an amendment to the safety of life at sea convention 1974. Secondly, inspections of all relevant vessels on the Thames are taking place to determine existing visibility standards in order to determine necessary action. These inspections are well under way.

Apart from this action, I should also add that all passenger craft on the Thames were inspected by my surveyors after the tragedy, and the frequency of random inspections has been increased.

Mr. Bowis: To ask the Secretary of State for Transport when he expects to be able to make the chief inspector of marine accidents' report into the collision between the Marchioness and Bowbelle publicly available.

Mr. Parkinson: I have received the final report of the chief inspector of marine accidents into the collision between the Marchioness and Bowbelle and have been considering publication in the light of the decision by the Director of Public Prosecutions to prosecute the master of the Bowbelle.

I have been advised by the director that publication of the report would give rise to a serious risk of prejudice to the current criminal proceedings. In these circumstances, the balance of the public interest lies clearly in favour of delaying publication of the full report and I am driven to the conclusion that the report cannot be published until the prosecution is concluded.

However, in the interest of ensuring safety on the River Thames, and generally improving the safety of life at sea, I am anxious that the recommendations of the chief inspector should be made available so that action to avoid such an accident in future can be taken as soon as possible. I am therefore today publishing the chief inspector's recommendations in advance of the full report. The chief inspector is forwarding the recommendations to those persons or bodies who in his opinion are most fitted to implement them. I am placing copies in the Library.

I can assure the House that the chief inspector's report will be published in full as soon as possible after the prosecution is completed.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Transport if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Freeman: Overall responsibility for helping small businesses rests with the Department of Employment. The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. The success of their policies is demonstrated by the latest statistics, which show a record increase in the number of businesses registered for VAT of 1,700 a week during 1989. Over the decade the overall increase has been 373,000.

The policies of the Department of Transport are concerned to ensure that transport infrastructure is adequate and to lift the burden on businesses caused by unnecessary regulation so that all businesses can flourish.

Much progress has been made on commitments made in the November 1988 White Paper, "Releasing Enterprise", including the change to the heavy goods vehicle plating and testing threshold that the Secretary of State announced at the time of the Budget statement. This change means more sensible rules for business to comply with and understand in a sector of the vehicle market which is expected to expand, and will bring up to 200,000 light goods vehicles out of the HGV plating and testing scheme and into the less costly MOT scheme. This will be of considerable benefit to small businesses using light goods vehicles.

The Department is also at the forefront of the initiative to create executive agencies. The vehicle inspectorate executive agency was created on 1 August 1988, becoming

the very first executive agency in Government. On 2 April 1990, three more executive arms of the DTp attained agency status—the vehicle certification agency, the driving standards agency and the driver and vehicle licensing agency. All the agencies share the common objective of improving customer service while providing good value for money. Individual agencies publicise financial and service quality targets in their annual business plans.

Departmental procurement procedures also encourage the use of small firms. The Department procurement unit encourages small firms to supply the Department—mainly through the pamphlet, "Selling to the Department of Transport" but also by attending "meet the buyer" events. Approximately 1,000 copies of the pamphlet have been issued since the beginning of February.

Cross-city Rail Line, Birmingham

Mrs. Heal: To ask the Secretary of State for Transport whether he has received any submissions from British Rail for the authorisation of the electrification of the Birmingham cross-city line between Lichfield City and Lichfield Trent Valley.

Mr. Freeman: I understand that an extension of the cross-city electrification scheme to Lichfield Trent Valley is being considered by British Rail. Such an extension would not require ministerial authorisation.

Tankers

Dr. Godman: To ask the Secretary of State for Transport, pursuant to his answer of 9 July, *Official Report*, column *83*, if he is now in a position to publish his assessment of the review of tanker traffic in the deep water route west of the Hebrides and the Minch.

Mr. McLoughlin: A survey of tanker traffic using the Minch and the alternative deep water route to the west of the Outer Hebrides was carried out in September and October last year. I am arranging for a copy of the report to be placed in the Library.

Laden tankers over 10,000 grt are recommended to use the deep water route when weather conditions permit. During the 21 days and nights of the survey, 21 tankers passing through the area off the north-west of Scotland could have used the route. Of these, four used the route, four claimed that they were prevented from doing so by bad weather and 13—an average of only two laden tankers every three days—used the Minch route in weather conditions which appeared to allow use of the deep water route.

My Department has sought explanations from shipowners on the use of the Minch route. It is clear from the responses that routes were carefully considered taking account of weather conditions and forecasts at the time of route planning.

My Department will continue to urge shipowners and masters to use the deep water route whenever weather conditions make it practicable. They will do this both directly and indirectly through national flag state administrations, harbour authorities and the International Maritime Organisation. But it will never be possible to eliminate tanker traffic from the more sheltered Minch route, as it is essential that ships' masters retain the freedom to use that route when they judge it to be safest.

National Bus Company

Mrs. Gorman: To ask the Secretary of State for Transport what representations he has received to renationalise the former constituent companies of the National Bus Company.

Mr. Freeman: I have received no such representations.

Rent Revenue (Blighted Houses)

Mr. Higgins: To ask the Secretary of State for Transport if he will take steps to ensure that the rents obtained from tenants in houses purchased by the Government which are blighted by projected road schemes maximise the revenue to the Treasury.

Mr. Freeman: It is the Department's general policy to contract out the management of residential property acquired in advance of trunk road proposals. It is the responsibility of managing agents to find suitable tenants at appropriate rents. My hon. Friend the Minister for Roads and Traffic will write to my right hon. Friend about the effect of these arrangements in his constituency.

A27

Sir Michael Marshall: To ask the Secretary of State for Transport when he expects to receive details of the economic appraisal and cost benefit analysis relating to the possible construction of a temporary roundabout at the A27/B2132 Arisford junction.

Mr. Freeman *[holding answer 23 July 1990]:* Very shortly. We shall let my hon. Friend know the outcome of our consideration of the appraisal.

Sir Michael Marshall: To ask the Secretary of State for Transport when he expects to receive detailed designs for the proposed equestrian underpass on the A27 at Fontwell; and what prospects he envisages for construction work on this project in the current year.

Mr. Freeman *[holding answer 23 July 1990]:* We expect to receive detailed designs early this autumn. Subject to this, and there being no difficulties in obtaining the necessary land, we would hope to be able to process a scheme for a start of works next spring.

EDUCATION AND SCIENCE

Ombudsman's Reports

Sir Thomas Arnold: To ask the Secretary of State for Education and Science on how many occasions a local education authority has refused to comply with the principal findings of a report by the Commissioner for Local Administration.

Mr. Alan Howarth: This is a matter for the Commissioner for Local Administration in England who is entirely independent of central and local government. I understand that to date local authorities have refused to comply in a total of 165 cases. Although the commission's records do not permit a breakdown of this total, they have identified three cases in the last two years where local education authorities have failed to comply.

Wandsworth CTCs

Mr. Morgan: To ask the Secretary of State for Education and Science what is the estimated effect on central Government receipts and expenditure of the proposed opening of two city technology colleges in the London borough of Wandsworth; and what is the effect on the central Government capital and other allocations for Wandsworth of the proposed reorganisation of secondary schools in Wandsworth.

Mr. MacGregor: I am currently considering a proposal from ADT plc for the establishment of a city technology college in Wandsworth, which has been the subject of consultation with the local authority and others with an interest. Should I decide in favour of the proposal, I would be prepared to fund up to 80 per cent. of the capital costs and to meet all normal running costs thereafter.

I am aware that the London borough of Wandsworth intends to publish a consultation document on its secondary reorganisation proposals, which include the establishment of a voluntary aided school with CTC characteristics. If such a school were to be established, it would be treated as any other voluntary aided school in relation to bids for central Government contributions towards capital expenditure; and, correspondingly, capital bids for county schools would be treated in the normal way.

School Meals

Mr. Straw: To ask the Secretary of State for Education and Science (1) what were the proportions of pupils receiving free school meals in every year since 1979-80;

(2) what were the proportions of pupils receiving school meals in every year since 1979-80.

Mr. MacGregor: The proportion of pupils receiving school meals and free school meals in maintained nursery, primary, secondary and special schools since 1979 is given in the table. There was no school meals census in 1985.

	Proportion of pupils receiving a school meal	*Proportion of pupils receiving a free school meal*
1979	64	12
1980	48	10
1981	49	11
1982	49	14
1983	51	16
1984	51	17
1986	49	18
1987	50	18
1988	47	12
1989	43	11

Mr. Allen: To ask the Secretary of State for Education and Science what would be the gross and net costs of restoring the right to free school meals to those children who lost that right through the Social Security Act 1986.

Mr. Alan Howarth: It is not possible to estimate the cost of reintroducing the wide variety of discretionary schemes which existed prior to the implementation of the Social Security Act 1986.

Class Sizes

Mr. Straw: To ask the Secretary of State for Education and Science what are the numbers and proportions of pupils in special schools in classes over 10.

Mr. MacGregor: Information on the numbers and proportions of pupils in special schools in classes over 10 is not available centrally.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Education and Science if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Alan Howarth: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. The success of their policies is demonstrated by the latest statistics which show a record increase in the number of small businesses registered for VAT, of 1,700 a week during 1989. Over the decade the overall increase has been 373,000.

It was estimated that during 1989-90 the Department purchased goods to the value of £11·5 million—£6·1 million the previous year—of which some £4·2 million benefited small firms—£2·4 million the previous year.

Approximately 40 per cent. of our services—minor works, cleaning, transportation, and so on—continues to be provided by small firms.

Performance indicators and a computerised procurement monitoring system are currently being developed. Meantime this Department continues to operate a policy of including small firms on tender lists whenever an appropriate opportunity arises.

Student Awards

Mr. Andrew Smith: To ask the Secretary of State for Education and Science how many students in each England and Wales local authority area received *(a)* mandatory awards and *(b)* discretionary awards in the latest year for which figures are available.

Mr. MacGregor: The data required are listed in the table.

Mandatory and discretionary award holders: academic year 1988-89

Local education authority	*Total mandatory award holders*[1]	*Total discretionary award holders*[2]
Barking	320	321
Barnet	3,946	506
Bexley	1,326	277
Brent	2,796	568
Bromley	2,897	367
Croydon	3,137	917
Ealing	2,716	710
Enfield	2,253	122
Haringey	2,153	678
Harrow	2,504	729
Havering	1,207	601
Hillingdon	1,551	552
Hounslow	1,710	512
Kingston-Upon-Thames	1,455	237
Merton	1,583	415
Newham	1,245	748
Redbridge	1,965	811
Richmond-Upon-Thames	2,067	274
Sutton	1,334	301

Local education authority	Total mandatory award holders[1]	Total discretionary award holders[2]
Waltham Forest	1,425	378
Inner London	18,469	7,972
Birmingham	7,534	2,226
Coventry	2,619	692
Dudley	2,025	1,349
Sandwell	1,394	1,391
Solihull	2,229	189
Walsall	1,939	1,441
Wolverhampton	1,968	71
Knowsley	853	1,238
Liverpool	3,733	2,238
St. Helens	1,502	1,094
Sefton	3,556	138
Wirral	3,679	1,469
Bolton	2,442	1,780
Bury	1,781	1,588
Manchester	3,004	2,688
Oldham	1,479	752
Rochdale	1,406	987
Salford	1,177	789
Stockport	3,336	1,421
Tameside	1,179	938
Trafford	2,716	944
Wigan	2,215	2,716
Barnsley	1,245	1,255
Doncaster	1,923	1,252
Rotherham	1,684	1,726
Sheffield	3,994	3,239
Bradford	2,994	979
Calderdale	1,428	348
Kirklees	2,960	2,844
Leeds	5,260	1,534
Wakefield	1,780	2,201
Gateshead	1,188	174
Newcastle-upon-Tyne	2,047	911
North Tyneside	1,516	1,184
South Tyneside	1,005	226
Sunderland	1,712	667
Isles of Scilly	28	25
Avon	8,333	2,664
Bedfordshire	3,938	1,666
Berkshire	7,010	1,060
Buckinghamshire	6,978	520
Cambridgeshire	5,264	451
Cheshire	10,048	1,749
Cleveland	4,417	1,136
Cornwall	3,655	2,005
Cumbria	3,513	1,426
Derbyshire	6,594	7,420
Devon	8,198	2,924
Dorset	4,743	1,727
Durham	3,833	482
East Sussex	5,332	635
Essex	10,063	6,701
Gloucestershire	4,877	1,694
Hampshire	13,983	3,404
Hereford and Worcester	6,100	463
Hertfordshire	9,975	1,074
Humberside	5,852	4,229
Isle of Wight	875	291
Kent	11,416	6,706
Lancashire	13,452	5,311
Leicestershire	7,523	3,516
Lincolnshire	4,487	1,099
Norfolk	4,217	2,447
North Yorkshire	7,806	3,490
Northamptonshire	3,531	422
Northumberland	2,557	1,533
Nottinghamshire	6,781	906
Oxfordshire	5,530	473
Shropshire	3,456	913
Somerset	3,675	1,317
Staffordshire	7,829	701
Suffolk	4,029	1,445
Surrey	12,015	1,306
Warwickshire	4,776	2,095
West Sussex	5,684	671
Wiltshire	4,141	1,111
Clwyd	3,618	1,098
Dyfed	3,512	1,991
Gwent	3,687	3,281
Gwynedd	2,985	2,192
Mid-Glamorgan	3,795	3,441
Powys	1,008	616
South Glamorgan	4,314	476
West Glamorgan	3,374	295
Total England and Wales	415,368	157,273

[1] Excludes sandwich students in their placement year who receive a fees only award.

[2] Excludes sandwich students in their placement year who receive a fees only award. Includes all other higher education and further education discretionary award holders.

Student Loans

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will specify the powers under which he proposes to authorise expenditure on access funds in relation to the student loans scheme.

Mr. MacGregor: Payments of the access funds to the funding councils will be made under the powers available in sections 131(4) and 132(4) of the Education Reform Act 1988. Payments of the access funds to local education authority colleges of further education and to institutions directly grant-aided by the Department will be made under new regulations, to be laid before the House this week, made under the powers in section 100(1)(b) and (3) of the Education Act 1944. The regulations will enable the Secretary of State to make payments of the access funds to such institutions; they will not prescribe how the funds should be disbursed by these institutions to their students.

University Pay

Dr. Hampson: To ask the Secretary of State for Education and Science when he expects to announce his decision on the university lecturers' salary negotiations; and if he will make a statement on the time taken to reach this decision.

Mr. MacGregor: My Department has today notified the chairman of committee A of the Universities Academic Salaries Committees that we accept the pay increases recommended for non-clinical academic staff in the committee's 25th report. My Department has also written to the chief executive of the Universities Funding Council to authorise the release of the £20 million held back against the conclusion of a satisfactory pay settlement. I had to consider the 25th report carefully against the criterion which we set for the release of the £20 million—greater flexibility and differentiation in the salary structure. I have made it clear that I shall be looking for greater expansion of the flexibility element within the pay structure in next year's settlement for non-clinical academic staff.

TRADE AND INDUSTRY

Esprit Buildings, Brussels

Mr. Geoffrey Robinson: To ask the Secretary of State for Trade and Industry what information he has on the amount of British equipment which was supplied for the new Esprit building in Brussels.

Mr. Sainsbury: My Department has no information on this matter, which is one for the European Commission in view of its responsibility for equipping the new Bredel building in Brussels, occupied by Esprit together with many other Commission staff.

Textiles and Clothing

Sir John Farr: To ask the Secretary of State for Trade and Industry what discussions he has had with Ministers from other European Community countries on the need for barriers to Community exports of textiles and clothing to be reduced, and for subsidies to be ended.

Mr. Sainsbury: There are regular discussions between EC Ministers, both bilaterally and in the Council, on the current Uruguay round of GATT multilateral trade negotiations, in which one of the Community's main objectives is to secure greater market opening and effective rules on subsidies.

Sir John Farr: To ask the Secretary of State for Trade and Industry when he last met representatives from the Apparel, Knitting and Textiles Alliance; and what matters were discussed.

Mr. Sainsbury: My right hon. Friend's predecessor met representatives of the Apparel, Knitting and Textiles Alliance on 12 June to discuss progress in the GATT Uruguay round of multilateral trade negotiations.

Sir John Farr: To ask the Secretary of State for Trade and Industry what progress has been made in negotiations for strengthening general agreement on tariffs and trade rules and disciplines applying to international trade in textiles; and if he will make a statement.

Mr. Sainsbury: The trade negotiations committee is meeting this week in Geneva to take stock of progress in all 15 Uruguay round negotiating groups on the basis of reports from the groups' chairmen. The aim of the meeting will be to narrow differences of view as far as possible and to identify areas where further work is needed. The EC's position—supported by the United Kingdom—is that trade in textiles should be integrated into GATT on the basis of strengthened rules and disciplines.

Mr. Madden: To ask the Secretary of State for Trade and Industry what progress is being made in the GATT negotiations on the future framework for world trade in textiles and clothing.

Mr. Sainsbury: The chairman of the GATT negotiating group on textiles and clothing has produced a chairman's report for consideration by the trade negotiations committee in Geneva this week. This is designed to take into account various negotiating positions and, therefore, contains a significant number of alternative options. Many of these differences of view are unlikely to be resolved until nearer the end of the negotiations in December, but the European Community continues to press for a progressive phase out of the MFA over a transitional period and on the basis of strengthened GATT rules and disciplines.

Mr. Madden: To ask the Secretary of State for Trade and Industry what representations have been made to his Department by the textiles and clothing industries regarding the GATT rules *(a)* governing subsidies, *(b)* governing dumping, *(c)* controlling theft of designs and brand names and *(d)* on safeguards.

Mr. Sainsbury: The GATT rules mentioned by the hon. Member are the subject of regular representations to Ministers in my Department, particularly in the context of the current multilateral trade negotiations.

Mr. Madden: To ask the Secretary of State for Trade and Industry what was the level of imports of textiles and clothing in the first four months of 1990, and for the same four months in 1989.

Mr. Sainsbury: The value of imports was £2,662 million in the first four months of 1990, compared with £2,411 million in the same four months of 1989.

Mr. Madden: To ask the Secretary of State for Trade and Industry what representations have been made to his Department by the textiles and clothing industries about the trade barriers faced by United Kingdom exporters to countries outside the European Community.

Mr. Sainsbury: Ministers in the Department frequently receive representations from the textile industry about foreign barriers to United Kingdom exports, both directly and through hon. Members. It is one of the European Community's main aims in the Uruguay round to achieve a reduction by all parties in their tariff and non-tariff barriers.

Mr. Madden: To ask the Secretary of State for Trade and Industry what was the level of United Kingdom textiles and clothing *(a)* imports from and *(b)* exports to Turkey in the first four months of 1990.

Mr. Sainsbury: The figures are:
(a) £80 million.
(b) £7 million.

Unpublished Departmental Reports

Mr. Cousins: To ask the Secretary of State for Trade and Industry whether, pursuant to his reply to the hon. Member for Newcastle upon Tyne, Central of 16 July, *Official Report*, column *383*, he will now list the number of unpublished reports prepared by his Department under the Insurance Companies Acts in each year since 1980.

Mr. Redwood: The table sets out the number of completed investigations under section 44(2)(b) of the Insurance Companies Act 1982 since 1980.

	Number
1980	0
1981	1
1982	0
1983	2
1984	1
1985	0
1986	0
1987	3
1988	3
1989	1

Companies House

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what increases there have been in the charge for postal sales of the microfiche records of companies from Companies House since December 1983; what has been the average annual increase; what has been the basis on which the charge has been set; and what effect changes in the efficiency of the Companies House agency have had on the charges.

Mr. Redwood: The price of obtaining a company search by post was set at £2 when the service was introduced in December 1983. It was subsequently increased to £4 in July 1988 and to £5 in July 1990, which is equivalent to an average annual increase of 15 per cent. The policy is now that the price of this service should cover its costs, taking one year with another, although in the past it has not done so. The increases would have been much higher without the productivity gains achieved by Companies House over this period.

Tradeable Information Guidelines

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry how many persons are awaiting copies of the tradeable information guidelines, based on the European Communities synergy guidelines; and when he intends to send the Department's guidelines to those who have requested them.

Mr. Redwood: The Department of Trade and Industry published tradeable information guidelines in September 1986. This served in part as the basis for the European Commission publication "Guidelines for improving the synergy between the public and private sectors in the information market". A revised edition of the United Kingdom guide has been published by my Department this month, entitled "Government-held tradeable information. Guidelines for government departments in dealing with the private sector". This is now being distributed to Government Departments and others who have expressed interest.

Company Information

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what United Kingdom legislation provides for the public right to postal sales of company information from the Registrar of Companies on the price basis required by EEC directive 68/151 article 3, paragraph 3.

Mr. Redwood: Section 709 of the Companies Act 1985 provides a statutory right to certified copies of company documents. When this section is amended by section 126(2) of the Companies Act 1989, there will additionally be a statutory right to uncertified copies. There are no express provisions in the Companies Act on the price basis for providing these services or the method of delivery.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what legislative provision he intends to introduce in respect of charges for the postal sales service for company information on microfiche and other forms.

Mr. Redwood: The statutory fees for certified copies of documents are prescribed by the Companies (Fees) Regulations 1988. When section 126(2) of the Companies Act 1989 is brought into force, the regulations will be amended to prescribe a statutory fee for uncertified copies, which will cover the postal search service.

Telecommunications

Mr. Cran: To ask the Secretary of State for Trade and Industry how he plans to review the commitment given by the Government in November 1983 that they did not intend to license operators other than British Telecommunications and Mercury Communications to provide basic fixed-link telecommunications for a period of seven years.

Mr. Lilley: We will publish a consultative document in the autumn setting out the issues to be reviewed and indicating where appropriate the Government's preferred options. The review will be wide-ranging and will be conducted in close association with the Director General of Telecommunications. It will cover local and trunk telephone services, cable entertainment services and international telecommunications. There will be a period for public comment, after which the Government will aim to announce their decisions early in the new year.

ECGD

Mr. Morgan: To ask the Secretary of State for Trade and Industry if he will list the number of policyholders with the Export Credits Guarantee Department with an annual export turnover of under *(a)* £1 million and *(b)* £500,000 in each of the years 1985 to 1989.

Ms. Quin: To ask the Secretary of State for Trade and Industry what was the number of policyholders with the Export Credits Guarantee Department with an annual export turnover of under £1 million for each of the years 1985 to 1989.

Mr. Sainsbury *[holding answer 19 July 1990]:* The ECGD insures contracts with buyers in specified countries and does not necessarily require policyholders to inform the ECGD of their annual export turnovers. In addition, some companies insure their business with ECGD through an intermediary rather than direct with the ECGD. Accordingly information is not held in the form required to answer the question. In the financial year 1989-90 a total of 4,720 policyholders each declared business of less than £1 million. This was not necessarily their total export turnover. These figures refer only to the Cardiff-based insurance services short-term business and not to project business.

Ford Plant (Hungary)

Mr. Allen: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact upon British industry of the locating of Ford's proposed automotive components plant in Hungary; and if he will make a statement.

Mr. Douglas Hogg *[holding answer 19 July 1990]:* The siting of investment is a commercial matter for the company. Many overseas companies, particularly in the car and automotive components sectors, including Ford, have invested in the United Kingdom, attracted by the favourable climate for business created by the Government.

EC Structual Funds

Mr. Hardy: To ask the Secretary of State for Trade and Industry what proportion of European Community structural funds devoted to correcting regional imbalance was devoted to projects within the United Kingdom in each of the last five years.

Mr. Douglas Hogg *[holding answer 23 July 1990]:* The United Kingdom's share of the European regional development fund over the last five years is shown in column C:

ERDF commitments

£ million

	(A) Total EC	*(B) Total United Kingdom*	*(C) United Kingdom share Per cent.*
1985	1,469	358	24·4
1986	2,227	368	16·5
1987	2,581	449	17·4
1988	2,543	387	15·2
1989	3,020	343	11·4

Mr. Hardy: To ask the Secretary of State for Trade and Industry (1) to what extent Government policy is compatible with that of the Community in regard to the expansion and use of structural funds within the United Kingdom; and what plans he has to achieve full compatibility after 1992;

(2) what action he is taking to ensure that the United Kingdom secures a fair and justifiable share of European structural funds up to and beyond 1992.

Mr. Douglas Hogg *[holding answer 23 July 1990]:* Government policy is already compatible with that of the Community with regard to the structural funds, which involve a partnership between national Governments, the Commission and others. The Community support frameworks, which detail the amounts of funding, are agreed between the Government and the Commission.

The Government will continue to make every effort in their contacts with the Commission to ensure that the United Kingdom obtains its fair share of the structural funds up to and beyond 1992.

Mr. Hardy: To ask the Secretary of State for Trade and Industry what was the number of projects and the value of the financial support from European structural funds devoted to each region of the United Kingdom in each of the last five years; and what is the number which he expects to be supported in each region in 1990-91 and 1991-92.

Mr. Douglas Hogg *[holding answer 23 July 1990]:* The number of projects receiving structural fund assistance and the value of European social fund and EAGGF guidance fund commitments by region are not readily available. A regional breakdown of European regional development fund commitments over the last five years is in the table.

ERDF Commitments

£ million

	1985	*1986*	*1987*	*1988*	*1989*
North	27	41	63	71	58
Yorkshire and Humberside	24	47	32	25	30
East Midlands	18	2	3	3	0
East Anglia	0	0	0	0	0
South East	0	0	0	0	0
South West	10	22	28	16	5
West Midlands	46	40	67	25	20
North West	77	55	40	41	80
Wales	58	47	56	64	63
Scotland	71	57	117	97	21
Northern Ireland	26	43	41	44	66
Multi-regional	0	13	3	1	0
Total United Kingdom	358	368	449	387	343

Mr. Hardy: To ask the Secretary of State for Trade and Industry what funding has been received from European Community structural funds in the Yorkshire and Humberside steel area programme in each year since 1988; and what funding is expected in 1990-91 and 1991-92 in this area.

Mr. Douglas Hogg *[holding answer 23 July 1990]:* Commitments from the European regional development fund and the European social fund to the Yorkshire and Humberside steel area programme were £7·1 million in the calendar year 1988 and £20·8 million in 1989. Commitments for 1990, 1991 and 1992 are expected to be £28·9 million, £37·3 million and £31·4 million respectively. Commitments by financial year are not readily available.

Mr. Hardy: To ask the Secretary of State for Trade and Industry what was the sum available from the structural funds of the European Community between 1987 and 1990; and what proportion of that sum was devoted to South Yorkshire.

Mr. Douglas Hogg *[holding answer 23 July 1990]:* In the period 1987 to 1990 commitments from the European regional development fund, European social fund, and the EAGGF guidance fund for the whole of the European Community are estimated at £12 billion, £9·6 billion and £3·6 billion respectively, giving a total of £25·2 billion for all three structural funds. Figures for ESF and EAGGF guidance commitments for South Yorkshire are not readily available. ERDF commitments for South Yorkshire in the period 1987 to 1990 are estimated at £59·1 million, some 0·5 per cent. of total EC and ERDF commitments.

Financial Services

Ms. Mowlam: To ask the Secretary of State for Trade and Industry how often those offences under the Financial Services Act concerning (i) inducing another person to enter an investment by knowingly making a false or misleading statement, (ii) knowingly engaging in any act or course of conduct which creates a false or misleading impression of the market and (iii) inducing another person to enter an insurance contract by knowingly making false or misleading statements have been used.

Mr. John Patten: I have been asked to reply.

Records available to my Department show that no persons had been prosecuted under the Financial Services Act 1986 up to the end of 1988.

FOREIGN AND COMMONWEALTH AFFAIRS

Vietnamese Boat People

Mr. Janner: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement regarding overcrowding in the detention centres for Vietnamese boat people in Hong Kong.

Mr. Waldegrave: The 10 detention centres in Hong Kong have a combined design capacity of 45,000 places. Their current population is 44,200. A new purpose-built detention centre at Tai a Chau will be completed later this year, making available an additional 10,000 places. This will enable the Hong Kong Government to close some of the smaller existing centres, further reduce the populations in the main detention centres, and make more accommodation available to UNHCR and the voluntary agencies to enable them to expand their programme of services.

Mr. Janner: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement regarding the treatment of communicable diseases in the detention centres for Vietnamese boat people in Hong Kong.

Mr. Waldegrave: The majority of patients suffering from communicable diseases are admitted to the infectious disease unit of the Princess Margaret hospital. In 1988 there were 1,491 cases, the majority of which were chicken pox. In 1989 there were 2,583 cases, 20 per cent. of the total number of notifiable diseases reported in Hong Kong. This increase is explained by the arrival of over 34,000 boat people in Hong Kong during that year. Of these cases, 1,271 were chicken pox, 149 dysentery, 685 malaria, 83 measles, 226 tuberculosis, 120 viral hepatitis and 23 cholera.

Mr. Janner: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement regarding current living conditions in each of the detention centres for Vietnamese boat people in Hong Kong.

Mr. Waldegrave: Living conditions in the detention centres have steadily improved as new purpose-built accommodation has become available.

Considerable progress has been made in expanding the voluntary agency programmes which cover education, medical care, family planning and excursions for children.

Water supplies are more than adequate, per capita consumption being well above the average for Hong Kong. Food is prepared in central kitchens in each centre by Vietnamese workers, using dietary scales drawn up in conjunction with the UNHCR. Sanitary conditions are satisfactory and have improved with the reduction in overcrowding and as boat people become more familiar with the facilities.

Visas

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, for each of the last 12 months for which figures are available, the numbers of *(a)* applications received for visas for visits to the United Kingdom, and *(b)* such visas granted at the embassy of Her Majesty's Government in Moscow.

Mr. Lennox-Boyd: Information is available as follows:

	Visa applications received	*Visas issued*
1989	27,918	27,838
[1]1990	15,643	15,612

[1] January to May.

European Community Directives

Mr. Onslow: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he has received to his letter to the President of the European Commission proposing regular six-monthly reviews of national compliance with EEC directives; and if he will make a statement.

Mr. Waldegrave: In his reply of 15 June, M. Delors agreed that the Community should redouble efforts to ensure full and correct national implementation of European Community decisions, and referred to Commission consideration of new ways of presenting reports on implementation of Community law.

At its Dublin meeting the European Council asked the Commission to strengthen its supervisory procedures and agreed to review the matter in December.

Ilois People

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what are his responsibilities in relation to the Ilois people from the British Indian Ocean Territories who are currently in Mauritius.

Mr. Waldegrave: None. All are Mauritian citizens, although some may also be British dependent territories citizens.

OVERSEAS DEVELOPMENT

Agriculture Specialists

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 8 March, *Official Report*, columns *787-88*, concerning the number of Overseas Development Administration agricultural specialists who are women, whether there have been any changes in the figures since that date.

Mrs. Chalker: The number of the ODA's own specialists overseas remains at eight, none of whom are women. We still have one woman natural resources adviser on secondment to a technical co-operation assignment in Bangladesh.

Rihand Power Station

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 19 July, when an appraisal of the Rihand power station project will begin; when it will be completed; and who is carrying out the assessment.

Mrs. Chalker: The appraisal of the power station will be taken forward in a series of studies: an initial assessment of issues was conducted in October 1989; if a contract is awarded to a British contractor and British aid

funding is requested, a further appraisal will be carried out to assess the economic, financial and engineering aspects of the proposed contract and, in the light of the World bank's study of the Singrauli area, of the environmental aspects of the project. As the contract has yet to be awarded, it is not possible to say when these further studies will be completed. The appraisal studies will be led by staff from the Overseas Development Administration and may call on expertise from outside the administration.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 3 July, *Official Report*, column *489*, what is the value of the provisional offer of aid for the second stage of Rihand power station; what is the total value of the contract for the second stage; which British company has been nominated as the main contractor; and what is the exact megawattage of the second phase.

Mrs. Chalker: No commitment has been given to a specific amount of aid. Before making any such commitment, the Overseas Development Administration will need to be satisfied that the proposed contract price and the project as a whole represent a cost-effective and environmentally sound approach to power generation in India. Following international tendering, discussions are in progress between the client, the National Thermal Power Corporation, and contractors, and the value of any contract has therefore yet to be determined. GEC was nominated as the main British contractor in 1987. The proposed second phase of the power station will be for 1,000 MW.

Contracts (Value-for-money Inquiries)

Mr. Campbell-Savours: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to ensure that no contractual relationship exists between Messrs Biwaters and any firms of consultants Her Majesty's Government have employed on value-for-money inquiries, checks or audits on contracts assisted by the Overseas Development Administration.

Mrs. Chalker *[pursuant to her reply, 18 July 1990, c. 600]:* Not only were there no contractual relationships between Biwater and either the firms or the individual specialist carrying out the value-for-money checks at the time the checks were commissioned, as I have already informed the hon. Gentleman, but there were no such relationships at any time during the execution of the checks.

PRIME MINISTER

EC Intergovernmental Conference

Q49. **Mr. Dykes:** To ask the Prime Minister is she will make a statement on the progress of ministerial interdepartmental co-ordination in preparation for the European Community intergovernmental conference meetings in December.

The Prime Minister: Interdepartmental preparations for both intergovernmental conferences continue in the usual way.

Community Care

Q173. **Mr. Tom Clarke:** To ask the Prime Minister what representations she has received on community care aspects of the National Health Service and Community Care Act 1990.

The Prime Minister: I receive many representations in correspondence, and Health Ministers receive further representations at regular meetings with organisations about our plans for community care.

Court Proceedings (Children's Evidence)

Q190. **Dr. Godman:** To ask the Prime Minister if Her Majesty's Government have any proposals to introduce changes to the rules governing the giving of evidence by children in court proceedings involving allegations of physical abuse or sexual abuse; and if she will make a statement.

The Prime Minister: I refer the hon. Member to the reply I gave him on 19 July at column *674*.

ECGD

Mr. Allen: To ask the Prime Minister, further to her reply of 19 July, when the review of Export Credits Guarantee Department medium-term credit will be completed; who is undertaking it; and if she will make a statement.

The Prime Minister: The availability of Export Credits Guarantee Department medium-term cover is kept under close and continuing review. The reviews are undertaken by ECGD and then in consultation with all the interested Government Departments.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

Mr. Rathbone: To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

Mr. John Evans: To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 24 July.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Correspondence

Mr. Onslow: To ask the Prime Minister what progress has so far been made by the Cabinet Office efficiency unit inquiry into departmental handling of hon. Members' correspondence with Ministers; and if she will make a statement.

The Prime Minister: The scrutiny is now under way. The scrutiny team rightly attaches great importance to seeking Members' views and sent a questionnaire to all hon. Members and is arranging to see a number of Members to discuss their views on this subject. The team is expected to produce its report by the end of November.

Security Vetting

Sir John Wheeler: To ask the Prime Minister whether she will make a statement about the procedures for security vetting within the Government.

The Prime Minister: The security vetting system continues to form a key part of the protective arrangements for safeguarding national security and countering terrorism. The system that has been used to investigate the reliability of those who are expected to have regular access to highly classified information is known as positive vetting (PV); it has now been in operation for nearly 40 years. A more rigorous form of PV—known as enhanced positive vetting (EPV)—has been applied to all employees of the security and intelligence agencies and to a small number of people on closely associated work in other Government Departments since the implementation of the recommendations of the Security Commission in its report on the Prime case published in 1983—Cmnd. 8876. In addition, it has been the long-standing practice of successive Governments to carry out a more limited range of background checks, including criminal record checks, for access to less sensitive information and, increasingly, for the purposes of countering terrorism: this system has been known within the Government as normal vetting (NV).

As indicated in the Government's response, published today, to the Home Affairs Select Committee report on criminal records which commented on the use of criminal record checks for the purpose of security vetting, the Government have decided, following a comprehensive review, that the security vetting system should be restructured and operated on the basis of defined and published criteria. From 1 October 1990 all candidates for security vetting will be asked to complete a security questionaire which will explain the purpose of the procedure and invite them to provide the personal details required for the necessary checks to be carried out. Vetting will then be carried out on the basis of the following revised statement of policy.

The aim is to ensure that checks are carried out only to the extent necessary to safeguard national security and for the purposes of countering terrorism in the light of the current assessment of the threats to security. The changes will not affect the position of any individuals who have been vetted under the current arrangements.

When the reliability of a public servant is thought to be in doubt on security grounds, there is a right of appeal to the three advisers—the tribunal appointed by the Government to advise Ministers in such cases—where security considerations are involved and to the permanent head of the Department in cases involving aspects of conduct and character alone. These arrangements will remain in force. Copies of a statement of the existing procedure, which will be amended as necessary to reflect the following policy, and the current terms of reference of the three advisers are available in the Library of the House.

Statement of Vetting Policy: with effect from 1 October 1990.

In the interests of national security and of safeguarding Parliamentary democracy, it is the policy of HMG that no one should be employed in connection with work the nature of which is vital to the security of the state who:

(a) is, or has been, involved in, or associated with any of the following activities threatening national security:
  (i) espionage,
  (ii) terrorism,
  (iii) sabotage,
  (iv) actions intended to overthrow or undermine Parliamentary democracy by political, industrial or violent means; or

(b) is, or has recently been, a member of any organisation which has advocated such activities; or

(c) is, or has recently been, associated with any such organisation, or any of its members, in such a way as to raise reasonable doubts about his or her reliability; or

(d) is susceptible to pressure from any such organisation or from a foreign intelligence service or a hostile power; or

(e) suffers from defects of character which may expose him or her to blackmail or other influence by any such organisation or by a foreign intelligence service or which may otherwise indicate unreliability.

2. In accordance with that policy Government Departments will in future submit all candidates for posts involving access to highly classified information to one of the following levels of vetting clearance, depending on the circumstances:

(a) PV(S): this level of clearance is required before regular access to SECRET information can be authorised. In some circumstances, where it would not be possible for an individual to make reasonable progress in their career without clearance to SECRET level, it may be applied to candidates for employment whose duties may not, initially, involve regular access to SECRET information. A PV(S) clearance will normally consist of a full record check, that is a check against any relevant Departmental personnel records, a check against the National Collection of Criminal Records, and other necessary security checks, including a check against the records of the Security Service and police forces. In some cases further enquiries, including an interview with the subject, may be carried out.

(b) PV(TS): this level of clearance is required before regular and constant access to TOP SECRET information can be authorised and for certain other posts involving access to highly sensitive classified information or material. It may also be applied in the following circumstances:
  (i) at the discretion of the Foreign and Commonwealth Office before employment overseas in posts connected with British diplomatic or consular missions:
  (ii) at the discretion of Home Office, the Northern Ireland Office and the Scottish Office, in a post in the police service involving regular and constant access to SECRET information held or generated by a Special Branch which relates to espionage, sabotage or terrorism, or to actions intended to overthrow or undermine Parliamentary democracy by political, industrial or violent means;
  (iii) at departmental discretion before employment in a departmental security post;
  (iv) at the discretion of the security and intelligence agencies to members of their ancillary staff.

A PV(TS) clearance will consist of a record check on similar lines to that carried out for PV(S) clearances, supplemented by a formal check on the credit worthiness of the individual and by interviews with the subject and persons familiar with their character in both the home and the work environment.

(c) EPV: this is the most rigorous form of PV clearance now applied to members of the security and intelligence agencies and to a small number of staff employed on closely associated work in

Government Departments. It consists of the same sort of enquiries as those made for a PV(TS) background investigation, but to a greater depth.

3. In addition security checks may also be carried out in the following circumstances:

(a) for the protection of classified information. Basic security checks, known as Reliability Checks, may be carried out in the interestes of national security before:

(i) individuals are granted unescorted access to premises or areas where highly classified information or material is held and where there is a risk of accidental access to that information or material; and

(ii) individuals are authorised to have access to certain categories of information classified CONFIDENTIAL, mostly in the fields of defence and foreign affairs.

The aim of such checks is primarily to ensure that the character of the individual concerned is such that they can be trusted in circumstances where they may gain access to information of importance to national security

(b) for the protection of public figures and military and civil establishments at particular risk of attack by terrorist organisations. Irrespective of the degree of access to classified information security checks, known as Counter Terrorist Checks, may be carried out in the interest of national security before:

(i) individuals take up posts which involve proximity to public figures at particular risk of attack by terrorist organisations, or which give access to information or material assessed to be of value to terrorists;

(ii) individuals are granted unescorted access to certain military and civil establishments assessed to be at particular risk of attack by terrorist organisations.

The aim of such checks is to prevent individuals who have connections with terrorist organisations, or who may be vulnerable to pressure from such organisations, from gaining access to certain posts and, in some circumstances, premises where there is a risk that they could exploit that position to further the aims of a terrorist organisation.

4. A check against the National Collection of Criminal Records is an invariable feature of a Reliability Check clearance; and criminal record information may also be taken into account in a Counter Terrorist Check clearance. Other security checks may be carried out as necessary.

NORTHERN IRELAND

Firearms

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) how many requests for *(a)* renewals and *(b)* variations of firearms certificates have been refused in each of the Royal Ulster Constabulary divisions in Belfast in each of the last three years for which figures are available;

(2) how many applications for a firearms certificate for *(a)* shotguns, *(b)* rifles, *(c)* handguns and *(d)* other firearms have been refused in each Royal Ulster Constabulary division in Belfast in each of the last three years for which figures are available, or as much of such information as is available to him;

(3) if he will publish a table to show by reference to Royal Ulster Constabulary division how many firearms certificates have been withdrawn in each of the last three years; and if he will specify, by type and number of firearms, the firearms to which such certificates related and indicate how many of the certificates were withdrawn because the holder had been convicted of *(a)* terrorist activity and *(b)* other illegal actions for which he was sentenced in a court of law, or as much of such information as is available to him.

Mr. Cope: The Chief Constable of the Royal Ulster Constabulary has informed me that the information is not held in a manner which makes the statistics asked for readily available and they could be obtained only at disproportionate cost.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many *(a)* shotguns, *(b)* rifles, *(c)* handguns and *(d)* other firearms have been stolen from the legal owners in each Royal Ulster Constabulary division in Belfast in each of the last three years for which figures are available, or as much of such information as is available to him.

Mr. Cope: The Chief Constable of the Royal Ulster Constabulary has informed me that the information is not recorded in the format sought. The following information is available however for the past two years:

	Bullet firing weapons	*Shotguns*	*Other weapons (including air weapons)*
A Division			
1988	1	2	1
1989	6	2	0
B Division			
1988	2	2	1
1989	4	0	0
D Division			
1988	8	16	2
1989	2	2	1
E Division			
1988	2	4	0
1989	4	3	1

Education Board Tribunals

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on what date did each of the appeals tribunals of the five education area boards commence their work in connection with the new transfer procedure; how many appeals have been received in each of the five education areas; and when he expects all appeal hearings to be completed.

Dr. Mawhinney: The information is as follows:

Education area board	*Date appeals tribunals commenced work*	*Number of appeals received*
Belfast	19 July 1990	105
Western	16 July 1990	121
North-Eastern	16 July 1990	116
South-Eastern	Expected to be 26 July 1990	91
Southern	Expected to be 7 August 1990	77

I expect appeal hearings to be completed by the end of August.

Grammar Schools

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many grade 2 pupils were refused places in grammar schools; and how many grade 3 and 4 pupils, including those already attending the preparatory

departments of grammar schools, were accepted into grammar schools arising from the new transfer procedure this year.

Dr. Mawhinney: Information in the form requested is not readily available. In this year's transfer procedure tests 2,789 pupils were awarded grade 2 of whom 1,872 have been admitted to grammar schools. In addition 399 pupils awarded grade 3 and 80 pupils awarded grade 4 have been admitted to grammar schools.

Teachers

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether the funding formula for individual schools in Northern Ireland under local management of schools will make provision for the real cost of teachers' salaries rather than the average salary of a teacher in Northern Ireland.

Dr. Mawhinney: Under the formula the determination of budgets for schools will be based principally on age-weighted pupil numbers. For schools with fewer than 12 teaching staff, the formula may include a factor to provide some protection if the teachers' salaries are higher than average. For all schools, additional teachers' salary costs associated with school reorganisation will be funded outside the formula.

Human Rights

Mr. Ashby: To ask the Secretary of State for Northern Ireland if he has received the 15th report of the Standing Advisory Commission on Human Rights; and if he will make a statement.

Mr. Brooke: The report has been published today, and copies have been laid before Parliament. It covers the period 1 April 1989 to 31 March 1990.

The report covers a wide range of matters which the commission has considered during the period under review. These include discrimination and equality of opportunity including fair employment, education, the law relating to children, police and criminal evidence matters, prisons, emergency legislation, the Broadcasting Bill and electoral law.

I attach importance to the work of the commission and value the advice it gives me on a range of human rights issues. I am particularly grateful to the commission for having maintained a programme of work in addition to its recent review of the adequacy and effectiveness of existing laws and institutions to secure freedom from discrimination and further equality of opportunity in Northern Ireland. I laid the second report of that review before Parliament on 26 June—Cm.1107.

Copies of my response to the commission's 15th report and of the report itself have been placed in the Library.

Airports

Dr. Twinn: To ask the Secretary of State for Northern Ireland whether the Government plan to privatise Northern Ireland Airports Ltd.

Mr. Brooke: The Government have decided that Northern Ireland Airports Ltd. is a candidate for privatisation. We shall seek specialist advice.

Terrorist Offences

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many persons were charged with terrorist-type offences following initial detention under Acts other than the Prevention of Terrorism (Temporary Provisions) Acts and the Northern Ireland (Emergency Provisions) Acts in 1989.

Mr. Cope *[holding answer 4 July 1990]:* The information is not readily available and could be obtained only at disproportionate cost.

Terrorism

Sir Peter Emery: To ask the Secretary of State for Northern Ireland how many persons known or claiming to be members of the Irish Republican Army have been killed and injured each year since 1969 as a result of terrorist activities.

Mr. Cope *[holding answer 19 July 1990]:* The information is not available.

WALES

Disabled People

Mr. Wigley: To ask the Secretary of State for Wales what information he has laid before Parliament under section 11 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement.

Mr. Grist: A report will be laid before Parliament within the required period of one year from 18 December 1989, the date of implementation of section 11 of the Act.

NHS Reform

Mr. Wigley: To ask the Secretary of State for Wales whether any of the district health authorities in Wales have indicated to his Department an interest on opting out of the present national health service structure in their entirety; and if he will make a statement.

Mr. Grist: Pembrokeshire health authority has expressed an interest in self-governing status. If the authority submitted a successful application for such status, this would not involve opting out of the NHS structure. Self-governing trusts will remain firmly part of the NHS.

Hospital Waiting Lists

Mr. Gareth Wardell: To ask the Secretary of State for Wales (1) what was the number of patients requiring non-urgent treatment as in-patients for traumatic and orthopaedic surgery at Withybush hospital at the latest available date who had waited for *(a)* up to three months, *(b)* between three months and six months, *(c)* between six months and nine months, *(d)* between nine months and one year, *(e)* between one year and 15 months, *(f)* between 15 months and 18 months, *(g)* between 18 months and two years and *(h)* more than two years;

(2) what was the number of patients requiring treatment as out-patients for traumatic and orthopaedic surgery at the latest available date who had waited for *(a)*

up to three months, *(b)* between three months and six months, *(c)* between six months and nine months, *(d)* between nine months and one year and *(e)* more than one year at (i) Nevill Hall hospital, (ii) University Hospital of Wales and (iii) Morriston hospital;

(3) what was the number of patients requiring urgent treatment as in-patients for general surgery including urology at the latest available date, who had waited for (i) between one month and two months, (ii) between two months and three months, (iii) between three months and four months, (iv) between four months and five months, (v) between five months and six months, (vi) between six months and one year and (vii) more than one year at *(a)* Withybush hospital, *(b)* St. Woolos hospital and *(c)* University Hospital of Wales;

(4) what was the number of patients requiring non-urgent treatment as in-patients for general surgery including urology at the latest available date, who had waited for (i) between three months and six months, (ii) between six months and nine months, (iii) between nine months and one year, (iv) between one year and 15 months, (v) between 15 months and 18 months, (vi) between 18 months and 21 months and (vii) between 21 months and two years at *(a)* Withybush, *(b)* Nevill Hall, *(c)* Princess of Wales, *(d)* Prince Charles, *(e)* University Hospital of Wales, *(f)* Cardiff royal infirmary and *(g)* Neath hospitals;

(5) what was the number of patients requiring treatment as out-patients for general surgery including urology at Morriston hospital, at the latest available date who had waited for *(a)* between one month and two months, *(b)* between two months and three months, *(c)* between three months and six months, *(d)* between six months and nine months, *(e)* between nine months and one year and *(f)* longer than one year;

(6) what was the number of patients requiring urgent treatment as in-patients for traumatic and orthopaedic surgery at Withybush hospital at the latest available date who had waited for *(a)* less than one month, *(b)* between one month and two months, *(c)* between two and three months, *(d)* between three and four months, *(e)* between four and five months, *(f)* between five and six months, *(g)* between six and seven months, *(h)* between seven and eight months, *(i)* between eight and nine months, *(j)* between nine months and one year and *(k)* more than one year;

(7) what was the number of patients requiring non-urgent treatment as in-patients for ophthalmology for the latest available date at Singleton and St. Woolos hospitals who had waited for *(a)* between six and nine months, *(b)* between nine and 12 months, *(c)* between 12 and 15 months, *(d)* between 15 and 18 months, *(e)* between 18 months and two years and *(f)* over two years;

(8) what was the number of out-patients requiring ophthalmology treatment at the latest available date at the University Hospital of Wales who had waited for *(a)* between three and six months, *(b)* between six and nine months, *(c)* between nine months and one year and *(d)* longer than one year;

(9) what was the number of out-patients requiring gynaecology treatment at the latest available date at Prince Charles and Morriston hospitals who had waited for *(a)* up to three months, *(b)* three to six months, *(c)* six to nine months, *(d)* nine months to one year and *(e)* longer than one year.

Mr. Grist: Information for the ranges of waiting times specified is not collected centrally in the detail required. The latest information available is published in the "Welsh Hospital Waiting List Bulletin 1990: No. 1" and refers to 30 September 1989; a copy is in the Library of the House.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Wales if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. David Hunt: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. In Wales the latest available figures show that in 1989 the total number of businesses registered for VAT was 85,200; an increase of 21 per cent. on 1980. The Department's specific policies to encourage enterprise in Wales are:

Support for Local Enterprise Agencies

There are currently 23 Local Enterprise Agencies in Wales. Three more organisations have in the year to June 1990 applied to become approved Local Enterprise Agencies and are at present being considered for approval.

Training and Enterprise Councils (TECs)

TECs will take over responsibility for delivering the Small Firms Counselling Service from 1 April 1991. The advent of TECs allows an added dimension of local employer-led flexibilities to be built into these services and TECs will be able to integrate these into their other enterprise programmes. The Mid Glamorgan and West Wales TECs commenced operations on 23 July; the five remaining TECs will come on line early in 1991.

Regional Selective Assistance, Regional Enterprise Grant

Small businesses continue to take advantage of the help available under Regional Selective Assistance. In the year to the end of June 1990, 145 small firms (employing less than 200 people) accepted offers of RSA totalling just over £11·4 million. These results are almost identical to the previous year. A further 289 small firms (employing less than 25 people) accepted offers of Regional Enterprise Grant totalling £2·52 million. This compares with 261 small firms accepting offers of £2·18 million in the previous 12 months.

Enterprise Wales

Launched in January 1988, the Consultancy Initiatives have proved extremely popular in Wales. More than 2,800 companies have applied. In 1989-90 alone, 1,174 Business Reviews were carried out, 27 per cent. above economic weight, and 885 projects were commissioned, 19 per cent. above economic weight.

WDA Advisory Services—Small business inquiries

During 1989-90, a total of 13,000 sessions of advisory visits and interviews have been conducted by the WDA's Business Development staff. Small Firms counsellors undertook over 10,000 first time visits to clients during the same period.

Residential Care

Mr. Michael: To ask the Secretary of State for Wales if he will set out the statutory and other requirements which ensure that changes in the ownership and/or management of private establishments for mentally handicapped people are notified to the authorities.

Mr. Grist: Under sections 2 and 23 of the Registered Homes Act 1984 it is an offence for any person whether owner or manager to carry on a residential care, nursing or mental nursing home without being registered.

Mr. Michael: To ask the Secretary of State for Wales what powers to check on the suitability of *(a)* the proprietor, *(b)* the manager and *(c)* anyone with a position of responsibility in respect of a private establishment for mentally handicapped people are currently held by a social services department and by any other authority.

Mr. Grist: Under the Registered Homes Act 1984, registering authorities can refuse registration of a residential care, nursing or mental nursing home if any person concerned or intended to be concerned in carrying on the home is considered not a fit person. In assessing fitness, authorities are advised to investigate whether the applicant for registration or others concerned with the home have previously committed offences under the Registered Homes Act 1984 or received criminal convictions.

Teacher-pupil Ratios

Mr. Alan Williams: To ask the Secretary of State for Wales if he will give each county's average teacher-pupil ratio for general certificate of secondary education classes in *(a)* mathematics, *(b)* English, *(c)* modern European language and *(d)* Welsh.

Sir Wyn Roberts: Teacher-pupil ratios by individual subject are not available, however information relating to the average size of GCSE classes in year five is as follows. In order to give an accurate figure for GCSE in a modern European language, information for French and German has been given separately.

Average class size in year five GCSE classes, Wales

Welsh counties	*Mathematics*	*English*	*French*	*German*	*Welsh as a first language*
Clwyd	24	25	19	17	22
Dyfed	25	26	19	12	22
Gwent	24	23	18	15	—
Gwynedd	23	24	14	15	23
Mid Glamorgan	25	24	18	15	24
Powys	24	23	16	15	11
South Glamorgan	24	25	20	14	18
West Glamorgan	23	23	17	14	20

Source: Secondary Schools Staffing Survey 1989.

Prescribing

Mr. Michael: To ask the Secretary of State for Wales if he will *(a)* list and *(b)* place in the Library a copy of any guidelines or advice his Department has offered to family practitioner committees in Wales in respect of the responsibility assumed by them in April for giving advice to general practitioners on prescribing.

Mr. Grist: I refer the hon. Gentleman to a Welsh health circular No. WHC(89)68/WHC(FP)(89)22, entitled "Managing the General Medical Services". A copy has been placed in the Library.

Health Authority Loans

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement on the loan of £500,000 by South Glamorgan health authority to Gwynedd health authority in the financial year 1990-91.

Mr. Grist: I refer the hon. Gentleman to the reply I gave him on 23 July 1990.

BP Chemicals, Port Talbot

Mr. John Morris: To ask the Secretary of State for Wales what action he is taking about flaring and noise from BP Chemicals, Port Talbot.

Mr. Grist: I refer the right hon. and learned Gentleman to the reply given on 20 July at columns *758-59*.

SOCIAL SECURITY

International Peto Institute

Mr. Allen: To ask the Secretary of State for Social Security, further to the reply of 15 December 1989, *Official Report*, column *848*, how much money has so far been contributed to the International Peto Institute; and if he will make a statement.

Mr. Scott: In my reply of 15 December at column *845*, I indicated that the Government proposed to commit £5 million from Government funds over four years towards the capital costs of the International Peto Institute subject to conclusion of a satisfactory agreement covering access for children and trainee conductors, and to satisfactory progress with construction. I also indicated that we proposed to stimulate interest in the private and voluntary sectors with a view to raising a similar amount from those sources.

Discussions are continuing on these issues and I hope to make a further statement in the near future.

Labour Statistics

Mrs. Beckett: To ask the Secretary of State for Social Security how many people the Government estimate *(a)* are not in full-time work, *(b)* are not in part-time work and *(c)* are in part-time but would prefer to be in full-time work, because they remain at home to care for elderly, sick or disabled relatives; and what is the average amount of time they remain out of the labour force.

Mr. Scott: There is no information on which to base such estimates.

Social Fund

Mr. Jack: To ask the Secretary of State for Social Security when he will publish his annual report on the social fund; and when he will publish the social fund commissioner's annual report.

Mr. Newton: My report has been published today and I have laid it before Parliament. I have also placed copies both of my report and of the social fund commissioner's report in the Library. The social fund commissioner's report is expected to be published tomorrow.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Social Security if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mrs. Gillian Shephard: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. The success of their policies is demonstrated by the latest statistics which show a record increase in the number of businesses registered for VAT, of 1,700 a week during 1989. Over the decade the overall increase has been 373,000. Specific measures which have been introduced by the Department include:

(i) We commissioned external consultants in July 1989 to carry out research on employers' reactions to the new literature which had been issued in April 1989 on national insurance contributions (NICs) and statutory sick pay (SSP). The research showed that the new literature was considered a great improvement over the old. Additional ways of improving our communications package were identified and some of the documents were revised accordingly in April 1990.

New guidance on statutory maternity pay (SMP) has been produced; a new SMP chapter has been added to the employers' "Quick Guide", which previously contained only SSP and NIC information, and a SMP manual became available in April 1990.

A fact card, which explains company directors' NICs in a simple way, was distributed to employers in April 1990. A company directors' NICs booklet which gives detailed guidance on this area has also been produced.

(ii) In January 1990 we launched a free seminar service for employers to help them administer SSP and SMP. This was introduced with the small employer particularly in mind and the national extension of this service followed a successful pilot exercise in Scotland. During the period January 1990 to June 1990, 1,228 people attended 103 seminars.

(iii) We have commissioned the Institute of Data Processing Management (IDPM) to produce a test pack, for producers of payroll software, to enable them to test the SSP and SMP components against Departmental standards. This is an extension of the IDPM's existing payroll evaluation service and has benefits for software producers and employers alike. Software producers can ensure the accuracy of their product and advertise it accordingly. Employers will be able to purchase, with confidence, software which will greatly assist them in the administration of SSP and SMP.

(iv) In November 1989 the Department held the inaugural meeting of the new DSS employers' advisory panel. The panel is made up of small business people, representatives of employers' organisations including the National Federation of Self-Employed and Small Businesses Ltd. and the Association of British Chambers of Commerce, and payroll managers. The panel advises the Department on policy, procedures and communications with business.

(v) We give prominence, on our training courses for purchasing staff, to the need to consider using small firms, and give each participant copies of Department of Employment booklets "Think Big Buy Small" and "Tendering For Government Contracts".

We have not designed performance indicators specifically for monitoring achievements in this area but the Department has a system to monitor proposals which impact on business, to ensure that the needs of small businesses are taken into account. We attach particular importance to action taken to help small firms and will continue to explore further ways of doing so.

School Meals

Mr. Allen: To ask the Secretary of State for Social Security how many children were eligible for free school meals in 1985; and how many are currently eligible.

Mrs. Gillian Shephard: In 1985, children in families receiving supplementary benefit or family income supplement were eligible for free school meals. The number of children of school age, aged five and over, in such families at that time was:

	Number
Supplementary Benefit	[1]1,431,000
Family Income Supplement	[2]288,000

[1] February 1986: the nearest date for which information is available.
[2] October 1985.

No information is available about the number of children eligible under the local authority discretionary schemes which existed in 1985.

Currently, only children in families receiving income support are eligible for free school meals. The latest information relates to May 1989 when there were 1,309,000 children aged five or over in such families. When family credit replaced family income supplement in 1988 the children's rates were set at a higher level to provide help in cash in place of free school meals. In April 1990 there were 446,000 children aged five or over in family credit families.

Severe Disability Premium

Mr. Alfred Morris: To ask the Secretary of State for Social Security if he will now make a statement on the Government's response to the social security commissioners' decision in the case for severe disability premium of Simon Crompton; and how many other severely disabled people have already benefited or will benefit from the decision.

Mrs. Gillian Shephard: The regulation with which this commissioner's decision is concerned was amended from 9 October 1989. Information on the number of people who benefited under the reinterpretation of the unamended regulation is not yet available.

Pensioners, Wirral

Mr. Frank Field: To ask the Secretary of State for Social Security whether pensioners over 75 years of age living in the Wirral have been paid the additional housing benefit to which they are entitled following the Government's changes in the rules for those aged over 75 years.

Mrs. Gillian Shephard: I am aware that the metropolitan borough of Wirral was not able to implement the changes to the housing benefit scheme in October 1989. The authority overcame its difficulty by the end of January 1990 and all pensioners should now be receiving their proper housing benefit entitlement.

Scottish Pensioners

Mr. Dunnachie: To ask the Secretary of State for Social Security how many senior citizens in Scotland received state benefits additional to the standard pension in the periods *(a)* April 1987 to April 1988, *(b)* April 1988 to April 1989 and *(c)* April 1989 to April 1990; and if he will make a statement.

Mrs. Gillian Shephard: The latest version of the family expenditure survey (1987) shows that in Scotland 65 per cent. of pensioners in receipt of the retirement pension and supplementary benefit received at least one other social security benefit. It is not possible from the family expenditure survey to separate accurately retirement pension and supplementary benefit.

HOUSE OF COMMONS

Select Committee Reports

Mr. Allen: To ask the Lord President of the Council if he will take steps to increase the percentage of departmental Select Committee reports debated on the Floor of the House on substantive motions.

Sir Geoffrey Howe: No. Although only a small number of debates have taken place on substantive motions there have been innumerable debates which have Select Committee reports tagged as relevant to the debate. The number of such reports could be obtained only at disproportionate cost.

Telephone Services

Mr. John Marshall: To ask the Lord President of the Council whether, in drawing up proposals to widen the facilities available to make telephone calls to institutions of the European Commission, he will consider the possibility of using the services offered by Mercury.

Sir Geoffrey Howe: The question of introducing the services offered by Mercury Telecommunications to the House exchange was addressed in the first report this Session from the Services Committee; and is to be further considered this autumn by the Accommodation and Administration Sub-Committee. I shall ensure that my hon. Friend's request is included in that consideration.

Small Businesses

Mr. David Shaw: To ask the Lord President of the Council if he will make a statement on the policies pursued by the House of Commons (Services) Committee to help small businesses; and what steps have been taken to develop performance indicators by which these achievements can be monitored.

Sir Geoffrey Howe: The House of Commons (Services) Committee has no responsibility in these matters.

Broadcasting

Mr. Alfred Morris: To ask the Lord President of the Council if there are any plans to arrange for a publicly broadcast trial of provision for the use of subtitling and sign language in televising the proceedings of the House as suggested by the Royal National Institute for the Deaf; and if he will make a statement.

Sir Geoffrey Howe: This is a matter which the Select Committee on Televising of Proceedings of the House, and its successor Committee, will be considering in the autumn, in consultation with the broadcasters, once the detailed evaluations of the signing and subtitling trials recently organised by the Select Committee are available.

ENERGY

British Coal

Mr. Morgan: To ask the Secretary of State for Energy when he next expects to meet the European Commissioner responsible for competition policy regarding the three-year coal contract between British Coal and the electricity generation companies.

Mr. Baldry: My right hon. Friend the Secretary of State has no present plans to do so.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received from the European Commission regarding the pricing structure of British Coal's contract with the two electricity generators and its impact on private mine operators.

Mr. Baldry: The Commission is keen to see the transition to a fully competitive coal market and my right hon. Friend the Secretary of State has assured it of the importance which the Government attach to private mine operators having a full and fair opportunity to supply the power station market.

Flue Gas Desulphurisation

Mr. Lester: To ask the Secretary of State for Energy if he will give the proportion of coal and oil-fired installed capacity for electricity generators fitted with flue gas desulphurisation in Japan, West Germany and Great Britain, the time scale for completion, and the cost per £ kilowatt installed.

Mr. Baldry: The latest available published information can be found in the OECD-IEA publication "Coal Information 1990", a copy of which can be obtained from the House Library.

Coal and Electricity

Mr. Morgan: To ask the Secretary of State for Energy what requests for information he has received from the European Commission regarding the impact on competition in the coal industry and the electricity generation industry of the three-year coal contract between British Coal and National Power and PowerGen.

Mr. Baldry: The Commission has received memoranda and other information both from my Department and from the coal and electricity industries.

Electricity Privatisation

Mr. Burns: To ask the Secretary of State for Energy what are his proposals for employees and pensioners of the electricity industry in England and Wales to participate in the forthcoming share offers; and whether he will make a statement.

Mr. Wakeham: The Government welcome the opportunity which privatisation of the electricity supply industry provides for employees to become shareholders in the new companies.

Employees will be offered free shares to a fully paid value of about £140, plus shares at a fully paid value of about £2 for every year of continuous service in the electricity supply industry up to a date close to flotation.

Employees will also be offered two free fully paid shares for every share bought at the offer price on a matching basis up to a maximum fully paid value of about £440 worth of free shares. Under this element of the package, if an employee bought shares with a fully paid value of £220, he would receive free shares to a fully paid value of £440.

Employees will be able to buy shares up to a maximum fully paid value of about £1,250 of additional shares at a discount of 20 per cent. from the offer price.

Employees applying for shares will be treated on a priority basis, over the general public, up to an individual fully paid limit of shares worth about £15,000. This may be subject to scaling down if the number of shares in any one company applied for by employees and pensioners exceeds a prescribed proportion of the total number of shares on offer.

The free and matching shares will be available to employees who satisfy certain minimum qualification periods on length of employment and hours worked per week. The discount and priority shares will be available to each person employed in the electricity industry at a date close to the flotation date.

We have also decided that pensioners of the companies should be able to apply on a priority basis, over the general public, for shares up to a fully paid limit of about £15,000, subject to any necessary scaling down.

We have also made special arrangements for employees of the National Grid Company, the Electricity Association and Nuclear Electric which will not be floated on the stock exchange. National Grid Company employees and Electricity Association employees will receive offers on terms similar to those of the RECs' employees, but in all 12 of the regional electricity companies; Nuclear Electric employees will receive offers for shares in National Power, also on similar terms.

I announced yesterday, in my statement on PowerGen, that in the event of a trade sale arrangements would also be made for PowerGen employees to receive benefits broadly comparable in financial terms.

Further details of the share offer arrangements will be made available to employees and pensioners in due course, including those resulting from Inland Revenue, stock exchange and other requirements applying to these offers.

Mr. Morgan: To ask the Secretary of State for Energy if he will list those companies which have approached him regarding a trade sale of any part or subsidiary of any of the electricity generating or distribution companies.

Mr. Baldry: I refer the hon. Member to my right hon. Friend's statement yesterday, *Official Report*, columns 39-51.

Mr. Morgan: To ask the Secretary of State for Energy what consultations he has had with the quotations committee of the international stock exchange regarding exemptions for each or any of the electricity supply industry companies from the minimum three-year profit and loss account track record before flotation.

Mr. Baldry: No such exemptions have been sought.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Energy if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Wakeham: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. The success of their policies is demonstrated by the latest statistics which show a record increase in the number of businesses registered for VAT, of 1,700 a week during 1989. Over the decade the overall increase has been 373,000.

In developing and implementing my Department's policies, full account is taken of the needs of small businesses. They have benefited from measures to encourage competition and stimulate energy efficiency.

The Coal Industry Act 1990 provides a modest, but significant, measure of liberalisation for the United Kingdom coal market by raising the tonnage limit on licensed—non-British Coal—opencast sites and the manpower limit on licensed deep mines. The Government have continued to make available funding for British Coal Enterprise Ltd. resulting in a cumulative total of 61,000 job opportunities, many of which are in small businesses, in 2,865 individual projects—this compares with 41,041 and 2,600 respectively in 1989.

The new regime for the electricity supply industry will have the effect of opening up the supply of electricity to competition, will give small businesses a choice of electricity supplier and put downward pressure on the prices they pay.

Officials are encouraged to use small firms for departmental purchases of goods and services where this is consistent with obtaining value for money. About 43 per cent. of purchases have been from them in 1989-90 compared with 38 per cent. in 1988-89. A booklet "Selling to the Department of Energy—a guide to firms wishing to supply the Department with goods and services" has recently been produced and should be of particular benefit to small firms.

Electricity Sales

Mr. Morgan: To ask the Secretary of State for Energy what consultations he has had with the director general of the Office of Electricity Regulation about the upper limit on direct sales by the generating companies to above 1 MW customers.

Mr. Baldry: My officials are in regular contact with the office of the Director General of Electricity Supply on regulatory matters. Before announcing his recent decision on the direct sales limits at the end of May the director wrote to my right hon. Friend the Secretary of State informing him of his conclusions.

Combined Heat and Power

Mr. Morgan: To ask the Secretary of State for Energy if he will list those proposed independent electricity generation projects which incorporate combined heat and power technology.

Mr. Moynihan: The proposed projects that incorporate combined heat and power technology and that have been made public are as follows:

Company	*Location*
South East London CHP	London
Forth Energy Ltd.	Newcastle
Sheffield Heat and Power	Sheffield
Shell	Shellhaven
Mobil Oil Co. Ltd.	Coryton
ICI/Enron	Teeside
British Nuclear Fuels	Calderhall
Texaco/Mission Energy	Pembroke

Electricity Generation

Mr. Morgan: To ask the Secretary of State for Energy if he will list the number of independent electricity generation projects which *(a)* include electricity distribution companies in the owning consortium and *(b)* do not include any such companies.

Mr. Baldry: My right hon. Friend is aware of the regional electricity companies' interest in a number of independent electricity generation projects. Participation in such schemes is a commercial matter and it is for the companies themselves to decide whether they wish to hold an equity interest in any particular project.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received regarding the participation of the electricity distribution companies in electricity generating consortia.

Mr. Baldry: Decisions to invest in independent generation projects are matters for the company concerned.

HEALTH

Iodine 125

Mr. Simon Hughes: To ask the Secretary of State for Health what assessment has been made of the incidence of iodine 125 in thyroid glands in the London area.

Mr. Dorrell: The Department has recently received a draft report of research funded by the Department of the Environment entitled "Iodine 125—its distribution in the United Kingdom from measurements and biological monitoring, and absorbed doses (individual and collective) derived from measured activities in human thyroids". In accordance with normal practice, the Department has referred the draft report for peer-review. However, I am advised by the Department of the Environment that levels of radioactivity in the River Thames are extremely low and that the levels in drinking water are well below the guideline values recommended by the World Health Organisation and the International Commission on Radiological Protection.

Dedicated Clinics

Mrs. Gorman: To ask the Secretary of State for Health what plans he has to provide additional dedicated clinics for family planning and the menopause.

Mrs. Virginia Bottomley: The level of provision of menopause and family planning clinic services is a matter for individual health authorities to determine in the light of local needs and priorities. Guidance issued by the Department asks health authorities to strike a proper balance between services provided by specialist clinics and those provided by GPs, bearing in mind matters such as clinics' wider health role.

Self-governing Hospitals

Mr. Canavan: To ask the Secretary of State for Health how many expressions of interest have been received for self-governing hospitals and other units; and how many formal applications have been submitted.

Mrs. Virginia Bottomley: So far, 200 units have expressed an interest in becoming self-governing. A total of 59 formal applications have been received to date.

NHS Reforms

Mr. David Nicholson: To ask the Secretary of State for Health what assessment he has made of the effect of the proposed national health service reforms on national health service efficiency.

Mrs. Virginia Bottomley: The national health service reforms will introduce NHS contracts—or service agreements—between health authorities and GP fund holders on one side, and hospitals and other units on the other. These agreements will specify the cost, volume and quality of services to be provided. This specification of services in contracts will provide an incentive to ensure that resources go more directly to the hospitals or units which provide the best quality and best value care. This will be an important stimulus in making the national health service more efficient.

AIDS

Mr. McAllion: To ask the Secretary of State for Health what is his assessment of the proportion of people with HIV infection who will go on to develop full-blown AIDS.

Mrs. Virginia Bottomley: The latest estimate on the proportion of people infected with HIV who will progress to AIDS from the San Francisco city clinic cohort study of 489 homosexual men is 53 per cent. at 11·1 years. By 1990, of those known to have been infected between 1977 and

1980, 61 per cent. had developed AIDS and a further 18 per cent. had AIDS-related complex. Only 14 per cent. of those infected with HIV for 10 years or longer did not show physiological markers of damage to the immune system. Data from studies of other groups of people infected with HIV including injecting drug misusers show similar rates of progression.

Since 1987 the use of zidovudine has been reducing the rate at which people with early HIV disease progress to AIDS. It is probable that zidovudine only temporarily halts the progress of the disease. Current information suggests that at least 75 per cent. of people infected with HIV will develop AIDS and this figure may eventually rise to over 90 per cent.

Mr. Dalyell: To ask the Secretary of State for Health what communications he has had with Dr. Perutz and his colleagues concerning the dissemination of information about AIDS since 12 June; and if he will make a statement.

Mrs. Virginia Bottomley: We have not been in communication with Dr. Perutz, but the Department contacted a number of Dr. Perutz's medical and scientific colleagues about the content of the Channel 4 programme "Despatches". The issues raised in the programme, which appeared to be based on a misunderstanding of the nature of AIDS, have subsequently been the subject of correspondence in the medical and scientific press and in newspapers. Dr. Anthony Pinching appeared on television with the producer of the programme and refuted many of its claims. We are grateful to Dr. Perutz for his action in writing to the press drawing attention to the erroneous information contained in the programme.

Programmes of this kind underline the importance of public education initiatives which have already begun to reduce the spread of HIV infection in the United Kingdom, and point to the need for a continuing programme of education to sustain public awareness and knowledge, and influence behaviour.

Community Care

Mr. Tredinnick: To ask the Secretary of State for Health what recent representations he has received concerning his plans for care in the community.

Mrs. Virginia Bottomley: We receive many representations in correspondence and at regular meetings with organisations concerned with our plans for community care.

Free Prescriptions

Mrs. Wise: To ask the Secretary of State for Health if he will add pernicious anaemia to the list of chronic illnesses for which free prescriptions are available.

Mrs. Virginia Bottomley: No.

Eye Tests

Ms. Abbott: To ask the Secretary of State for Health what is the estimated saving to the Exchequer from the abolition of free eye tests in financial year 1989-90; and what is the estimate for 1990-91.

Mrs. Virginia Bottomley: The estimated saving for 1989-90, in England, is £70 million, and for 1990-91, is £90 million.

Mentally Ill People

Mr. Allen: To ask the Secretary of State for Health what specific areas of possible need for social care will be included in local authority assessments of mentally ill people in hospital, under the care programme approach; and whether authorities will receive guidance from his Department about this.

Mr. Dorrell: For each person suffering from a serious mental illness, adequate arrangements need to be made for that individual's accommodation and meals. In addition, it may be necessary to provide social care services such as the home help service. It is for health and social services professional staff to judge what health and social care services are necessary in each case.

The Department intends to issue a circular shortly, setting out the requirement to introduce the care programme approach from 1 April 1991, and giving some guidance.

Mr. Allen: To ask the Secretary of State for Health if he will list for each regional secure unit, the number of patients detained under the Mental Health Act 1983; and how many were informal patients for the latest available date.

Mr. Dorrell: This information is not currently available centrally.

Bethlem and Maudsley Health Authority

Mr. Sims: To ask the Secretary of State for Health what representation he has received about the plan by the Bethlem and Maudsley special health authority to reduce the range of services it offers, and the closure of Hilda Lewis house; if he will make additional funds available to the authority; and if he will make a statement.

Mr. Dorrell: There are no plans to close Hilda Lewis house, nor are there any plans to reduce permanently the range of services offered by the special health authority (SHA). Earlier this year we received nine representations about the authority's plans to implement a number of temporary measures designed to make the most efficient use of its valuable clinical resources. We have now received a further three representations about Hilda Lewis house.

The changes taking place within Hilda Lewis house are part of a movement towards short-stay and outreach services within the community. This reflects a changing pattern of need and is in line with long-term objectives for the configuration of psychiatric care. Child and adolescent services make a heavy demand on resources and the SHA is aiming to continue to provide these very important services in the most effective and efficient way.

The SHA received a revenue allocation of £27·1 million in 1990-91. It benefited from the national average growth in resources which represents a cash increase of almost £2 million over 1989-90. It is for the health authority to decide how best to allocate these resources in providing the services required to support its national teaching and research role.

Dental Checks

Ms. Abbott: To ask the Secretary of State for Health what is the estimated saving to the Exchequer from the abolition of free dental check-ups in financial year 1989-90; and what is the estimate for 1990-91.

Mrs. Virginia Bottomley: The estimated income from dental examination charges in England in 1989-90 was £50 million. We anticipate revenue of some £55 million in 1990-91.

Psychiatric Hospitals

Mr. Ashley: To ask the Secretary of State for Health how many psychiatric patients have been discharged from psychiatric hospitals in the last year for which records are conveniently available; and how many have been traced to local authority care.

Mr. Dorrell: The information available centrally is shown in the table. The number of finished district spells is not equivalent to the number of patients discharged as some patients may be admitted more than once during the year.

Finished district spells for NHS hospitals in 1987-88

Clinical speciality	*Total*	*(a) Duration of stay*		*(b) Intended destination on discharge*		
		Less than 12 months	*12 months or more*	*Usual residence*	*Local authority residential accommodation*	*Elsewhere*
Mental illness	181,400	177,500	3,900	163,100	3,900	14,400
Mental handicap	35,000	32,500	2,500	32,800	700	1,500
Total	216,400	210,000	6,400	195,900	4,600	15,900

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Health if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Dorrell: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. It is the policy of the Department and the NHS to provide equal opportunity to all potential suppliers, of whatever size, to trade on a value-for-money basis. This policy continues to underpin all NHS and departmental contracts with external suppliers. To help small businesses a guide on how to do business with the NHS has been published and is currently being reviewed. Two joint CBI/NHS seminars have been held in the past year where it has been emphasised that quality counts more than size of business. In addition, the NHS procurement directorate and NHS supplies departments respond to a large number of individual requests for advice and guidance from small businesses that wish to enter the NHS market or have other trading problems they wish to resolve. The NHS deals with several thousand suppliers through over 3,000 delivery points. It is not practicable to monitor centrally the precise extent to which the NHS draws on small businesses but it is estimated that some 80 per cent. of suppliers fall into the small to medium-size category.

GP Budgets

Mr. Michael Morris: To ask the Secretary of State for Health (1) what is the cash-limited budget for general practitioner ancillary staff in the current financial year;

(2) what is the general practitioner premises cash-limited budget for the current financial year.

Mr. Dorrell: I refer my hon. Friend to the reply the then Under-Secretary of State gave my hon. Friend the Member for Stroud (Mr. Knapman) on 1 May at column *519*. We expect shortly to announce a further substantial increase in resources for final allocations to FPCs to meet in full the actual level of commitments for practice staff reimbursement and premises improvements as at 31 March 1990.

Waiting Lists

Mr. Michael Morris: To ask the Secretary of State for Health (1) what is the date from which health service managers base success in reducing waiting lists will be calculated;

(2) what factors will be taken into consideration in determining whether health service managers' remuneration should be reduced for failing to reduce waiting lists;

(3) which health service managers will have their remuneration linked to the reduction of waiting lists.

Mr. Dorrell: The national health service managers eligible for performance-related pay are regional, district and unit general managers, and those senior managers below general manager level who have accepted a performance-linked contract.

Awards of performance-related pay depend on the manager's achievement of objectives set each year under the individual performance review system. The objectives for regional general managers are set by regional chairmen in consultation with the chief executive of the national health service management executive and this process is repeated at succeeding management levels.

In setting an individual manager's objectives we consider the existing standard of the services for which he or she is responsible and deficiencies which need to be remedied. Thus a regional general manager in whose region there are unacceptably long waiting times will be required as part of his or her objectives to secure their reduction by an agreed margin. Regional chairmen and general managers will in turn be responsible for ensuring that suitable objectives are set for the managers reporting to them. The management executive will be agreeing with regional health authorities in the autumn reviews specific targets for the reduction in the number of patients waiting over one year for treatment in the period to March 1992.

Performance is assessed each year against all the objectives set for a manager.

Health Conference, London

Mr. Michael Morris: To ask the Secretary of State for Health who was invited to the special health conference in London on 17 July.

Mr. Dorrell: Invitations were issued to chairmen and general managers of regional and district health authorities, family practitioner committees, and the special health authorities for the London postgraduate teaching hospital and also to members of the national health service management executive and the national health service policy board.

Prescribing

Mr. Michael: To ask the Secretary of State for Health if he will list and place in the Library a copy of any guidelines or advice his Department has offered to family practitioner committees in respect of the responsibility assumed by them in April for giving advice to general practitioners on prescribing.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply I gave him on 23 July.

Allergy

Mr. Simon Hughes: To ask the Secretary of State for Health what information he has in respect of the number of people affected by pollen in *(a)* 1990, *(b)* 1985 and *(c)* 1980; and if he will make a statement.

Mrs. Virginia Bottomley: This information is not collected centrally.

Epoxy Resin

Mr. Simon Hughes: To ask the Secretary of State for Health if he has identified any possible public health implications resulting from the use of epoxy resin to line water mains; and if he will make a statement.

Mr. Dorrell: The Department of Health Committee on the Medical Aspects of the Contamination of Air, Soil and Water has reviewed reports of laboratory and field tests to determine concentrations of leached chemicals and toxicological tests on the major components of one formulation of epoxy resin. They advised that the epoxy resin could be approved for relining water mains in situ. This was taken into account by the Department of the Environment's Committee on Chemicals and Materials of Construction for Use in Public Water Supplies and Swimming Pools, which approved this formulation of epoxy resin in March 1989 for use for in situ relining of water mains.

Great Ormond Street Hospital

Mr. Dobson: To ask the Secretary of State for Health, further to his answer of 6 February, *Official Report*, column *570*, to the hon. Member for Holborn and St. Pancras, what was the total claim against Cusdin, Burden and Howitt, R. T. James and Partners and McLaughlin and Harvey Ltd., respectively; and what was the final settlement in each case.

Mr. Dorrell *[holding answer 23 July 1990]:* The total cost of remedial works for the cardiac wing at Great Ormond Street hospital amounted to some £21 million. In accordance with advice from leading counsel, an out-of-court settlement was reached with each of the parties involved. In this settlement the health authority received £425,000 from Cusdin, Burden and Howitt and £8 million from R. T. James and Partners. On withdrawal of its counter-claim against the health authority, McLaughlin and Harvey Ltd. received £90,000.

ENVIRONMENT

Local Government Finance

Mr. Allason: To ask the Secretary of State for the Environment whether he will end the liability of people who live over their shops to pay both business rates and community charge.

Mr. Nicholls: It would be inappropriate to change the fundamental liability for either the community charge or the business rate of people who live on their business premises, because adults generally have to pay a personal charge irrespective of where they live, and rates are paid on all non-domestic property. However, we recognise that the occupiers of composite hereditaments with lower rateable values may need a longer period to adapt to the higher bills which they face under the new system. I refer my hon. Friend to the statement made on 19 July by my right hon. Friend the Secretary of State for the Environment, *Official Report*, columns *1185-89*.

Mr. French: To ask the Secretary of State for the Environment if he will give the community charge liability of a single householder who leaves his only house furnished but not occupied in order to do voluntary service overseas for a period of *(a)* three months, *(b)* six months and *(c)* nine months in a community charge year.

Mr. Nicholls: The community charge registration officer for an area determines the residence of an individual taking account whether a move abroad is temporary or permanent. Where the move is permanent, no personal community charge is payable, but a standard charge may arise on any furnished property remaining which is no one's main home. The amount of standard charge will depend in a particular case on whether a maximum multiplier has been prescribed by the Secretary of State or, if it has not, whether the local authority has used its discretion to specify classes of circumstances where a multiplier of less than the maximum may apply.

Mr. French: To ask the Secretary of State for the Environment if he will take steps to end the entitlement of the mature student spouse of a top income tax rate payer to pay the reduced rate of 20 per cent. community charge.

Mr. Nicholls: A very small proportion of full-time students have employment-related or private income which attracts income tax at the higher rate. The administrative cost of screening about 500,000 students, the overwhelming majority of whom have incomes which would qualify for maximum community charge benefit, would greatly exceed the increased charge revenue collected from such a small group, to the disadvantage of all charge payers and taxpayers.

Mr. French: To ask the Secretary of State for the Environment what representations he has received about

the liability of housebuilders for standard community charge on new houses which they have not sold; and if he will make a statement.

Mr. Nicholls: I have received a number of representations from the housebuilding industry. We have provided for no standard charge to be payable on properties whose construction is not complete and for six months thereafter unless the property becomes occupied before that date. Local authorities have the discretion to extend that period of time, and may wish to take into account the prevailing state of the housing market.

Mr. Allen McKay: To ask the Secretary of State for the Environment what discussions he has had with those local authorities that have been charge-capped on the problems of raising community charge income over a reduced period; and if he will make a statement.

Mrs. Mahon: To ask the Secretary of State for the Environment what discussions he has had with those local authorities that have been charge-capped about the problems of raising the community charge income over a reduced period; and if he will make a statement.

Mr. Nicholls: Of the 17 authorities which put forward alternatives to the caps I originally proposed, a number made representations about the collection of community charges. My right hon. Friend considered all relevant information including any representations made by authorities before taking his decisions on the final caps, which were approved by the House on 12 July.

Mr. Canavan: To ask the Secretary of State for the Environment whether he will make a statement about proposed amendments to the operation of the poll tax.

Mr. Nicholls: My right hon. Friend did so on 19 July.

Mr. Richard Shepherd: To ask the Secretary of State for the Environment, pursuant to his reply of 6 July, if he will publish the overall percentage increase in rate bills in 1990-91 as against 1989-90 of *(a)* shops, *(b)* factories, *(c)* hotels and boarding houses, *(d)* offices and *(e)* mines, in total, by economic regions, and for Walsall metropolitan borough council (i) including the effects of transitional relief and (ii) excluding the effects of transitional relief.

Mr. Nicholls: The percentage change represented by the figures given in my reply of 6 July, with the addition of similar information in respect of Walsall metropolitan borough council, is shown in the table.

	Shops		*Offices*		*Factories*		*Hotels and Boarding Houses*		*Mines*	
Region	*Without transition*	*With transition*	*Without transition*	*With transition*	*Without transition*	*With transition*	*Without transition*	*With transition*	*Without transition*	*With transition*
Northern	−14	−4	−36	−9	−49	−11	28	5	9	4
Yorkshire and Humberside	−3	−3	−27	−8	−37	−9	39	12	115	17
East Midlands	−1	0	−22	−6	−35	−9	64	15	67	14
East Anglia	31	10	5	2	−11	−4	64	16	—	—
Inner London	74	14	23	9	6	0	146	20	—	—
Outer London	26	7	−0	1	−19	−6	59	17	—	—
Rest of South East	33	10	30	10	−12	−4	82	16	39	20
South West	34	9	12	5	−15	−5	36	8	−25	−7
West Midlands	−14	−4	−23	−7	−47	−10	56	15	113	20
North West	−15	−4	−35	−8	−46	−10	30	10	49	17
England	19	4	12	5	−30	−7	80	15	74	14
Walsall MBC	−37	−11	−44	−12	−56	−11	21	7	—	—

Note: The totals for England may not sum due to rounding.

Mr. Squire: To ask the Secretary of State for the Environment what guidance the Government have issued in respect of the treatment by charging authorities of teachers in boarding schools who occupy tied accommodation in performance of their job for community charge purposes in respect of that accommodation; and whether this position is affected in any way by the designation given to such a teacher's own and separate property.

Mr. Nicholls: Guidance has been given to local authorities on the interpretation of sole or main residence in community charge practice note No. 9. Guidance was also given last year on the scope of local authorities' discretion to specify their own classes of standard charge property. One example given of possible additional classes was property which is empty because the owner is required to live elsewhere as a condition of his or her employment. However, we have now proposed that the Government should prescribe centrally such a class of property, limiting the maximum multiplier an authority may set to one times the personal charge. Our proposals are contained in the consultation paper "The Standard Community Charge and Other Matters", copies of which have been placed in the Library of the House.

Mr. Hardy: To ask the Secretary of State for the Environment if he will list those local authorities whose expenditure per capita for the current year is less than the level of central support received by *(a)* Westminster and *(b)* Wandsworth, expressed as a per capita figure.

Mr. Nicholls *[holding answer 23 July 1990]:* Since most authorities' spending per capita is less than central Government support per capita for Westminster and Wandsworth the question has been answered in terms of local authorities whose expenditure per capita exceeds or is equal to the level of central Government support per capita for Westminster and Wandsworth. The authorities are as follows:

(a) Authorities whose expenditure per capita is greater than or equal to central Government support received by Westminster.

City of London
Islington
Tower Hamlets
Manchester

Kensington and Chelsea	Wolverhampton
Camden	Salford
Newham	Coventry
Brent	Sandwell
Liverpool	Bradford
Westminster	Walsall
Birmingham	Wirral
Wandsworth	Gateshead
Waltham Forest	Calderdale
Newcastle-Upon-Tyne	Oldham
Knowsley	Kirklees
Ealing	South Tyneside

(b) Authorities whose expenditure per capita is greater than or equal to central Government support received by Wandsworth.

Bolton	Barking and Dagenham
Sunderland	Kingston-Upon-Thames
Richmond-Upon-Thames	Trafford
Sheffield	Leeds
Wigan	Croydon
Enfield	Sefton
Tameside	Bury
Merton	Harrow
Cleveland	Stockport
Rotherham	

All other authorities receive less.

Mr. Madel: To ask the Secretary of State for the Environment what is the total sum that would have been raised by councils in England in 1990-91 from the community charge if Government guidelines had been followed; what information he has as to the total sum that will be raised; what was the total sum raised from domestic rates in England in 1989-90; and if he will make a statement.

Mr. Nicholls *[holding answer 23 July 1990]:* Had authorities spent at the level of their standard spending assessments they would have raised £7·9 billion from personal and collective charges. Authorities have budgeted to receive £10·5 billion from charges. These figures exclude community charge benefits and transitional relief. Net domestic rate income in 1989-90 was £8·4 billion.

It is for local authorities to justify their levels of spending to their charge payers.

Mr. Nicholas Brown: To ask the Secretary of State for the Environment (1) how many people in the population the Government estimate to be eligible to pay 20 per cent. of their poll tax bill; how many such people are on the poll tax registers; and how many he estimates will pay their 20 per cent.;

(2) what is the estimated revenue that will be received in 1990-91 from those who are required to pay 20 per cent. of their poll tax.

Mr. Nicholls *[holding answer 23 July 1990]:* Some 4·5 million people are estimated to be paying 20 per cent. of the personal community charge. Community charges registration officers have a duty to maintain an accurate register of those subject to the charge. All of those liable are obliged to contribute towards the costs of local services.

No separate estimates of revenue received from such charge payers have been made.

Mr. Burns: To ask the Secretary of State for the Environment if he will list in descending order from highest to lowest the demand on the collection fund per adult as shown on the community charge bill for each borough or district council in Essex.

Mr. Nicholls *[holding answer 19 July 1990]:* The information is given in the table:

	Demand per adult £
Basildon	233·96
Harlow	210·10
Thurrock	163·40
Southend-on-Sea	160·36
Brentwood	138·91
Castle Point	107·64
Chelmsford	106·99
Tendring	105·86
Rochford	93·57
Braintree	88·29
Epping Forest	81·54
Colchester	80·98
Maldon	73·20
Uttlesford	63·99

Notes:

1. Figures may not correspond precisely with those shown on charge bills because for parts of some authorities the demand may include expenditure on special expenses for which only charge payers in those areas contribute.
2. Differences in demand per adult may be affected by differences in the spending needs of authorities, their use of financial resources and their efficiency in service delivery.

Mr. Amos: To ask the Secretary of State for the Environment if he will make a statement on the review of the community charge arrangements as they affect small bed-and-breakfast establishments.

Mr. Nicholls *[holding answer 17 July 1990]:* I refer to the statement made on 19 July by my right hon. Friend the Secretary of State for the Environment, *Official Report*, columns 1185-89.

Commons

Dr. Cunningham: To ask the Secretary of State for the Environment, pursuant to his written answer of 27 November 1989 to the hon. Member for Harborough (Sir J. Farr), when he proposes to introduce legislation to deal with the acknowledged deficiencies in the Commons Registration Act 1965; and if he will make a statement.

Mr. Trippier: I refer the hon. Member to the answer given by my hon. Friend the Under-Secretary of State, the Member for Wells (Mr. Heathcoat-Amory), to the hon. Member for Stoke-on-Trent, North (Ms. Walley) on 18 July, *Official Report*, column *562*.

Japanese Knotweed

Mr. Ron Davies: To ask the Secretary of State for the Environment what information he has concerning the extent, environmental impact and rate of spread of Japanese knotweed; whether he is currently funding any relevant research; and whether he has any proposals to control its rate of spread.

Mr. Trippier: Japanese knotweed is regarded as a troublesome pest in much of Wales and parts of north-west and south-east England. I am advised that Welsh Water has conducted field trials on methods of controlling this species and that the Nature Conservancy Council takes steps to control it on sites important to wildlife.

The most effective chemical treatments are picloram and glyphosate—only glyphosate should be used on sites adjacent to water. Uprooting small plants and regular cutting or mowing also help to deter the plant's growth and spread over particular sites.

Sewerage System

Mr. Steinberg: To ask the Secretary of State for the Environment how much was spent on repairs and modernisation of the sewerage system in the 1980s.

Mr. Heathcoat-Amory: In England between 1980-81 and 1988-89 the then regional water authorities spent £2,899 million, in November 1989 prices, on sewerage services.

Hazardous Waste

Mr. Andrew F. Bennett: To ask the Secretary of State for the Environment if he will give details of the nature of the hazardous waste shipped to England for disposal from United States military bases in Turkey, Greece, the Azores and Iceland during the last 10 years; and if he will make a statement.

Mr. Trippier: Records of imports of hazardous waste from United States military bases in these countries consigned under the Control of Pollution (Special Waste) Regulations 1980 are kept by the disposal authorities concerned. The Department of the Environment has no record of any such imports being notified under the Transfrontier Shipment of Hazardous Waste Regulations introduced in 1988. The Government are discussing with the United States authorities whether disposal in the United Kingdom should continue to be an option in the future.

Government Advertising

Mr. Steinberg: To ask the Secretary of State for the Environment how much the Government have spent on poll tax advertisements *(a)* during the Bill's passage through Parliament and *(b)* since, on (i) television, (ii) radio, (iii) newspapers, (iv) leaflets and (v) magazines.

Mr. Chris Patten: The Government have commissioned no advertisements for the community charge, either during or since the parliamentary passage of the Local Government Finance Act 1988, to which I assume the hon. Member refers.

Since enactment, my Department has, however, produced and maintained a range of leaflets on individuals' rights and duties under the community charge system, which are available free on request; distributed a leaflet to all households in England when most councils started to compile their registers last year, and took advertising to draw attention to the leaflet; and mounted an information campaign earlier this year to draw people's attention to the availability of community charge benefit and transitional relief, and how to claim them. The rounded costs involved are set out in the table:

	£'000
Television advertising	1,624
Radio advertising	282
Newpapers (including freesheets and minority language papers)	1,563
Leaflets (including the household leaflet)	1,645
Magazines	266

In addition the cost of distributing the household leaflet was £301,000.

My right hon. Friend the Secretary of State for Social Security has more recently commissioned newspaper advertisements publicising the increased capital limit for community charge benefit announced in the Budget and reminding people of the time limit for making backdated claims and of the income levels likely to entitle people to benefit. My right hon. Friend has also produced free leaflets and a poster on how to claim community charge benefit and on the increased capital limits for income-related benefits.

Beaches

Mrs. Wise: To ask the Secretary of State for the Environment (1) if he will list in the *Official Report* those bathing beaches which did reach an EEC satisfactory standard at the most recent test report, covering 1988;

(2) if he will list in the *Official Report* those bathing beaches which did not reach the EEC satisfactory standard at the most recent test report, covering 1988.

Mr. Heathcoat-Amory: The results for the 1988 bathing season were placed in the Library on 21 February 1989. The results for the 1989 bathing season were placed in the Library on 25 January 1990.

Local Government Expenditure

Mr. Hardy: To ask the Secretary of State for the Environment what is his present estimate of the level of inflation which will apply or be assumed to be likely to apply to local government expenditure in 1991-92.

Mr. Chope: The proposals for local authority spending in 1991-92 announced by my right hon. Friend on 19 July were not based on any particular estimate of inflation, but reflected a judgment about the appropriate level of spending taking account of all relevant factors.

Building Firms (Contracts)

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what contracts were given to Messrs. Wimpeys, Mowlems, Taylor Woodrow, Tarmac, Kier Construction, Laings, Balfour Beatty and Eden Construction in excess of £1 million by value in the years 1985-86, 1987-88 and 1989.

Mr. Nicholls: The number of contracts in each of the years referred to, and their aggregate value, was:

£ million

	1985-86	*1986-87*	*1987-88*	*1988-89*	*1989-90*
Wimpeys	3—8·9	2—22·0	5—22·6	2—14·6	4—7·8
Mowlems	9—52·3	4—12·6	8—16·2	5—12·5	4—63·9
Taylor Woodrow	—	3—10·1	3—34·3	—	5—65·6
Tarmac	9—82·0	4—27·2	4—96·8	6—17·1	8—67·4
Kier	4—8·4	5—13·7	7—19·0	5—48·8	5—16·1
Laings	4—14·4	6—23·9	10—57·7	2—95·2	4—22·3
Balfour Beatty	7—46·1	5—19·4	4—20·8	2—5·2	8—21·7

Eden Construction Ltd. is a wholly owned subsidiary of Lilley plc and no separate contracts were entered into with Eden Construction during the years referred to. Lilley plc was awarded four contracts with an aggregate value of some £5·8 million.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for the Environment if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Chris Patten: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. While separate information on small businesses is not available in my Department, the major deregulation initiatives affecting all businesses were set out in the White Paper "Releasing Enterprise" (Cm 512). These included simplification and clarification of the building regulations to limit requirements to those essential for securing the health and safety of people and for the protection of the environment; and to introduce a greater degree of flexibility.

I have also proposed a series of changes to the planning system designed to simplify procedures. In particular, specific relaxations of permitted development rights for commercial and other uses under the general development order are currently the subject of consultation. The Government have also asked that local authorities deal promptly and positively with planning proposals from small businesses.

Proposals to establish the system of integrated pollution control were also set out in the White Paper: this will be less administratively burdensome to industry than the arrangements it replaces. IPC will be given statutory force by the Environmental Protection Bill.

Habitat Protection

Mr. Simon Hughes: To ask the Secretary of State for the Environment what is the extent within the United Kingdom of the habitats listed in annex 4 to the proposal for a Council directive on the protection of natural and semi-natural habitats and of wild fauna and flora which was issued by the European Commission on 30 March; to what extent the habitats listed in the annex are already covered by notified sites of special scientific interest; and if he will make a statement.

Mr. Trippier: We are taking advice from the Nature Conservancy Council as and when necessary on technical matters relating to the proposed EC habitats directive. However, no realistic assessment of the implications for the United Kingdom of the proposed annex 4 can be made until the current confusion over annex 5 (criteria for designation) has been resolved. We continue to press the Commission for clarification on this point.

Rural Areas

Mr. Skinner: To ask the Secretary of State for the Environment if he has any proposals to allow district councils to use more of their capital receipts to combat problems facing rural areas; and if he will make a statement.

Mr. Nicholls: No. The rules on capital receipts in the new capital finance system enable us to target resources more effectively on the needs facing all local authorities.

Uniform Business Rate

Mr. Knapman: To ask the Secretary of State for the Environment, pursuant to his reply of 20 December, *Official Report*, column *330*, what is his assessment of the effect on rate bills of the uniform business rate and the non-domestic revaluation, based on the local rating lists which came into force on 1 April.

Mr. Nicholls: I am placing in the Library an analysis of the combined effects of the revaluation and the introduction of the uniform business rate in England and Wales.

Between December and April there was a net addition to the rating lists representing an increase of about 2 to 3 per cent. in rateable values and rate bills. Overall the average by which rateable values have increased for properties occupied by private businesses and the nationalised industries has risen slightly to 8.1 times in England and to 8.5 times in Wales. The changes to the rating lists reflect the correction of errors, revisions based on later information or new regulations and the addition of new properties completed after the December lists were published

County Hall, London

Mr. Bowis: To ask the Secretary of State for the Environment when he will make an announcement about the future development of county hall, London.

Mr. Chris Patten: Last autumn a public inquiry was held into proposals for the redevelopment of the county hall complex. Following consideration of my inspector's report, my Department has today written to the appellants indicating my willingness to defer decisions on their appeals so as to allow them the opportunity to amend the proposals to overcome objections related to a relatively small part of the overall scheme. The letter and inspector's report have been copied to all parties who made representations to the inspector at the inquiry.

Air Pollution Control

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment when he intends to issue advice to local authorities on the exercise of their new air pollution control functions under part I of the Environmental Protection Bill.

Mr. Trippier: The new system of air pollution control being established under part I of the Bill represents a major strengthening of local authorities' powers over polluting industry.

It is important that local authorities work to a common set of standards and I intend that no process should be

scheduled for local authority control until relevant guidance has been published. More than 70 guidance notes will be needed, and we are well on target to produce them. The final drafts of the first seven notes, produced with the assistance of the local authorities and industry, have today been circulated to interested parties for comment and a copy has been placed in the Library of the House.

Through the guidance notes, not only local authorities, but industry and the public will be aware of the standards of air pollution control we expect to be achieved.

Pollution Regulatory Authorities

Mr. Amos: To ask the Secretary of State for the Environment if he will make a statement on proposals for cost-recovery charging for pollution regulatory authorities' costs.

Mr. Trippier: On 30 January this year I announced that, subject to enactment of the Environmental Protection Bill, cost-recovery charges to meet the costs of Her Majesty's inspectorate of pollution (HMIP) and the National Rivers Authority in administering integrated pollution control (IPC) would be introduced as from April 1991; and that the scheme would be based on an application fee payable when a process is submitted for IPC authorisation and an annual charge payable for holding each authorisation to cover the on-going costs of compliance monitoring. The level of charges for a particular plant would be linked to the number of specified "components" which it comprised, thus relating the amount payable to the size and complexity of the plant concerned.

My Department has now published a consultation paper on proposals for the detailed operation of this scheme, inviting comment from industry, environmental groups and others with an interest.

The paper also sets out proposals for charging schemes for local authority air pollution control of the "part B" process, and for the regulation of premises under the Radioactive Substances Act 1960.

I have placed a copy of the paper in the Library.

Integrated Pollution Control

Mr. Burt: To ask the Secretary of State for the Environment what representations he has received concerning the timing of the implementation of integrated pollution control.

Mr. Trippier: I have received a number of representations from a variety of sources which have suggested that an implementation date of 2 January 1991 means that there would be an inadequate period for consultation with interested parties and the public on guidance notes and regulations to be issued under part I of the Environmental Protection Bill. I have considered these representations most carefully. Royal Assent to the Bill is now expected later than had previously been anticipated. A delay will also enable Her Majesty's inspectorate of pollution to broaden its training procedures for the implementation of IPC and associated work. I have decided therefore that IPC will now be implemented on 1 April 1991 for all new prescribed processes; prescribed processes undergoing a substantial change and large combustion plant. Other prescribed processes will be phased in over four years from 1 April 1992.

Telford Development Corporation

Mr. Mans: To ask the Secretary of State for the Environment what plans he has for the wind-up date of Telford development corporation; and if he will make a statement.

Mr. Nicholls: Following statutory consultations under section 41 of the New Towns Act 1981, I have decided that Telford development corporation will be wound up on target on 30 September 1991. The necessary order will be made in due course.

Pollution, Port Talbot

Mr. John Morris: To ask the Secretary of State for the Environment what representations Her Majesty's inspectorate of pollution has received in respect of pollution by BP Chemicals at Baglen bay, Port Talbot; and what action it is proposed to take about it.

Mr. Trippier *[holding answer 20 July 1990]:* I refer the right hon. and learned Member to the reply given to him by my hon. Friend the Under-Secretary of State for Wales on 20 July, *Official Report*, Vol. 176, columns *758-59*.

Radon Gas

Mr. Ward: To ask the Secretary of State for the Environment if he will set a limit on the fee which may be charged for carrying out tests for radon gas in domestic buildings.

Mr. Heathcoat-Amory *[holding answer 23 July 1990]:* No. The National Radiological Protection Board (NRPB) will carry out a free test for radon at the householder's request in all cases where the board judges that the nature of the area and the house warrant such testing. In other cases, the fee is a matter of negotiation with the organisation requested to carry out the test. The NRPB currently charges a fee of £26·40 plus VAT in those cases which do not justify a free test.

Direct Labour Organisation, Brent

Sir Rhodes Boyson: To ask the Secretary of State for the Environment what use he intends to make of his sanction powers under part III of the Local Government, Planning and Land Act 1980 against the direct labour organisation of the London borough of Brent.

Mr. Heathcoat-Amory: On 20 December 1989, my right hon. Friend the Secretary of State served a notice under section 19A of the 1980 Act on the London borough of Brent, setting out his view that the authority appeared to have failed to prepare the revenue account and statement of rate of return for the direct labour organisation's (DLO) activities in the financial year 1988-89; that it had failed to submit to him a report containing this information; and that it had failed to achieve the required rate of return on major new construction work.

My right hon. Friend has now considered the response which the authority has made to the section 19A notice, and accepts that the authority has now prepared the revenue account and statement of rate of return and has submitted the relevant report to him. He has noted, however, that the report shows that Brent's DLO made a loss of over £1 million on major new construction work in

1988-89, following a loss of slightly less than £1 million on this work in 1987-88. He has further noted that the authority decided in July 1989 that the DLO should withdraw from major new construction work, but that the authority has not precluded the possibility that the DLO might return to this area of work in the future.

My right hon. Friend has concluded that the record of financial failure by the DLO is such as to provide no confidence that it could achieve the required rate of return on major new construction work in the future. He has therefore today given a direction under section 19B of the 1980 Act prohibiting Brent's DLO from carrying out major new construction work.

EMPLOYMENT

Labour Statistics

13. **Mr. Hayward:** To ask the Secretary of State for Employment by how much the total number of jobs in the United Kingdom has increased since 1979.

Mr. Howard: The number of jobs in the United Kingdom increased by 1·8 million between June 1979 and March 1990, the latest date for which information is available. It now stands at 27,198,000—the highest level ever.

17. **Mr. French:** To ask the Secretary of State for Employment what is the total number of unemployed people in the Gloucester constituency for the last month for which figures are available; and what percentage of that figure are long-term unemployed.

Mr. Jackson: There were 2,149 unemployed claimants in the parliamentary constituency of Gloucester in June 1990. For April 1990, the latest available date, about 27 per cent. of all claimants had been unemployed for more than a year.

20. **Mr. Tony Banks:** To ask the Secretary of State for Employment what is the current level of unemployment in London.

Mr. Forth: In June 1990 unemployment in the London travel-to-work area was 186,168, 4·7 per cent. of the work force.

23. **Mr. Skinner:** To ask the Secretary of State for Employment what are the latest unemployment figures; and what were the most nearly comparable figures for June 1979.

Mr. Forth: In June 1990 the level of unemployment, seasonally adjusted, in the United Kingdom, was 1,617,100 compared with 1,069,000 in June 1979 on the consistent basis.

39. **Mr. Flannery:** To ask the Secretary of State for Employment what are the current unemployment figures; and what was the most nearly comparable figure in June 1989.

Mr. Forth: In June 1990 seasonally adjusted unemployment in the United Kingdom was 1,617,100, compared with 1,811,300 in June 1989.

44. **Mr. Viggers:** To ask the Secretary of State for Employment if he will make a statement on changes in the age profile of unemployed men and women in recent years.

Mr. Forth: As shown by the table, all age groups have seen sharp falls in the numbers unemployed over the past four years.

Unemployed claimants by age in the United Kingdom

Thousands

April	*18-24 year olds*				*25-49 year olds*				*50 and over*			
	Male	*Per cent.*[1]	*Female*	*Per cent.*[1]	*Male*	*Per cent.*[1]	*Female*	*Per cent.*[1]	*Male*	*Per cent.*[1]	*Female*	*Per cent.*[1]
1986	624	(27·3)	373	(36·1)	1,087	(47·5)	443	(42·8)	471	(20·6)	139	(13·5)
1987	567	(26·3)	331	(34·9)	1,053	(48·8)	422	(44·5)	466	(21·6)	140	(14·8)
1988	444	(25·1)	253	(32·9)	872	(49·4)	346	(45·0)	390	(22·1)	124	(16·1)
1989	352	(26·0)	179	(33·5)	691	(51·1)	256	(48·0)	307	(22·7)	98	(18·4)
1990	318	(26·6)	147	(34·3)	641	(53·5)	203	(47·5)	238	(19·9)	77	(18·0)

[1] Figures shown in brackets give the proportion of total unemployment in the given age group.
Note: The percentages do not add to 100 due to the exclusion from the table of those claimants aged under 18.

47. **Mr. Duffy:** To ask the Secretary of State for Employment if he will provide the latest unemployment figures for Sheffield expressed as a percentage; and what is the national average.

Mr. Forth: In June 1990, the unemployment rate for the Sheffield travel-to-work area was 7·9 per cent. The comparable figure for the United Kingdom was 5·5 per cent. These figures are on the unadjusted basis.

48. **Mr. Amess:** To ask the Secretary of State for Employment what is the latest figure for unfilled vacancies in the Basildon constituency.

Mr. Forth: Vacancy data for parliamentary constituencies are not available. However, the number of vacancies in the Basildon jobcentre area in June was 326.

57. **Mr. Flynn:** To ask the Secretary of State for Employment what is his latest estimate of the total number of employees who are counted twice in the employment totals.

Mr. Forth: The exact number of employees with two or more jobs included in the published employees in employment estimates is not known, since the estimates are based on figures collected from employers, who will not generally know if an employee is filling the post as an additional job.

However, evidence on the number of people with two jobs can be derived from the labour force survey (LFS). It is estimated from the preliminary results of the 1989 LFS that 623,000 employees (2·8 per cent. of the total) in Great Britain had a second job as an employee in spring 1989.

58. **Mr. Grocott:** To ask the Secretary of State for Employment what was the level of unemployment in the west midlands *(a)* in 1979 and *(b)* in the latest year for which figures are available.

Mr. Forth: In June 1990 seasonally adjusted unemployment in the west midlands was 149,200, compared with 99,400 in June 1979.

68. **Mr. Frank Field:** To ask the Secretary of State for Employment what was the number of unemployed claimants in *(a)* Birkenhead and *(b)* the urban programme area, on 1 June 1983 and 1 January 1990; and if he will make a statement.

Mr. Forth: The table shows the number of unemployed claimants, in *(a)* Birkenhead parliamentary constituency and *(b)* Wirral local authority area, in which the Government target inner-city programme aid, for June 1983 and January 1990.

Total unemployed claimants

	June 1983	*January 1990*
Birkenhead	8,726	6,479
Wirral	23,554	16,025

Direct comparisons over the time are affected by various changes to the count and by seasonal influences.

69. **Mr. Bill Walker:** To ask the Secretary of State for Employment what was the number of people in work in Scotland in 1979; and what is the number today.

Mr. Forth: In June 1979, the civilian work force in employment for Scotland was 2,262,000. In March 1990, the latest date for which information is available, it stood at 2,281,000, an increase of 19,000.

71. **Mr. Ashton:** To ask the Secretary of State for Employment what is the latest figure for people in full-time employment; and what was the comparable figure in 1979.

Mr. Forth: There were 20,232,000 people in full-time employment in Great Britain in March 1990, the latest date for which information is available. The earliest comparable information available is for March 1983 when there were 18,154,000 people in full-time employment. This represents an increase of 2,077,000 or 11 per cent.

Child Care

18. **Mrs. Gorman:** To ask the Secretary of State for Employment if he will commission a study of the child care needs of working mothers.

Mr. Howard: My Department is contributing to the funding of the British social attitudes survey which includes questions on women's views of their child care needs. The need for any further research will be considered when the results of the survey are available.

Long-term Unemployed

19. **Mr. Lofthouse:** To ask the Secretary of State for Employment what measures he intends to introduce to enable the long-term unemployed to receive training.

Mr. Howard: Employment training currently provides long-term unemployed people with a full range of opportunities to help them acquire the skills and experience they need to compete for jobs. Under training and enterprise councils training provision will become even more responsive to local needs.

21. **Mr. Boyes:** To ask the Secretary of State for Employment what measure he intends to introduce to enable the long-term unemployed to participate fully in the work force.

Mr. Howard: Long-term unemployment has halved in the past two years. The wide range of employment and training measures which the Government have put in place have helped to achieve that objective.

36. **Mr. Hunter:** To ask the Secretary of State for Employment what further measures he proposes to take to help the long-term unemployed.

Mr. Jackson: The number of people unemployed for one year or more has fallen by almost half a million in the last two years and in that period long-term unemployment has fallen faster than total unemployment. Our success has been based on policies which have led to a large number of new jobs, and on an extensive range of employment and training measures which are kept under regular review to ensure that they continue successfully and cost-effectively to help long-term unemployed people get back into work.

Job Clubs

22. **Ms. Mowlam:** To ask the Secretary of State for Employment how he intends to improve the work of job clubs.

Mr. Jackson: The job club programme is working well and continues to be very popular.

Current initiatives to improve the programme further include a new guide for external contractors; improvements to job club leader training; and pilots of special help for people with severe literacy or language difficulties.

Part-time and Temporary Work

24. **Mr. Bright:** To ask the Secretary of State for Employment what representations he has made to the European Commission concerning its proposed directives on part-time and temporary work.

Mr. Howard: I have made it clear that the Government oppose the draft directives on the grounds that they would reduce job opportunities and damage competitiveness.

40. **Mr. Donald Thompson:** To ask the Secretary of State for Employment what proportion of jobs in the United Kingdom are part-time.

Mr. Forth: Part-time employment in Great Britain constituted 24 per cent. (6,369,000) of the work force in employment in March 1990, the latest date for which information is available. Figures for part-time workers in Northern Ireland are not available.

Dock Labour Scheme

25. **Mr. Jacques Arnold:** To ask the Secretary of State for Employment what assessment he has made of the effects of the abolition of the dock labour scheme.

Mr. Howard: The industrial relations in the former scheme ports have been transformed; labour productivity

has increased; and new business opportunities in and around the ports are booming as a direct result of the abolition of the dock labour scheme in July 1989.

51. **Mr. Barry Field:** To ask the Secretary of State for Employment what assessment has been made so far by his Department of the effect on business at British seaports of the abolition in 1989 of the dock labour scheme.

Mr. Howard: The July edition of the *Employment Gazette* contained an article, based on assessments carried out in 15 former national dock labour scheme ports, which reviewed developments which had occurred in the first year after the abolition of the scheme. It found that there had been substantial changes in the composition of the labour force; industrial relations in the docks had been transformed; labour was now being utilised much more flexibly; labour productivity had increased markedly; investment in the docks was beginning to increase and new business opportunities in and around the ports were developing; training was being approached more systematically and health and safety standards were being maintained.

Employment Training

26. **Mr. Franks:** To ask the Secretary of State for Employment how many students have completed training under the employment training scheme; and if he will make a statement.

Mr. Jackson: Since its launch over 700,000 people have benefited from the opportunities provided by employment training. It is currently helping about 200,000 unemployed people to obtain the skills and experience they need to get and keep jobs. Under training and enterprise councils it will become even more responsive to local needs.

29. **Mr. Ron Davies:** To ask the Secretary of State for Employment if he will make a statement on the recontracting process for employment training.

Mr. Jackson: The recontracting exercise for employment training has been successful and 99 per cent. of providers have agreed new contracts.

66. **Mr. Barry Porter:** To ask the Secretary of State for Employment how many students are currently undertaking training under the employment training scheme.

Mr. Jackson: An estimated 200,000 people are currently undertaking employment training.

Disabled People

27. **Mr. Alfred Morris:** To ask the Secretary of State for Employment if he will make a statement on his Department's review of employment services for disabled people.

Mr. Jackson: The results of the review were published on 29 June in a consultative document "Employment and Training for People with Disabilities". The document sets out our intentions for the development of services in the 1990s taking forward themes, established in the 1980s, of integration into the work force and the active commitment of employers to good practices in creating employment opportunities for people with disabilities. The document has been widely distributed and the period of consultation lasts to 31 December.

37. **Mr. Eastham:** To ask the Secretary of State for Employment what measures he is taking to improve employment services to people with disabilities; and if he will make a statement.

Mr. Jackson: A consultative document, "Employment and Training for People with Disabilities", was published by this Department on 29 June. The document sets out our intentions for the development of services in the 1990s taking forward themes, established in the 1980s, of integration into the work force and the active commitment of employers to good practices in creating employment opportunities for people with disabilities. The document has been widely distributed and the period of consultation runs to 31 December.

62. **Mr. Nigel Griffiths:** To ask the Secretary of State for Employment what steps he intends to introduce to preserve and enforce the quota system for employment of people with disabilities.

Mr. Jackson: This Department's consultative document, "Employment and Training for People with Disabilities", invites comments on the merits and demerits of the quota system for employment of people with disabilities. Decisions on its future operation will be taken when we have considered the comments that we receive.

65. **Mr. Tony Lloyd:** To ask the Secretary of State for Employment what plans he has to improve the legislative framework for the employment of people with disabilities.

Mr. Jackson: This Department's consultative document, "Employment and Training for People with Disabilities", invites comments on the merits and demerits of various legislative approaches to promoting the employment of people with disabilities. Decisions on the best way forward will be taken when we have considered the comments that we receive.

Training

28. **Mr. Wray:** To ask the Secretary of State for Employment what proportion of the total British work force attended formal training courses in 1989.

Mr. Forth: The information is not available in the form requested.

42. **Mr. Carrington:** To ask the Secretary of State for Employment whether he has any proposals to oblige every company to set up a training body with guaranteed trade union representation at every workplace.

Mr. Forth: There are no such plans. The most effective incentive for companies to train is a knowledge and understanding of their skill needs, not centralised regulation.

49. **Mr. Holt:** To ask the Secretary of State for Employment when he last met his opposite numbers in Germany, France and Italy to discuss training.

Mr. Howard: This year I have visited West Germany and Italy to discuss training issues with my opposite numbers. When I attended the EC Labour and Social Affairs Council of Ministers in May and an informal meeting of this Council in Italy on 12 July, at which training was discussed, I met my counterparts from these and other EC member states.

Labour Mobility

30. **Mr. Dykes:** To ask the Secretary of State for Employment what are the early indications of greater labour mobility between European Community member states; and if he will make a statement.

Mr. Forth: There are no reliable estimates of labour mobility between European Community member states.

Technical and Vocational Education Initiative

31. **Mr. Jack:** To ask the Secretary of State for Employment what representations he has received from organisations in Lancashire on his plans for the technical and vocational education initiative extension programme.

Mr. Jackson: Lancashire is being funded to start its extension programme this autumn. There have been several representations seeking more funds in the first year of the programme. The Department is reassuring the education authority, schools and colleges that Lancashire will be getting its full share of funds over the life of the programme.

52. **Mr. Hind:** To ask the Secretary of State for Employment if he will make a statement on his proposals for the technical and vocational education initiative for the next three years.

Mr. Jackson: By September 1990, 103 education authorities will be in their five-year extension phase of TVEI. The remaining 29 authorities will come into extension when resources permit, provided the authorities' plans meet the appropriate standards. The total budget available for TVEI in 1990-91 is £134 million. Planned expenditure for 1991-92 and 1992-93 is £133 million and £141 million respectively. The total cost of the extension phase will be about £900 million as envisaged in 1986 when TVEI extension was announced.

67. **Mr. Leighton:** To ask the Secretary of State for Employment what is his policy on the development and financing of the technical and vocational education initiative.

Mr. Jackson: TVEI brings important benefits to pupils and employers and contributes to improving the nation's skill supply. The Government therefore aim to extend TVEI to all 14 to 18-year-olds in maintained schools and colleges and are providing £900 million for this purpose. In each local authority TVEI extension funding is spread over five years and by this autumn 103 authorities will have started their extension phase.

Secondary Picketing

32. **Mr. Riddick:** To ask the Secretary of State for Employment whether he has any plans to reintroduce the right to carry out mass secondary picketing.

Mr. Forth: There are no such plans.

Mines (Safety)

33. **Mr. Hardy:** To ask the Secretary of State for Employment if he has considered external legal advice in regard to proposed changes in the regulation of safety in mines.

Mr. Forth: The Health and Safety Commission would submit regulatory proposals to Ministers only if it was satisfied on legal advice from its solicitor that they were legally sound.

Footballers (YTS)

34. **Mr. Oppenheim:** To ask the Secretary of State for Employment how many members of the England football team in the world cup competition had received football training under YTS.

Mr. Howard: Two members of the England football team—Paul Gascoigne and David Platt—have received football training under YTS.

38. **Mr. Stevens:** To ask the Secretary of State for Employment when he last met a professional footballer who had received football training under YTS.

Mr. Howard: I met Paul Gascoigne in Naples during the quarter-finals of the world cup on 1 July.

45. **Mr. Evennett:** To ask the Secretary of State for Employment what assessment he has made of the effectiveness of the football training made available under YTS in recent years.

Mr. Howard: Football training has been provided under YTS and now under youth training since the introduction of YTS in 1983. All 92 Football League clubs are involved in youth training.

The effectiveness of the training is evident from the substantial number of ex-trainees now playing regular first team football at clubs throughout the four divisions of the Football League and at international level. The last four young players of the year, including this year's winner, Matthew Le Tissier, were trained on YTS, as were Paul Gascoigne and David Platt, who excelled in England's world cup team in Italy this year.

Health and Safety Executive

35. **Mr. Allen McKay:** To ask the Secretary of State for Employment how he intends to improve the work of the Health and Safety Executive.

Mr. Forth: The Health and Safety Commission's plan of work for 1990-91 and beyond sets out the priorities of the commission and executive for this and the next two years. The plan will be published in July.

Employee Involvement

41. **Mr. Ian Taylor:** To ask the Secretary of State for Employment what steps he is taking to help encourage further the degree of employee involvement among British companies.

Mr. Forth: My right hon. and learned Friend takes every opportunity to emphasise the importance of effective employee involvement. The Department promotes and supports its development through research and by publicising best practice, as in our booklet "People and Companies".

Wages Councils

43. **Ms. Ruddock:** To ask the Secretary of State for Employment what measures he proposes to introduce to improve the working of the wages councils.

Mr. Forth: The councils are empowered to set minimum rates of pay in certain industries. Checks by wages inspectors show that compliance with wages council orders is running at a very high level.

Sheltered Placement Scheme

46. **Mrs. Heal:** To ask the Secretary of State for Employment if he will make a statement on the future funding arrangements for the sheltered placement scheme.

Mr. Jackson: Proposals for a rebalancing of the sheltered employment programme over a transitional period of five years, in favour of sheltered placements, are contained in the consultative document "Employment and Training for People with Disabilities" which was published on 29 June. Views are invited on the existing funding arrangements and possible cost-effective improvements to them which could be met within existing resources. Interested parties have until 31 December to comment.

Agriculture (Accidents)

50. **Mr. Corbett:** To ask the Secretary of State for Employment what measures he intends to introduce to prevent deaths due to agricultural work.

Mr. Forth: No legislative proposals are planned. However, the Health and Safety Executive will continue with its programme of strategies aimed at helping the agricultural industry to achieve reductions in fatal accident levels. These include: targeting inspection at those workplaces that present the greatest risk to employees, the self-employed, their families and the general public including children, carrying out advisory and publicity work to promote an increased awareness of health and safety in the industry, and liaising with all sides of industry to improve the health and safety aspects of products.

In seeking compliance with health and safety legislation, inspectors will also use innovative inspection techniques including blitz initiatives targeted at specific farming operations. They will also pay more attention to the management of health and safety.

Inspectors will pursue their inquiries and any enforcement action to the highest levels at workplaces which do not measure up to the standards expected of them.

63. **Mr. Dunnachie:** To ask the Secretary of State for Employment what steps he intends to introduce to prevent accidents and fatalities as a result of agricultural work.

Mr. Forth: No legislative proposals are planned. However, the Health and Safety Executive will continue with its programme of strategies aimed at helping the agricultural industry to achieve reductions in the numbers of non-fatal and fatal accidents. These include: targeting inspection at those workplaces that present the greatest risk to employees, the self-employed, their families and the general public including children, carrying out advisory and publicity work to promote an increased awareness of health and safety in the industry, and liaising with all sides of industry to improve the health and safety aspects of products.

In seeking compliance with health and safety legislation, inspectors will also use innovative inspection techniques including blitz initiatives targeted at specific farming operations. They will also pay more attention to the management of health and safety.

Inspectors will pursue their inquiries and any enforcement action to the highest levels at workplaces which do not measure up to the standards expected of them.

Employee Rehabilitation Centre, Cardiff

53. **Mr. Morgan:** To ask the Secretary of State for Employment what plans he has for the provision after 1993 of the services of the employee rehabilitation centre, Western avenue, Cardiff.

Mr. Jackson: Plans for the provision after 1993 of the services of the employment rehabilitation centre, Western avenue, Cardiff, have yet to be made. The South Glamorgan committee for the employment of disabled people will be consulted in drawing up any such plans.

Minimum Wage

54. **Mr. Mans:** To ask the Secretary of State for Employment what assessment he has made of the effects on employment of the introduction of a minimum wage requirement at the level of half median male earnings.

Mr. Forth: Officials in the Department have estimated that the introduction of a minimum wage set at half median male earnings would result in the loss of about three quarters of a million jobs.

EPCOT

55. **Mr. Atkinson:** To ask the Secretary of State for Employment if he has any plans to pay an official visit to the British showcase at EPCOT in Florida.

Mr. Howard: I have no plans to make an official visit to the British showcase in Florida.

Astra Training Services Ltd.

56. **Mr. Cryer:** To ask the Secretary of State for Employment how many freehold sites have been sold to Astra Training Services Ltd.; what is the total anticipated revenue; and if he will make a statement.

Mr. Jackson: The sale of training businesses at 45 skill centres plus the STA head office, mobile training service, sales teams and colleges to Astra Training Services Ltd. included the acquisition by Astra of 28 freehold sites. These sites formed part of the overall sale package, which involved a payment from the Government to Astra of some £10·7 million.

Confederation of British Industry

59. **Mr. Madel:** To ask the Secretary of State for Employment whether he plans to meet the Confederation of British Industry to discuss the estimated size and skills knowledge of the labour force for the rest of the decade; and if he will make a statement.

Mr. Jackson: My right hon. and learned Friend meets the CBI from time to time to discuss a wide range of labour market issues. These include the importance of determining the future training needs of the work force and how best employers can meet these needs in the light of demographic trends forecast for the next 10 years.

Low Pay

60. **Mr. Parry:** To ask the Secretary of State for Employment if he will make a statement on Her Majesty's Government's policy on low pay.

Mr. Forth: I refer the hon. Member to the Minister of State's reply to the hon. Member for Redcar (Ms. Mowlam) on 22 May 1990 at column *157*.

Industrial Action

61. **Mr. David Evans:** To ask the Secretary of State for Employment how many working days have been lost over the last two years through unofficial industrial action; and what proportion this constitutes of the total number of days lost through industrial action.

Mr. Forth: A special exercise has shown that in 1988 approximately 1·3 million working days were lost through unofficial stoppages, about one third of the total for the year. The analysis is not available for 1989.

Youth Training

64. **Mr. Jim Marshall:** To ask the Secretary of State for Employment if he will make a statement on the recontracting process for youth training.

Mr. Jackson: The youth training recontracting process has been managed successfully and 98 per cent. of providers have agreed new contracts.

Tourism

70. **Mr. Butterfill:** To ask the Secretary of State for Employment what action he has taken to improve standards in the small hotel and guest house sector.

Mr. Forth: The English tourist board operates the "Crown" classification and grading scheme for serviced accommodation. One of the main objectives of the scheme is to improve the quality and range of services and facilities offered to the customer. About 11,000 establishments in England are already participating in it and more are joining all the time. Over half of the participants have applied for a commendation for quality, a new optional feature of the scheme.

Health and Safety Commission

72. **Mr. Jack Thompson:** To ask the Secretary of State for Employment when he last met members of the Health and Safety Commission; and what subjects were discussed.

Mr. Forth: I refer the hon. Member to the answer I gave the hon. Member for Stretford (Mr. Lloyd) on 29 June 1990 at column *342*.

Creche Facilities

Mr. Dunnachie: To ask the Secretary of State for Employment how many firms operating in Scotland currently provide creche facilities for their employees' children; and if he will make a statement.

Mr. Forth: This information is not collected.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Employment if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Forth: The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures and through specific programmes of support and assistance. The success of their policies is demonstrated by the latest statistics which show a record increase in the number of businesses registered for VAT, of around 1,700 a week during 1989. Over the decade the overall increase has been 373,000.

Measures operated by my Department to assist small businesses include: the small firms service, which is operated by the Training Agency of the Department, and provides information and business counselling to new and established businesses. It was a record year for the service, which carried out more counselling, more work with growing firms, and answered more inquiries during 1989-90, than ever before. In the last financial year, the service answered over 317,000 inquiries (an increase of 12·9 per cent. on 1988-89), handled over 36,000 counselling sessions (an increase of 17·7 per cent. on 1988-89), and conducted over 36,000 counselling cases (an increase of 20·4 per cent. on 1988-89).

Business growth training was introduced in 1989 to provide help to established firms to develop their business and management skills. It has already proved to be a highly successful scheme, with over 122,000 owner managers assisted to date.

My Department also provides financial assistance through the enterprise allowance scheme and makes substantial grants available to Business in the Community, local enterprise agencies and the Prince's Youth Business Trust amongst others. To take the enterprise allowance scheme as an example, it has been a great encouragement to unemployed people to go into self-employment. In the period 1989-90 over 78,000 have participated in the scheme. Since the start in 1983 over 500,000 people have taken advantage of the scheme.

The enterprise training element of employment training and the business enterprise programme help people set up in business through the provision of targeted training in all the basic aspects of business. The combined number of entrants to these programmes increased from 43,489 in 1987-88 to 59,480 in 1989-90. In addition, the graduate enterprise programme helps graduates take the first steps to setting up businesses on their own. The number of entrants to this programme rose to 1,184 in 1989-90.

Assistance of this type for the self-employed and small firms will in future be provided locally by training and enterprise councils. TECs will have the opportunity to tailor assistance to local circumstances.

The loan guarantee scheme continues to enhance smaller firms' access to finance. In the 12 months to 30 June 1990, 3,450 loans were guaranteed representing total lending of £104 million. Usage during the year remained buoyant with applications averaging 285 a month compared with 200 a month in the previous year, and 120 a month two years ago.

Over the past year I have continued my campaign to improve the access of small firms to Government contracts. My Department has published and distributed

booklets designed for both Government purchasers and small firms which identify purchasing needs, departmental contacts and give guidance on improving Government purchasing procedures. I have also appointed a purchasing consultant to improve the systems by which small firms can get better access to public contracts. My Department publicises its own contracts and has produced a departmental guide for those companies that want to tender, including small firms. We have encouraged managers to use local small firms in devolving the purchasing function and budgets where appropriate.

My Department has continued with action to reduce burdens on business; through the Employment Act 1989, for example, the procedures for taking on women and young people have been simplified. We have also produced a range of advice and guidance for smaller companies, including the well-received self-employment starter pack. As well as maintaining a close interest in domestic deregulation, we are working hard to ensure that the EC's social charter does not impose unnecessary burdens, with the circumstances of small businesses very much in mind.

The Department monitors all its programmes and also commissions external evaluations which are published. In December 1989 we published an overview, "Small Firms in Britain", a copy of which is in the Library. The report surveys developments in the sector, includes key statistical indicators and outlines Government policy and measures as a whole towards small firms.

Flame-retardant Fabrics

Mr. Strang: To ask the Secretary of State for Employment (1) what evidence he has that workers in the upholstery and bedding industry are experiencing health problems as a result of the materials used in the manufacture of flame-retardant covers and treated fabrics;

(2) whether the Health and Safety Executive has had discussions with the Furniture, Timber and Allied Trades Union regarding the materials used in the manufacture of flame-retardant covers and treated fabrics;

(3) if he will ask the Health and Safety Executive to carry out an investigation into *(a)* the abrasive effect of coated fabrics upon hands and arms and *(b)* nose and throat irritation from dipped and sprayed fabrics experienced by employees in the manufacture of flame-retardant covers and treated fabrics in the upholstery and bedding industry.

Mr. Forth: The Health and Safety Executive is already investigating evidence that flame-retardant and crease-resistant finishes applied to textile fabrics may result in skin, nose and throat irritation in workers handling those fabrics in the upholstery and bedding industries, and has been discussing the problem with the Furniture, Timber and Allied Trades Union.

European Social Fund

Mr. Frank Field: To ask the Secretary of State for Employment when he will forward plans submitted to his Department from voluntary sector projects to the European social fund for approval.

Mr. Forth: Operational programmes, which represent aggregated bids from all interested organisations, including those representing the voluntary sector, were submitted to the European Commission on 15 June. No individual project applications have as yet been made by the voluntary sector.

Maternity Pay

Mr. Dunnachie: To ask the Secretary of State for Employment if he has any plans to harmonise female employees' entitlement to maternity leave related to pay with the practice in other countries in the European Community; and if he will make a statement.

Mr. Forth: My right hon. and learned Friend has no such plans. The Government believe that member states should be free to make their own arrangements for maternity, in accordance with national traditions and practices.

Mr. Dunnachie: To ask the Secretary of State for Employment if he will lift the present restriction whereby female employees are entitled to claim maternity benefit only when they have worked for the same employer for two or more years; and if he will make a statement.

Mrs. Gillian Shephard: I have been asked to reply.

No such restriction exists. Statutory maternity pay (SMP) is payable for 18 weeks to women who have worked for the same employer for at least 26 weeks at the qualifying week (the 15th week before the baby is due). Where a woman with a recent employment record has worked for her current employer for fewer than 26 weeks she will normally qualify for maternity allowance from the Department of Social Security instead of SMP from her employer.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food how many suspected cases of bovine spongiform encephalopathy have been reported since the start of the current year; and if he will make a statement.

Mr. Gummer: The number of suspect cases placed under restrictions each week is as follows:

Week ending	*Number*
5 January 1990	245
12 January 1990	293
19 January 1990	283
26 January 1990	294
2 February 1990	309
9 February 1990	329
16 February 1990	361
23 February 1990	369
2 March 1990	424
9 March 1990	392
16 March 1990	402
23 March 1990	354
30 March 1990	334
6 April 1990	328
13 April 1990	295
20 April 1990	274
27 April 1990	303
4 May 1990	349
11 May 1990	338
18 May 1990	399
25 May 1990	365
1 June 1990	353
8 June 1990	362

Week ending	Number
15 June 1990	247
22 June 1990	291
29 June 1990	262
6 July 1990	219
13 July 1990	206

The pattern of suspect cases reported this year has so far followed closely the trend that occurred in 1989, in which an increase in cases during January and February was followed by an overall decrease during the spring months, albeit with fluctuations.

Whilst there has been an underlying decrease in the numbers reported in the last few months compared to the high point in February/March, this has been subject to marked fluctuations and it cannot be assumed that this trend will continue.

Agricultural Prices

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food if he will describe the net effects on supply estimates of the European Community decisions on agricultural prices for 1990-91.

Mr. Gummer: The voted provision for class III vote 1 for the intervention board executive agency (CAP market support) is a token of £1,000 due to the forecasts of receipts exceeding expenditure. The cost of the price-fixing decisions in the United Kingdom in 1990-91 has been estimated at £125 million. This relates mainly to the devaluation of the green pound and to reductions in the payment period for intervention intake. These measures, together with changes in market conditions which have arisen since the supply estimates were published, are expected to result both in increased expenditure and receipts. The necessary changes will be sought through a winter supplementary estimate.

Small Businesses

Mr. David Shaw: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the achievements of *(a)* his policies and *(b)* his Ministry in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Maclean: The Government have continued to place high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures and through specific programmes of support and assistance.

The Department has continued to contribute significantly to this process. We have maintained pressure for a more market-oriented common agricultural policy, and the 1990 price-fixing agreement consolidated the progress made last year. These achievements, together with the reforms to systems of agricultural support worldwide being negotiated in the current GATT round, will further encourage a competitive and efficient agricultural industry, well placed to compete with its counterparts in other Community countries.

We have also continued to make available to farmers a range of income-generating schemes—for example the farm woodlands scheme, set-aside, the farm diversification grant scheme and the environmentally sensitive areas scheme—designed to encourage them to diversify their enterprises, as well as provide opportunities to enhance the environment. We have recently launched pilot schemes to encourage more extensive farming of beef cattle and sheep.

All the schemes operated by my Department are closely monitored. Reports on particular schemes are published from time to time.

Plankton Recorder Programme

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in re-establishing the continuous plankton recorder programme.

Mr. Maclean: Following the withdrawal of direct funding by the Natural Environment Research Council from the continuous plankton recorder survey, the Ministry has renewed its contract with NERC for £150,000 per annum for a further two years to safeguard the Ministry's interests in this survey as a source of valuable information relevant to our fisheries and environmental protection interests.

The Ministry has successfully persuaded the international scientific community of the value of maintaining such environmental monitoring programmes and took the lead in promoting an international funding trust to secure the future of this survey. I am pleased to report that the international response has been sufficient to enable the trust to be established so that the survey will continue. The constitution of the trust is currently being drafted.

Aspartame

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) whether the Food Advisory Committee considered *(a)* summary or *(b)* full data when it approved the use of aspartame; and if he will make a statement;

(2) if he will place the data considered by the Food Advisory Committee on aspartame in the Library.

Mr. Gummer: The data on aspartame considered by the Food Additives and Contaminants Committee (FAC) (the predecessor of the Food Advisory Committee) comprised the case of need and a report from the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment, containing its considered advice on the safety of the sweetener. This is contained in the FAC report on the review of sweeteners in food (FAC/REP/34). Copies of this report are already lodged in the Library.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will place a copy of the agreements between his Ministry and food companies, and advice given by his Ministry, relating to the labelling of products containing aspartame, in the Library.

Mr. Gummer: It is a statutory requirement to declare aspartame in ingredients lists under the Food Labelling Regulations 1984 (S.I. 1984 No. 1305). My Ministry has issued no further advice on this matter nor does it have any agreements with food companies about aspartame.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will now ask his Food Advisory Committee to urgently review aspartame; and if he will make a statement.

Mr. Gummer: Both the Food Advisory Committee and the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment are currently reviewing the use of all sweeteners in food. I anticipate receiving their full report and recommendations early next year but in the meantime they will inform me if they see the need for any action earlier.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what information he has received from the United States Food and Drug Administration concerning the safety of aspartame ; and if he will make a statement.

Mr. Gummer: My officials have received information on the safety of aspartame from a number of sources including those originating in the United States of America. This information, together with new data produced and collected since aspartame was approved in this country seven years ago, is currently being considered by the independent Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment (COT).

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will introduce a compulsory health warning on products containing aspartame; and if he will make a statement.

Mr. Gummer: The use of aspartame in a food product will appear in the ingredients list. There is no general health hazard arising from the use of this sweetener; the small number of people who suffer from phenylkentonuria and should therefore not ingest aspartame have access to advice from their doctors to avoid products containing it.

Food Irradiation

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food when he intends to lay the regulations under the Food Safety Act 1990 that will control the process of food irradiation; and if he will make a statement.

Mr. Gummer: The first essential step is to arrange for consultations to take place on our proposals. Only when these have been completed and the results assessed will regulations be laid.

Active Ingredients

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the active ingredients which have been approved since 3 April; and if he will make a statement.

Mr. Gummer: There is no provision in food law for the approval of "active ingredients"; this is a concept confined to medicines legislation.

Pesticides

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the pesticides which have been approved since 3 April, indicating whether it was a full or partial review in each case; and if he will make a statement.

Mr. Gummer: The following approvals for agricultural pesticide products have been issued by my Department since 3 April:

	Number
Experimental permits	21
Full or provisional approvals	98
Off-label approvals	11

of which:

	Number of products	*Approvals*
New active ingredients		
Fenpropathrin	1	A provisional approval and an experimental permit
Paclobutrazol	4	Provisional approvals
Reviewed active ingredient		
Alachlor (full review)	1	Provisional approval extended for one year

My right hon. and learned Friend the Secretary of State for Employment is responsible for the approval and review of non-agricultural pesticides.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list in the *Official Report* details of work he is sponsoring on pesticide effects on shepherds.

Mr. Gummer: All suspected adverse reactions reported by shepherds and others to licensed sheep dips are investigated under Medicines Act procedures. The findings will be fully taken into account as part of the review of ectoparasiticide products to ensure that modern standards on safety, quality and efficacy are being met. The review is expected to have been completed early in 1992.

Richard Kimberlin

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his answer to the hon. Member for South Shields on 26 June, *Official Report*, column *204*, if he will list the amount of money paid to Mr. Richard Kimberlin for each year he has provided expert advice; and if he will make a statement.

Mr. Maclean: The Department has paid the following fees and expenses to Dr. Kimberlin for consultancy work commissioned with him:

	£
1989	4,279·00
1990	3,128·34

Sheep Dip

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the National Rivers Authority about the emptying of sheep dips; and if he will make a statement.

Mr. Gummer: Sheep dip emptying has not been the focus of recent discussions with the National Rivers Authority, as last year sheep dips gave rise to only 13 out of 2,889 agricultural water pollution incidents. Nevertheless the guidance available on disposal is currently being reviewed to see how this can best be improved.

Sugar Substitutes

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will introduce a compulsory health warning on Sweet and Low saccharine granulated sugar substitutes along the lines of that used in the United States of America; and if he will make a statement.

Mr. Gummer: I have no plans to do so. Saccharin has been cleared as safe by the independent expert advisory committees. At my request the committees have, however, recently reviewed saccharin. I expect to receive their recommendations very shortly when I can consider whether any further action is necessary.

SCOTLAND

Community Care

Mr. Galbraith: To ask the Secretary of State for Scotland when he expects to implement the new arrangements for community care; and if he will make a statement.

Mr. Lang: I refer to the reply given by my right hon. and learned Friend to my hon. Friend the Member for Tayside, North (Mr. Walker) on 18 July 1990.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will estimate the cost in staff time and resources within the Scottish Office of working to prepare for the implementation of the community care reforms.

Mr. Lang: Some 25 officials within the Scottish Office have devoted a significant proportion of their working time within the past eight months to preparations for the implementation of the arrangements announced in the White Paper published in November 1989. This work has included preparing advice for Ministers on the content of legislation and other matters, drafting guidance documents for consultation purposes and taking forward discussions with local authority and voluntary sector interests. All this work would have been necessary regardless of the particular timetable chosen for implementing the proposals. The amount of time expended by individual officials has varied considerably and accurate calculations of the total cost could not be produced without disproportionate expenditure.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland exactly how much extra funding Scottish local authorities have been calculated to require to implement the community care reforms; whether this can be broken down into region-by-region figures for Scotland; and what are the calculations of need and precise method used to arrive at these figures.

Mr. Lang: The Convention of Scottish Local Authorities provided estimates of the additional costs involved for Scottish local authorities in total in implementing the proposals in the White Paper "Caring for People". Officials of my Department have discussed these with representatives of the convention and further discussions will take place in the light of the phased implementation plan.

My right hon. and learned Friend will have regard to the financial implications of community care in announcing the local authority settlement later this week.

Disabled People

Mr. Tom Clarke: To ask the Secretary of State for Scotland (1) what representations he has received from voluntary organisations in Scotland concerning the implementation of sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(2) what consultations he has had with health authorities in Scotland concerning the regulations to be made under section 2(7) of the Disabled Persons (Services, Consultation and Representation) Act 1986 in order to extend the rights of authorised representatives; and if he will make a statement;

(3) when he intends to lay an order to bring into force section 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(4) what monitoring his Department carries out as to whether local authorities in Scotland are fulfilling their duties under the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(5) what consultations he has had with voluntary organisations in Scotland concerning the regulations to be made under section 1 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(6) what information he has laid before Parliament under section 11 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(7) what research he has undertaken on the implementation by local authorities in Scotland of sections 4, 8, 9, 10 and 13 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(8) when he intends to lay an order to bring into force sections 1 and 2 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(9) what consultations he is having with local authority associations in Scotland concerning the implementation of sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement;

(10) what consultations he has had with local authority associations in Scotland concerning the regulations to be made under section 2(7) of the Disabled Persons (Services, Consultation and Representation) Act 1986 in order to extend the rights of authorised representatives; and if he will make a statement;

(11) what plans he has for consulting upon and implementing sections 1, 2, 3 and 7 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will produce a simple guide to these sections shortly thereafter.

Mr. Lang: Sections 4, 8(1) and 9 to 14 of the Act have already been implemented. Progress on implementing the remaining provisions is dependent on the availability of resources and no consultations have been held about implementation of further provisions. I have received representations from the care in the community Scottish working group on the implementation of sections 1 and 2.

The first report to be laid before Parliament under the Act—"Care of Persons with a Mental Handicap or Mental

Illness in Scotland"—is at present being printed. Scottish Office officials have met the Association of Directors of Social Work to discuss local authority progress in implementing section 13 of the Act and the need for further guidance. We will be considering what further monitoring arrangements are required.

Dentures

Mr. Dunnachie: To ask the Secretary of State for Scotland what is the number of persons who had *(a)* full and *(b)* partial national health service dentures made in the periods (i) April 1988 to April 1989 and (ii) April 1989 to April 1990.

Mr. Michael Forsyth: Financial year figures are not available centrally. Calendar year figures are set out in the table:

	Number
1988	
Full dentures	104,830
Partial dentures	67,956
1989	
Full dentures	95,529
Partial dentures	86,013

Hearing Impairment

Mr. Dunnachie: To ask the Secretary of State for Scotland which Scottish universities and institutes of higher education make special provision for students with hearing impairments; and if he will make a statement.

Mr. Lang: This information is not available. It is for the universities and other institutions themselves to decide what special arrangements should be made for students with hearing impairments.

Mr. Dunnachie: To ask the Secretary of State for Scotland what provision has been made within mainstream primary and secondary state schools in Scotland in the five years ended June 1990 to assist children with hearing impairments; and if he will make a statement.

Mr. Lang: Education authorities are responsible for ensuring that sufficient specialist assistance is provided for all children with special educational needs.

As for provision in mainstream schools for pupils with hearing impairment, individual authorities adopt varying approaches. Most children are taught by class teachers supported by visiting specialist teachers. Some authorities also have units for the hearing impaired housed in primary and secondary schools, although the bulk of the pupils' time is still spent in the mainstream class. Most children are taught using either the oral-aural approach or the total communication method, with the former more commonly used in the mainstream setting.

Social Security

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland how much will be transferred from the Department of Social Security to Scottish local authorities for their new responsibilities; whether this can be broken down region by region for Scotland; and how these figures are calculated.

Mr. Lang: The amount of the proposed transfer of resources from the Department of Social Security to Scottish local authorities has not been determined yet. As indicated in the written reply given by my right hon. and learned Friend to my hon. Friend the Member for Tayside, North (Mr. Walker) on 18 July, the first transfer of such funds is now planned for 1993-94.

Self-governing Schools

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list all those schools which have expressed an interest in opting out.

Mr. Lang: Parents at Holm primary school in Orkney have presented the school board with a formal request seeking a ballot on self-governing status.

Labour Statistics

Mr. Kirkwood: To ask the Secretary of State for Scotland how many redundancies there were in the Borders region for every year since 1979.

Mr. Lang: There are no comprehensive statistics on redundancies. Information on the number of redundancies involving 10 or more workers confirmed to the Department of Employment as having occurred in the Borders region between 1979 and June 1990 is set out in the table.

Confirmed redundancies

Year	*Number*
1979	50
1980	938
1981	536
1982	542
1983	367
1984	238
1985	149
1986	313
1987	335
1988	355
1989	564
[1,2]1990	174

[1] The figures for 1990 are provisional and may be subject to revision as later data become available.
[2] January to June.

Mr. Worthington: To ask the Secretary of State for Scotland what were the unemployment levels for each Scottish region in October for every year since 1979.

Mr. Lang *[holding answer 23 July 1990]:* The tables provide the available information. For the period 1979 to 1982 data are available only on the number of registrants at jobcentres. From 1983 the available information is for unemployed claimants. Comparisons over time are affected by the various changes in coverage and in particular by the discontinuity between 1982 and 1983.

Number of registrants at jobcentres by Scottish Region

Region[1]	*October*[2]			
	1979	*1980*	*1981*	*1982*
Borders	1,280	2,080	3,058	3,458
Central	7,821	11,206	16,618	19,178
Dumfries and Galloway	4,179	5,656	7,514	8,192
Fife	9,497	12,889	17,845	18,142
Grampian	8,126	10,687	14,743	16,981
Highlands	6,505	7,209	9,360	10,873
Lothian	21,752	28,306	40,893	47,146

Region[1]	October[2] 1979	1980	1981	1982
Strathclyde	105,386	147,820	188,882	200,489
Tayside	12,398	18,190	23,823	24,619
Orkney	391	476	632	813
Shetland	227	273	404	567
Western Isles	927	1,346	1,674	2,292

[1] Regional totals are aggregates of jobcentre areas.
[2] Figures are not adjusted for seasonal variation.

Number of claimants unemployed by Scottish region
October[2]

Region[1]	1983	1984	1985	1986	1987	1988	1989
Borders	3,486	3,416	3,379	3,718	3,189	2,404	2,087
Central	17,762	18,303	18,666	18,487	16,526	12,491	10,834
Dumfries and Galloway	7,312	7,647	7,949	7,824	6,852	6,066	4,352
Fife	18,247	19,446	21,144	22,030	20,245	16,545	13,244
Grampian	16,028	16,769	17,129	22,432	19,715	15,374	11,090
Highland	10,173	12,501	13,099	13,528	12,097	10,268	7,636
Lothian	43,428	44,742	45,624	47,160	43,414	34,158	26,864
Strathclyde	188,962	192,194	197,292	194,455	176,894	146,133	120,697
Tayside	24,880	24,756	25,753	25,665	22,884	18,416	14,959
Orkney	719	737	765	859	821	701	493
Shetland	709	667	697	794	743	638	410
Western Isles	1,719	1,932	1,814	2,284	2,082	2,052	1,459

[1] Regional totals are aggregates of wards.
[2] Figures are not adjusted for seasonal variations.

Community Charge

Mr. Kirkwood: To ask the Secretary of State for Scotland what further changes he proposes to make to alleviate the impact of the community charge on poorer families and pensioners.

Lord James Douglas-Hamilton: The community charge benefit scheme is already helping those on lower incomes. This scheme is much more generous than the former rates rebate scheme and over 1 million people in Scotland are paying a reduced community charge as a result. The extension of the community charge relief scheme which my right hon. and learned Friend the Secretary of State for Scotland announced on 19 July means that many more former ratepayers, pensioners and disabled people will receive help with their bills and over a longer period.

Mackinnon Memorial Hospital, Skye

Mr. Macdonald: To ask the Secretary of State for Scotland if he will give the total number of *(a)* major and *(b)* intermediate surgical operations performed at the Mackinnon memorial hospital in Skye in 1988 and 1989, respectively.

Mr. Michael Forsyth: There is no generally recognised classification of operations into major and intermediate and information is not held centrally in this manner. The total number of cases operated on in Mackinnon memorial hospital in 1988 and 1989 were 734 and 733 respectively.

Fishing Vessels

Mr. Campbell-Savours: To ask the Secretary of State for Scotland what assessment he has made of the accurancy of the 1990 declarations made by Scottish fishing vessels as to catches of cod made in or attributed to area VII; and what steps are taken to ensure that arrangements for the accurate declaration in log books of fish catches in area VII are being complied with.

Mr. Lang: Landings by Scottish fishing vessels of cod recorded as having been caught in International Council for the Exploration of the Seas area VII are being investigated and currently six cases are being prepared for submission to the prosecuting authorities. Inquiries are continuing in respect of a number of additional cases where some evidence of misreporting exists.

Log books are examined when fishing vessels are boarded and at the end of each fishing trip when a copy of the log book pages are handed in to the local fishery office. Checks are made to ensure that the entries are compatible with the catch on board or landed and are consistent with any sightings of the vessel while it was at sea.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland whether he will name the Scottish fishing vessels which claim to have entered area VII and caught cod fish since 1 January; and if he will list separately those which were *(a)* at the limit of their quota or *(b)* had not filled their quota for cod fishing in areas VIa or IV.

Mr. Lang: No. It would not be appropriate to name individual vessels in the manner requested. Under the provisions of the Data Protection Act 1984 information about an individual data subject cannot be disclosed, except in a limited number of circumstances, without that subject's consent.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland what arrangements exist for identifying the names of fishing vessels that use the Caledonian canal from either east to west or west to east.

Mr. Lang: All vessels which pass through the Caledonian canal are logged by the canal office of the British Waterways Board.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland whether he will set up an inquiry into misdeclaration by Scottish fishing vessels of cod catches since January.

Mr. Lang: The circumstances which have given rise to allegations of misreporting of cod catches by Scottish fishing vessels are being investigated.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland on how many occasions Department of

Agriculture and Fisheries for Scotland officials have *(a)* witnessed fishing vessels either registered or based at Scottish ports enter into area VII or leave area VII either in anticipation of a catch or with a catch on board and *(b)* sighted Scottish fishing vessels within area VII.

Mr. Lang: The Department of Agriculture and Fisheries for Scotland is responsible for patrolling only that part of ICES area VII which is adjacent to the south-west coast of Scotland. Aerial surveillance during April, May and June 1990 identified six Scottish fishing vessels in that area.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland on how many occasions Scottish fishing vessels have entered into area VII since 1 January.

Mr. Lang: The information on entry to ICES area VII is not available in the form requested. However, records show that Scottish vessels which landed fish (of all species) into Scotland from ICES area VII have made a total of 446 trips to that area since 1 January 1990. Many Scottish fishermen traditionally fish area VII.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland if he will state which fishing vessels reported to DAFS at Scrabster their movements *(a)* in a westerly direction across the 4 deg W line since 1 January and *(b)* in an easterly direction across the 4 deg W line since 1 January.

Mr. Lang: It is assumed that the question relates to vessels making radio reports to the Department of Agriculture and Fisheries for Scotland. These reports were made to Ullapool or Aberdeen rather than to Scrabster. A total of 1,649 reports were received in the period 1 January to 30 June 1990. Of these, 887 were from vessels proceeding east to west, 731 from west to east and 31 from vessels fishing close to the 4 deg W line.

In the same period 24 vessels which were unable to make radio reports called in to Scrabster voluntarily. Of these 15 were heading west and nine were heading east.

The large number of vessels involved precludes listing them individually.

Mr. Nicholas Bennett: To ask the Secretary of State for Scotland what catches were recorded by Scottish vessels from ICES area VIId, VIIb and VIIc in June.

Mr. Lang: Landings into Scotland by Scottish vessels during June for ICES areas VIIb and VIIc were as follows. No landings from area VIId were recorded in June by Scottish vessels.

Species	*Area VIIb* [1] *Tonnes landed*	*Area VIIc* [1] *Tonnes landed*
Cod	135	1
Haddock	24	20
Plaice	18	—
Whiting	9	—
Saithe	102	—
Catfish	1	1
Dabs	1	—
Dogfish	3	—
Ling	1	1
Megrims	3	3
Monkfish	12	5
Skate	1	1

[1] Rounded to the nearest tonne.

Mr. Nicholas Bennett: To ask the Secretary of State for Scotland what was the incidence of calling in in respect of Scottish vessels landing at each Scottish port in June 1989 and June 1990 broken down by length of vessel.

Mr. Lang *[holding answer 23 July 1990]:* It is assumed that the question refers to calling in vessels for inspection, when crossing the 4 deg line. No vessels were called into port for physical inspection in either June 1989 or June 1990.

Mr. Nicholas Bennett: To ask the Secretary of State for Scotland (1) how many Scottish vessels landing area VII catches at Peterhead failed to radio in;

(2) what was the average number of days at sea per trip recorded for June in respect of Scottish vessels landing at Peterhead having declared fishing in sea area VII;

(3) how many Scottish vessels landing area VII catches at Peterhead in June had radioed in; and what percentage were physically summoned for inspection.

Mr. Lang *[holding answer 23 July 1990]:* I refer my hon. Friend to the answer I gave the hon. Member for Glanford and Scunthorpe (Mr. Morley) on 20 July.

Mr. Morley: To ask the Secretary of State for Scotland whether he will order a full investigation into the effectiveness of the Department of Agriculture and Fisheries for Scotland monitoring of fish landings; and if he will make a statement.

Mr. Lang *[holding answer 23 July 1990]:* As I have already indicated to the hon. Member, urgent consideration is being given to fisheries enforcement procedures, in the light of recent developments.

Student Awards

Mr. Andrew Smith: To ask the Secretary of State for Scotland how many students in each Scottish local authority area received *(a)* mandatory awards and *(b)* discretionary awards in the latest year for which figures are available.

Mr. Lang: The information is not available in the form requested.

Awards under the students' allowances scheme—broadly equivalent to mandatory awards—are administered centrally and do not distinguish between individual local authority areas. The total number of such awards offered to Scottish domiciled students in session 1989-90 was 65,825.

Discretionary awards for students attending other full-time courses of further or higher education are the responsibility of individual education authorities under the Education Authority Bursaries (Scotland) Regulations 1988, as amended. Information on these awards is not held centrally.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Scotland if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Lang: Small firms continue to play an important and dynamic role in the regeneration of the Scottish

economy. Small firms also continue to benefit from the comprehensive schemes of support that the Government have introduced. In the main, these are delivered through the Scottish Development Agency, the Highlands and Islands Development Board and the Industry Department for Scotland, where policy responsibility lies. In addition to providing services specific to Scotland, the SDA, HIDB and the Industry Department for Scotland are responsible for the delivery and monitoring in Scotland of United Kingdom services on behalf of other Departments, including the Department of Employment and the Department of Trade and Industry. During 1989, there was a net increase of over 4,500 or 4·2 per cent. in the number of companies registered for VAT in Scotland. This is double the increase of the previous year. VAT returns indicate that between 1980 and 1989 the number of new businesses operating in Scotland showed a net increase of 19,900.

The following describes the services available to small firms in Scotland during the periods 1988-89 and 1989-90 and some of their achievements.

For the period 1988-89 IDS made 128 offers of regional selective assistance to the value of £12 million to small companies—those employing fewer than 200 people worldwide—in Scotland. This contributed to the creation of 2,180 new jobs and the safeguarding of 560 existing jobs. In 1989-90 167 offers of RSA were made to the value of over £17 million which contributed to the creation of 3,080 new jobs and the safeguarding of 340 existing jobs. For the period 1988-89 IDS made 2,180 offers to the value of £70 million under the revised regional development grants scheme to proposed projects by small companies in Scotland with the potential for 20,980 new jobs. In 1989-90 236 offers of RDG were made to the value of over £12 million with the potential for 3,400 new jobs. The last date for applications under this scheme was 31 March 1988. Information on the grant offered to small firms under the original RDG scheme is not available. Under both the investment and innovation elements of the regional enterprise grants scheme, 226 offers to the value of £2 million were made in Scotland in 1988-89, to companies employing under 25 people, contributing to the creation of 490 new jobs and the safeguarding of 400 existing jobs. In 1989-90 432 offers of REG to the value of over £4 million were made contributing to the creation of 1,640 new jobs and the safeguarding of 1,660 existing jobs.

During the periods in question, the better business service scheme was administered by IDS, SDA and the HIDB. The scheme allows small companies to have access to subsidised professional business advice and in 1988-89 some 6,804 offers of assistance were made with an associated value of £3·1 million. In 1989-90 some 8,090 offers of assistance were made with an associated value of £3·7 million.

Scottish Development Agency support for small businesses includes the provision of financial assistance, premises and a wide range of advisory services, including the small firms service (SFS) in Scotland and the administration of DTI's consultancy initiatives, under the enterprise initiative. In addition, the SFS offers an integrated and complementary range of business services including a Government business shop, a Euroinfocentre, a franchise desk and a Companies House satellite office. Under the consultancy initiatives, some 1,235 consultancy projects were undertaken during 1988-89 and in 1989-90 this figure was 1,158. In the year 1988-89, the agency had contact with 19,250 small firms and some £1·8 million was invested in 92 small firms creating or safeguarding 1,600 jobs. In 1989-90 the small firms service handled 17,286 inquiries; figures for SFS investment are not yet available, but across all sectors in Scotland the SDA invested £7 million and safeguarded 6,091 jobs.

As well as delivering a small firms counselling service in its area, the Highlands and Islands Development Board undertakes a wide range of activities in support of businesses, most of which are small, to help them overcome the difficulties in operating in this peripheral and rural part of the United Kingdom. The measures taken include financial support to business, provision of factories and assistance with business advice and training. In 1988-89, the board approved 1,220 offers of financial assistance worth £25·3 million on projects involving proposed private sector investment of some £44·4 million and the creation or safeguarding of 3,300 jobs. For the period 1989-90, the board approved 983 offers of financial assistance worth £19·4 million on projects involving proposed private sector investment of £51·1 million and the creation or safeguarding of 2,700 jobs. In the period 1988-89, the HIDB completed 12,553 sq m of factory floor space. In this period some 3,130 jobs were housed in HIDB factories. In the period 1989-90, the HIDB completed 7,208 sq m of factory floor space. In this period, some 3,200 jobs were housed in HIDB factories.

Local enterprise trusts have proved to be an important catalyst in fostering the enterprise culture in Scotland. The Government have continued to demonstrate their recognition of the valuable role played by the trusts, and the SDA provided financial support of £1·24 million to the 40 enterprise trusts in 1988-89, the latest year for which figures are available—an increase of almost 21 per cent. over the previous year. This has triggered a further £4·23 million from the other public and private sector partners. During 1988-89 trusts in Scotland counselled 25,200 clients from which 3,900 small businesses were formed. Companies assisted by enterprise trusts created some 9,000 new jobs. The SDA bases its financial assistance on its appraisal of each trust's annual management plan which contains details of the previous year's projects and objectives for the oncoming year.

The Scottish Office continues to provide wholehearted support for the deregulation initiative. Recent steps which have been taken to embed further the deregulation message within Scottish Office Departments include arrangements for deregulation awareness training, a ministerial message on deregulation, a staff competition for deregulatory suggestions and the inclusion of advice on the topic in the Scottish Office staff handbook. The Government business shop in Glasgow continues to provide a very effective single access point for information on how to deal with Government regulations.

As for public purchasing and supplier development, in the past year IDS, SDA and MOD have co-operated in the organisation of two seminars on civil and defence procurement. IDS made a strong contribution to a seminar organised by Strathclyde Innovation on improving the availability of development funding for small businesses. A major seminar was organised by IDS/SDA in October 1989 on the subject of supplier development. Another such event, focusing more closely on import substitution is planned for the latter half of 1990.

Eye Tests

Mr. Dunnachie: To ask the Secretary of State for Scotland what information he has on the numbers of senior citizens who received national health service eye tests during the periods *(a)* April 1988-89 and *(b)* April 1989-90.

Mr. Michael Forsyth: This information is not available centrally.

Low Incomes

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will accept the recommendations made to him by COSLA concerning those on low incomes and the effects of the community charge; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. and learned Friend the Secretary of State for Scotland is at present considering the various recommendations made to him recently by COSLA. Some of these fall within the responsibility of my right hon. Friend the Secretary of State for Social Security whom we will be consulting before we respond to COSLA.

Bovine Spongiform Encephalopathy

Mr. Matthew Taylor: To ask the Secretary of State for Scotland, pursuant to the answer to the hon. Member for South Shields (Dr. Clark), *Official Report*, 5 June, column *497 (a)* on what date Dr. W. B. Martin became director of the Moredun research institute and *(b)* what research projects into scrapie were initiated by the Moredun research institute while Dr. W. B. Martin was its director.

Lord James Douglas-Hamilton: Dr. W. B. Martin took up appointment as director of the Moredun research institute on 1 July 1977. During the period of his directorship, studies on changes in the brain of sheep exposed to scrapie agents were initiated at the institute, together with a programme of field observation work.

Electricity Privatisation

Mr. Allan Stewart: To ask the Secretary of State for Scotland what share incentives will be offered to employees and pensioners when the two Scottish electricity companies are privatised.

Mr. Rifkind: My right hon. Friend the Secretary of State for Energy has today announced details of the employee and pensioner share incentives to be made available when the electricity companies in England and Wales are offered for sale to the public. Although precise details of equivalent incentives in Scotland will not be determined until nearer the time when the two Scottish electricity companies are floated, I expect the special arrangements for both retired and existing employees of the Scottish electricity industry to be broadly in line with those on offer in England and Wales.

Cash Limits

Mr. Bill Walker: To ask the Secretary of State for Scotland if he proposes to make any changes to the cash limits for 1990-91 within his responsibility.

Mr. Rifkind: Yes, I intend to change three of the cash limits within my responsibility as follows.

Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class XV, vote 21, will be increased by £800,000 from £128,790,000 to £129,590,000. This increase is needed to accommodate additional expenditure not foreseen last autumn including, in particular, increased accommodation charges and costs relating to the new NHS executive. This will be offset by savings on the cash limits for class XV, vote 3, which will be reduced by £600,000 from £142,816,000 to £142,216,000, and for class XV, vote 6, which will be reduced by £200,000 from £251,542,000 to £251,342,000. The increase will not therefore add to the planned total of public expenditure.

As a consequence of these changes and of the reallocation of expenditure within class XV, vote 21, the Scottish Office running costs limit will be increased by £990,000 from £220,964,000 to £221,954,000.

Pre-school Education

Dr. Godman: To ask the Secretary of State for Scotland if he will list the numbers of *(a)* children, *(b)* qualified staff and *(c)* full-time equivalent qualified staff in registered (i) pre-school nurseries and (ii) playgroups for each academic year from 1979-80 to 1988-89 in (1) Inverclyde, (2) Strathclyde and (3) Scotland as a whole.

Mr. Lang *[holding answer 12 July 1990]:* The readily available information is set out in the table:

	Children[1] in Nurseries	*Places[2] in Playgroups*	*Fully Qualified[3] Staff*
Scotland			
1979-80	35,500	41,750	3,116
1980-81	36,166	43,749	3,281
1981-82	36,725	40,924	3,203
1982-83	38,536	43,301	3,317
1983-84	40,650	43,549	3,358
1984-85	42,428	43,861	3,410
1985-86	42,787	41,492	—
1986-87	44,051	43,426	
1987-88	46,431	46,838	3,722
1988-89	48,484	45,342	3,872
Strathclyde			
1979-80	16,467	17,415	1,466
1980-81	16,617	19,820	1,538
1981-82	17,200	17,093	1,525
1982-83	18,046	18,089	1,604
1983-84	18,868	19,111	1,617
1984-85	19,793	17,742	1,595
1985-86	20,476	16,227	—
1986-87	21,049	16,823	—
1987-88	22,048	20,274	1,763
1988-89	22,599	16,030	1,832
Inverclyde			
1988-89	1,035	709	91

[1] Number of children attending local authority nursery schools and day nurseries.
[2] Number of children for which registered pre-school playgroups are registered and number of places in local authority pre-school playgroups.
[3] Full-time equivalent number of teachers, trained nurses, and care staff in local authority nursery schools and day nurseries.

Employment Training

Mr. Worthington: To ask the Secretary of State for Scotland for each of the Training Agency area offices in Scotland what is the percentage allocation of employment

training funds to mainstream and non-mainstream groups; and what are the reasons for the relative proportions.

Mr. Lang *[holding answer 17 July 1990]:* The information is not available in the form requested. For Scotland as a whole about 13 per cent. of the employment training funding available for people starting employment training in 1990-91 following agreement of new contracts with training providers is for entrants from non-mainstream groups. The expenditure on all non-mainstream provision delivered in 1990-91 is likely to be somewhat higher, reflecting higher proportions of non-mainstream trainees at the start of the period.

Information at area office level is for internal management purposes only.

Needle Exchange Schemes

Mr. Strang: To ask the Secretary of State for Scotland if he will list the needle exchange schemes currently operating in each of the health board areas in Scotland.

Mr. Michael Forsyth *[holding answer 23 July 1990]:* Three health boards currently operate needle and syringe exchange schemes as follows:

Lothian health board

Needle and syringe exchange arrangements exist in the Muirhouse, Craigmillar and Leith areas of Edinburgh.

Greater Glasgow health board

Schemes are operating at Ruchill hospital, Glasgow and in the Castlemilk and Easterhouse areas of the city.

Argyll and Clyde health board

A mobile needle and syringe exchange scheme is currently operating in the Inverclyde area on a trial basis.

AIDS

Mr. Strang: To ask the Secretary of State for Scotland what were the cumulative totals on 31 December 1987, 30 June 1988, 31 December 1988, 30 June 1989, 31 December 1989 and 30 June 1990 of *(a)* people who have died with AIDS, *(b)* people with AIDS including those who have died and *(c)* HIV antibody positive persons in Scotland (i) by patient characteristic, (ii) in each of the health board areas and (iii) in total.

Mr. Michael Forsyth *[holding answer 23 July 1990]:* The cumulative totals for Scotland of *(a)* people who have died with AIDS, *(b)* people with AIDS including those who have died, and *(c)* people who have been identified and reported to the Communicable Diseases (Scotland) Unit as being HIV antibody positive on the dates shown are given in tables I, II and III respectively. The tables provide a breakdown by patient characteristic for Scotland as a whole. The figures of AIDS cases and deaths and of HIV antibody positive persons for particular health board areas are, in some cases, very low and as their publication, according to patient characteristic, may in consequence endanger medical confidentiality, geographical breakdowns are not produced.

Table I: people who have died with AIDS

Patient characteristic	*31 December 1987*	*30 June 1988*	*31 December 1988*	*30 June 1989*	*31 December 1989*	*30 June 1990*
Homosexual-bisexual	[1]12	[1]14	[1]21	[1]32	[1]37	[2]38
Intravenous drug misuser (IVDM)	2	3	3	4	9	11
Haemophiliac	4	4	5	6	6	6
Recipient of blood or blood products:						
Abroad[3]	1	1	1	1	1	1
United Kingdom	2	2	2	2	2	2
Heterosexual: presumed infected:						
Abroad	—	2	2	2	4	4
United Kingdom	—	—	—	—	1	1
Child of HIV antibody positive parents	—	—	—	3	3	3
Other	—	—	1	1	1	2
Total	21	26	35	51	64	68

[1] Includes two visitors to the United Kingdom.
[2] Includes three visitors to the United Kingdom.
[3] Not blood transfusion.

Table II: People with AIDS including those who have died

Patient characteristic	*31 December 1987*	*30 June 1988*	*31 December 1988*	*30 June 1989*	*31 December 1989*	*30 June 1990*
Homosexual/bisexual	[1]26	[1]38	[1]45	[1]55	[1]70	[2]78
Intravenous Drug Misuser (IVDM)	4	7	9	22	34	44
Haemophiliac	4	6	6	6	8	9
Recipient of blood or blood products:						
Abroad[3]	1	1	1	1	1	1
United Kingdom	2	3	3	3	3	4
Heterosexual, presumed infected:						
Abroad	—	4	7	7	8	9
United Kingdom	1	1	1	3	3	3

Patient characteristic	31 December 1987	30 June 1988	31 December 1988	30 June 1989	31 December 1989	30 June 1990
Child of HIV antibody positive parents	1	1	2	4	4	4
Other[4]	—	—	1	1	1	2
Total	39	61	75	102	132	154

[1]Includes four visitors to the United Kingdom, two of whom are known to have died.
[2] Includes four visitors to the United Kingdom, three of whom are known to have died.
[3]Not blood transfusion.
[4]Includes one visitor from outside United Kingdom, who is known to have died.

Table III: HIV Antibody positive persons

Patient characteristic	31 December 1987	30 June 1988	31 December 1988	30 June 1989	31 December 1989	30 June 1990
Homosexual/bisexual	206	233	242	264	280	304
Intravenous Drug Misuser (IVDM)	792	827	858	892	910	926
Homosexual and IVDM	3	5	6	6	6	7
Haemophiliac	[1]75	[1]76	[1]76	[1]76	[2]77	[2]77
Recipient of blood transfusion/blood products	[1]10	10	10	[3]11	[3]12	[3]12
Heterosexual contact	[4]62	[5]81	[5]89	[5]108	[5]120	[5]143
Infant/Child (not haemophiliac)	[6]64	[6]69	[7]75	[7]81	[7]92	[7]101
Other/not known	[8]169	[9]203	[9]224	[9]230	[9]232	[9]234
Total	1,381	1,504	1,580	1,668	1,729	1,804

Notes:
[1] Includes 16 children.
[2] Includes 17 children.
[3] Includes one child.
[4] Includes four people with contact abroad.
[5] Includes 12 people with contact abroad.
[6] Includes 26 children who have at least one parent identified as misusing IV drugs.
[7] Includes 27 children who have at least one parent identified as misusing IV drugs.
[8] Includes five people of African origin and one person of Caribbean origin.
[9] Includes 12 people of African origin and one person of Caribbean origin: also one person with possible exposure abroad.

Disabled People (Training)

Mr. Worthington: To ask the Secretary of State for Scotland what steps he takes to ensure that, in accordance with the employment training equal opportunities code of practice, disabled people have equality of opportunity; and whether extra training costs resulting from a trainee's disability are met by the Government.

Mr. Lang *[holding answer 23 July 1990]:* The Training Agency, through its approved training organisation process, ensures that all employment training providers have and follow an equal opportunities policy allowing easy access to appropriate training for disabled people. Additionally, disabled individuals can enter the programme without having to satisfy the normal eligibility conditions regarding length of unemployment.

In their contract dealings with the Training Agency, individual training managers negotiate and agree terms which take account of the costs of all training provided including the needs of disabled trainees.

Youth Training

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list the areas in Scotland in which special measures to ease access to youth training announced in March have been set up, which include links between social work departments, hostels accommodating homeless young people, voluntary organisations and suitable training providers.

Mr. Lang *[holding answer 23 July 1990]:* As part of the new arrangements announced for youth training, all Training Agency area offices in Scotland have appointed guarantee liaison officers whose remit is to assist young people within the youth training guarantee group and to establish or reaffirm links with voluntary organisations, social work departments, careers and probation services, and the Department of Social Security; and to encourage training managers to establish close links with hostels for homeless young people.

Written Answers to Questions

Wednesday 25 July 1990

PRIME MINISTER

Nuclear Weapons

Mr. Strang: To ask the Prime Minister, pursuant to her oral reply to the hon. Member for Leyton (Mr. Cohen), *Official Report*, 12 June, column 146, what is the acceptable ratio between the number of Soviet nuclear weapons and the number of the United Kingdom nuclear weapons necessary to provide a minimum nuclear deterrent.

The Prime Minister: The United Kingdom's nuclear deterrent is not based on any specific numerical correlation with Soviet nuclear weapons. Rather, it has long been United Kingdom policy to maintain only the minimum number of weapons necessary to deter aggression. In this respect the need to ensure that our nuclear deterrent remains effective against improving Soviet defences is of overriding importance when considering the size of our force.

Diego Garcia

Dr. Thomas: To ask the Prime Minister, pursuant to her reply to the hon. Member for Linlithgow (Mr. Dalyell), *Official Report*, 9 July, column *36*, if she will make a statement on the nature of the security contribution made to the United Kingdom by the British Indian Ocean territory defence facilities on Diego Garcia.

The Prime Minister: The joint United Kingdom-United States defence facilities on Diego Garcia make a vital contribution to the maintenance of peace and stability and to the protection of western interests in the area.

Nuclear Non-proliferation Treaty

Mr. Strang: To ask the Prime Minister if she will list those occasions since 1 January on which she personally raised the issue of nuclear non-proliferation and the nuclear non-proliferation treaty with foreign Governments or Heads of State.

The Prime Minister: I have not personally had occasion to raise the subject of the nuclear non-proliferation treaty although we have frequent contacts with other interested parties at official level, and the matter was part of the final conclusion of the economic summit at Houston. Nevertheless, I have spoken in general terms about the future of proliferation to several people.

THE ARTS

British Library

Mr. Campbell-Savours: To ask the Minister for the Arts if he will make a statement on the planned use for the northern area of the British library site at St. Pancras.

Mr. Mellor: Any land at the British library site at St. Pancras which may ultimately be surplus to requirements will be sold. The area of land which will be surplus and the optimum timing and method of its disposal are still being examined.

TRANSPORT

Roll on/Roll off Ferries

Mr. Terry Davis: To ask the Secretary of State for Transport what was the result of the meeting of officials from several European countries in London on 24 July to discuss the application and timing of a higher standard of residual stability to existing roll on/roll off passenger ferries.

Mr. McLoughlin: Officials from the Department's marine directorate had a successful meeting with officials from Belgium, Denmark, France, West Germany, the Republic of Ireland, the Isle of Man, the Netherlands, Norway, Spain and Sweden.

The application and timing of a higher standard of residual stability to existing roll on/roll off passenger vessels was discussed. Officials are considering the very constructive and substantial comments made with the view to submitting further information to the next International Maritime Organisation meeting.

Stockport Council (Land Conveyance)

Mr. Favell: To ask the Secretary of State for Transport, pursuant to his answer of 26 April, *Official Report*, column *264*, if he will make a statement on the progress made on conveying land near the M63 from Stockport borough council to his Department.

Mr. Chope: The Treasury Solicitor is waiting to hear further from Stockport borough council in response to his requisitions on title.

M62

Mr. Madden: To ask the Secretary of State for Transport how much of the M62 has been subject to roadworks in each of the past two years, to date; what distance of the M62 has been subject to lane restrictions as a consequence; what roadworks are scheduled over each of the next two years; what distance will be subject to lane restrictions; and if he will make a statement.

Mr. Chope: During the last two financial years 24 km of the 180 km of the M62 have been subject to major roadworks—13 km in 1988-89 and 11 km in 1989-90.

Lane closures have been necessary over a distance of 15 km and 14 km in both directions in each of the last two years. Next year (1991-92) 14·5 km of major roadworks are planned and this will involve lane closures over about 18 km in each direction. Works of this nature are essential if the network is to be kept in good condition.

Mr. Madden: To ask the Secretary of State for Transport what representations he has received about persistent congestion and delays to traffic using the M62 over the past year to date; what action he proposes to alleviate such congestion and delays; and if he will make a statement.

Mr. Chope: Several complaints have been received about congestion and delays on the M62.

To reduce delays and congestion, routine work is carried out during off-peak periods during the day, at weekends or overnight. Considerable effort goes into the pre-planning of traffic management measures for major roadworks and once the work is under way we give every encouragement for the contractor to complete it as quickly as possible by offering substantial bonuses for early completion or charging for over-running.

When delays caused by major works are unavoidable every effort is made to give advance warning to the public.

Thames Craft (Safety)

Mr. Simon Hughes: To ask the Secretary of State for Transport whether he has any plans to review the regulations governing look-outs on *(a)* pleasure boats and *(b)* non-pleasure boats using the Thames.

Mr. McLoughlin: The rules covering look-outs contained in the International Regulations for Preventing Collisions at Sea 1972 are not under review at the International Maritime Organisation (IMO). The Port of London Authority general directions for navigation that apply to all craft plying on the Thames were amended on 18 September 1989. Those amendments included a revision of the requirements for a look-out.

Fuel Trains, Port Talbot

Mr. John Morris: To ask the Secretary of State for Transport on how many occasions during the last 12 and 24 months, respectively, loaded fuel trains have been stabled at Port Talbot station for more than two minutes.

Mr. Freeman: British Railways tell me that loaded fuel trains are not stabled, which implies being left for long periods, at Port Talbot station. They normally stop for about two minutes, the time taken to change crews, although there have been occasional instances of trains being delayed because the relief crew were not immediately available, or because a leak has been suspected in a fuel tanker.

Trains were delayed for suspected leaks on three occasions in the last 12 months and six occasions in the 12 months before that. The details of trains which may have been delayed for more than two minutes for other operational reasons are not readily available.

Airport Runways

Mr. Colvin: To ask the Secretary of State for Transport who are the members of his working group to examine the Civil Aviation Authority's additional runway options for the south-east; and when they are expected to report.

Mr. McLoughlin: The membership of the working group, and possible time scales for its advice, are being considered. My right hon. Friend has said that he intends the group to include representatives of local and environmental interests, airport and airline operators, the tourism and travel industry, consumer interests and Government Departments.

Channel Tunnel

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Transport what representations he has received from the Irish Government concerning the upgrading of *(a)* passenger and *(b)* freight services on the railway line between the port of Holyhead and the channel tunnel.

Mr. Freeman: I have received representations from the Minister for Tourism and Transport for the Republic of Ireland, Mr. Seamus Brennan, expressing his support for the electrification of the Crewe-Holyhead line as a means to improve Ireland's passenger and freight links with Europe via the channel tunnel.

Rail Electrification

Mr. Butler: To ask the Secretary of State for Transport what information he has been given on the returns available from electrifying the British Rail line from Crewe to Holyhead.

Mr. Freeman: I understand that work done for Gwynedd, Clwyd and Cheshire councils shows that electrification of this line would not meet British Rail's normal investment criterion of an 8 per cent. financial return. The councils have commissioned further work to establish whether the inclusion of external benefits would secure the required return.

Transport Infrastructure (South-east Essex)

Mrs. Gorman: To ask the Secretary of State for Transport if he has any plan to visit south-east Essex to review the transport infrastructure in that part of the county.

Mr. Chope: No visit is planned at present.

North-western Railway Line

Mr. Thurnham: To ask the Secretary of State for Transport if he will make a statement on the investment programme to speed up services on the main north-western railway line.

Mr. Freeman: I refer my hon. Friend to the reply that I gave to my hon. Friend the Member for Lancashire, West (Mr. Hind) on 9 July at column *82*.

Merchant Ships

Mr. Steinberg: To ask the Secretary of State for Transport how many British-owned merchant ships are currently operating under foreign flags.

Mr. McLoughlin: The information requested is given in the table.

United Kingdom owned trading vessels of 100 gross tons and above at 31 March 1990

Registry	*Number*	*Gross tons ('000)*	*Deadweight tonnes ('000)*
United Kingdom	507	4,044	4,490
Crown Dependencies[1]	79	1,613	2,933
ODTs (excluding Hong Kong)[2]	48	2,119	4,016

Registry	Number	Gross tons ('000)	Deadweight tonnes ('000)
Hong Kong	42	981	1,512
Foreign	125	1,271	2,104
Total	801	10,029	15,504

[1] The Crown Dependencies are the Isle of Man and the Channel Islands.

[2] 'ODTs' are the Overseas Dependent Territories of Aguilla, British Antarctic Territory, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong, Montserrat, St. Helena, Turks & Caicos.

Radioactive Waste

Dr. Thomas: To ask the Secretary of State for Transport whether his Department intends to review the guidelines for the transport of low-level radioactive waste from *(a)* commercial sources, *(b)* nuclear industry sources and *(c)* military sources; and if he will make a statement.

Mr. Chope: The transport of all radioactive materials must be made in compliance with regulations based on internationally agreed safety standards laid down by the International Atomic Energy Agency (IAEA). These standards are subject to continual review.

The Advisory Committee on the Safe Transport of Radioactive Materials (ACTRAM) recently carried out a study on the transport of this material. The results were published in 1988 entitled "The Transport of Low Level Waste in the UK". A copy has been placed in the Library.

Dr. Thomas: To ask the Secretary of State for Transport what was the total volume of radioactive waste transported by *(a)* road, *(b)* rail and *(c)* air in each year since 1983.

Mr. Chope: The information requested is not available.

Dr. Thomas: To ask the Secretary of State for Transport how many accidents involving the transport of low-level radioactive waste have occurred in each year since 1983.

Mr. Chope: There have been three accidents to vehicles carrying low-level radioactive waste since 1964.

Stockport Bypass

Sir Thomas Arnold: To ask the Secretary of State for Transport when he expects to publish compulsory purchase orders in respect of the A6(M) Stockport north-south bypass.

Mr. Chope: I will write to my hon. Friend about this.

Rail Fares (Yorkshire)

Mr. Redmond: To ask the Secretary of State for Transport what information he has as to by how much rail fares in south Yorkshire are due to be increased, from what date, and the reason for the increase.

Mr. Freeman: Fare levels on local rail services in south Yorkshire are a matter for the passenger transport authority and executive. I understand that an increase is planned but that the details have yet to be finalised.

Property Sales

Miss Hoey: To ask the Secretary of State for Transport how many homes have been sold by his Department since the beginning of 1989 and in the last three months; and what criteria are used in deciding to whom the properties will be disposed.

Mr. Chope: Since the beginning of 1989 159 residential properties have been sold, including 23 in the last three months. Where appropriate, a property is offered first to the tenant if the terms of the tenancy so require, then to the former owner depending on the circumstances under which it was acquired.

Miss Hoey: To ask the Secretary of State for Transport what steps are taken to make available properties disposed of by his Department to housing associations or local authorities.

Mr. Chope: Local authorities and housing associations are able to bid for the properties when they are offered for sale on the open market.

Correspondence

Mr. Colvin: To ask the Secretary of State for Transport if he will publish in the *Official Report* his answer to the letter from Mr. Arthur Doe of Brockhurst, Maurys lane, West Wellow, Romsey, dated 29 April, which was sent to him on 4 May and again on 26 June under Department of Transport reference number A/P50/15174/89.

Mr. Chope: I have today written to my hon. Friend.

Speed Humps

Dr. Thomas: To ask the Secretary of State for Transport if he will list those London boroughs and metropolitan areas where speed humps have been introduced so far as the information is available to him; and what is the density of distribution of such humps in each case.

Mr. Freeman: The decision whether to install speed humps lies with local highway authorities. Information on installations is not collected centrally and could be obtained only at disproportionate cost.

Dr. Thomas: To ask the Secretary of State for Transport what information he has in regard to the numbers of accidents attributable directly to the introduction of speed humps in the Greater London area.

Mr. Freeman: None, nor am I aware of any such relationship. Our liaison arrangements with local authorities will alert us should any problem arise in future.

Dr. Thomas: To ask the Secretary of State for Transport if he will make a statement on the information he has on the effect on road safety of the introduction of speed bumps in urban areas.

Mr. Freeman: The Speed Hump Regulations 1990, making it easier for local highway authorities to instal speed humps, came into effect only three months ago. The prescribed designs are based on extensive research in the United Kingdom and overseas with safety as a key factor. We shall be monitoring their effects.

Slowing traffic down to safe speeds in residential areas will undoubtedly save many lives.

NATIONAL FINANCE

Earnings

Mrs. Beckett: To ask the Chancellor of the Exchequer how many *(a)* men and *(b)* women earn (i) over £25,000, (ii) over £30,000, (iii) over £35,000, (iv) over £40,000, (v) £45,000 and (vi) over £50,000 per year.

Mr. Ryder: Available information for 1990-91 is in the table. It is not possible to provide accurate estimates for the analysis by men and women for the categories of earnings over £35,000.

Earned income (£ pa)	*Men (thousands)*	*Women (thousands)*
More than £25,000	1,400	150
More than £30,000	830	80
More than £35,000	620	
More than £40,000	400	
More than £45,000	300	
More than £50,000	220	

Estimates are based on a projection of the 1987-88 survey of personal incomes and are therefore provisional.

Mrs. Beckett: To ask the Chancellor of the Exchequer how many people who pay tax are below the upper earnings limit.

Mr. Ryder: It is estimated that, in 1990-91, there will be about 19¼ million taxpayers in employment and self-employment aged under 65 with earned income below £18,200, the upper earnings limit for national insurance contributions purposes.

Personal Equity Plans

Mrs. Beckett: To ask the Chancellor of the Exchequer what was, for each year that personal equity plans have been in operation *(a)* the number and proportion of people with personal equity plans who are on the higher rate of tax and *(b)* the cost to his Department in total of personal equity plans and per person with a personal equity plan.

Mr. Ryder: The latest available information is shown in the reply to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 19 February, column *515*.

Income Statistics

Mrs. Beckett: To ask the Chancellor of the Exchequer what is the estimated average and median *(a)* original, *(b)* gross and *(c)* post-tax income in 1990-91.

Mr. Ryder: Estimates of original, gross and post-tax income are derived from the family expenditure survey. Latest figures are for 1987 and were published in the May 1990 edition of *Economic Trends*. Estimates for 1990 will be available in due course when the 1990 family expenditure survey is completed and processed.

Mr. Dewar: To ask the Chancellor of the Exchequer if he will place in the Library the full report of the latest survey of personal incomes; and if he will make it his policy that the sample size in future surveys be sufficiently large to provide county-level estimates of the number of taxpayers, the number of higher-rate taxpayers, and of taxable income which are statistically reliable.

Mr. Ryder: A range of tables compiled from the latest survey of personal incomes will, as is now the practice, be published in the next edition of "Inland Revenue Statistics" before the end of the year. Other information has been extracted from the survey as needs arose, some of which has already been published.

All sample surveys are subject to some degree of statistical variation. The size of the sample of surveys of personal incomes must continue to be set with a view to meeting efficiently its primary purpose of providing information relevant to the costing of income tax proposals affecting the United Kingdom as a whole. As explained in the reply to the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 12 June, column *152*, investigation is continuing into the reliability of information at the county level. Publication of county data will be resumed as soon as possible.

Mrs. Beckett: To ask the Chancellor of the Exchequer what are the latest estimates of *(a)* original, *(b)* gross and *(c)* post-tax income, by decile.

Mr. Ryder: The information for 1987, the latest available year, is given in the table:

Average household income per year[1]

Decile groups of equivalised disposable income	*Original income*	*Gross income*	*[2] Post-tax income*
	£ a year	*£ a year*	*£ a year*
Bottom	958	3,975	2,367
2nd	1,489	4,819	3,187
3rd	2,573	5,503	3,630
4th	5,131	7,752	4,896
5th	7,944	10,082	6,236
6th	11,002	12,604	7,725
7th	12,865	14,088	8,649
8th	16,145	17,065	10,459
9th	19,975	20,694	12,764
Top	30,955	31,571	20,345
All households	10,904	12,816	8,026

Source:
Central Statistics Office.

[1] Equivalisation is used only for ranking the households. The figures shown above refer to unequivalised income.

[2] Post-tax income is after the deduction of direct taxes (eg income tax) and indirect taxes (eg VAT, petrol duty).

Note:
The figures are extracted from an article "The effects of taxes and benefits on household income, 1987" published in the May 1990 edition of Economic Trends.

Ms. Abbott: To ask the Chancellor of the Exchequer what is the average, and distribution of, household income of households which contain at least one person earning above the upper earnings limit who is on the basic rate of tax.

Mr. Ryder: I regret that the information requested is not readily available and would be disproportionately expensive to provide.

Gross Domestic Product

Mr. Neil Hamilton: To ask the Chancellor of the Exchequer what was the gross domestic product of the member states of the European Community in the latest convenient year.

Mr. Ryder: Following is the information requested.

GDP at purchasing power parities 1989

	United States dollars (billions)
United Kingdom	818·4
Germany	941·7
France	817·4
Italy	801·9
Belgium	135·2
Denmark	73·8
Greece	72·7
Ireland	31·2
Luxembourg	6·3
Netherlands	205·0
Portugal	72·9
Spain	396·9

Source: OECD.

Foreign Exchange Transactions

Mr. Neil Hamilton: To ask the Chancellor of the Exchequer what estimate he has made of the total cost of transactions between European Community member states in foreign exchange in the latest convenient year.

Mr. Ryder: The Government have not made such an estimate.

Trade Statistics

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each year since 1960 consumption of goods other than food and fuel as a percentage of gross domestic product together with the balance of trade in manufactures.

Mr. Norman Lamont: The information can be derived from data on the CSO's database, which may be accessed through the Library. The database indentifiers are:
Consumers' expenditure other than food and energy products
Sum of:
Durable goods (AIIL)
Alcohol and tobacco (CDFH)
Clothing and footwear (CDDE)
Other goods (CCED)
GDP at market prices (CAOB)
Balance of trade in manufactures (BPJF)
(available only from 1970).

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish a table showing in May 1990 prices the balance of trade in manufactures, less erratics on a balance of payments basis, in 1977, 1978, 1988 and 1989.

Mr. Norman Lamont: Information from which the balance of trade in manufactures less erratics at May 1990 prices may be derived can be found in the monthly review of external trade statistics and its mid-year supplement, and also through the Central Statistical Office database, which may be accessed through the Library of the House.

Retail Prices Index

Mr. Speller: To ask the Chancellor of the Exchequer if he has any plans to alter the Laspeyres-based formula for the retail prices index.

Mr. Ryder: No. The Laspeyres formula, which gives each item a relative importance or "weight" in accordance with the consumption pattern in a specified base period, is recognised throughout the world as the most satisfactory method of constructing a regular consumer price index. The particular variant used for the United Kingdom retail prices index, known as the "chain Laspeyres" formula, minimises the disadvantages of using historical consumption patterns by updating the weights at the beginning of each year.

EC Budget

Sir Richard Body: To ask the Chancellor of the Exchequer what is his latest estimate for the United Kingdom's contribution to the European Community's budget.

Mr. Ryder: The latest estimate of the United Kingdom's net contribution to the European Community's budget in 1990 is £2,175 million. This appeared in the "Statement on the 1990 Community Budget" (Cm 1059).

Capital and Running Costs

Mr. Hanley: To ask the Chancellor of the Exchequer if he will list the entitlements for 1990-91 resulting from the carry forward of capital and running costs underspend allowed under the end-year flexibility schemes.

Mr. Norman Lamont: A list of entitlements totalling £410,935,000 for capital expenditure and £19,230,000 for running costs is shown in the following table.

Subject to parliamentary approval of the necessary supplementary estimates, individual cash limits and running costs limits will be increased when entitlement is taken up.

The total increase in cash limits resulting from the take-up of end-year flexibility will be charged to the Reserve and will therefore not add to the planned total of public expenditure.

Entitlements for 1990-91 cash limits resulting from the carryforward of capital underspends

Class	*Vote*	*Department*	*Description*	*Amount (£ thousands)*
I	2	Ministry of Defence [1]	Defence procurement	188,188
II	1	Foreign and Commonwealth Office	Overseas representation	3,971
II	3	Foreign and Commonwealth Office	External broadcasting and monitoring	2,765
II	4	Foreign and Commonwealth Office	British council	1,500
III	2	Intervention Board for Agricultural Produce	Administration	304
III	4	Ministry of Agriculture, Fisheries and Food	Other agricultural and food services and support for the fishing industry	2,000

Class	Vote	Department	Description	Amount (£ thousands)
IV	2	Department of Trade and Industry	Support for industry, administration, etc	4,686
IV	7	Office of Fair Trading	Office of Fair Trading	51
VI	1	Department of Employment	Training Programmes	2,000
VI	2 and 3	Department of Employment	Employment programmes and central services	4,762
VII	1	Department of Transport	National roads, England	52,971
VII	2	Department of Transport	Administration and transport services	2,000
VII	4	Department of Transport	Driver and vehicle licensing	2,000
VIII	5	Department of the Environment	Central environmental services, etc.	2,000
VIII	6	Department of the Environment	Royal palaces, royal parks, historic buildings, ancient monuments and the national heritage	1,319
VIII	7	Property Holdings, etc.[2]	Civil accommodation, administration and miscellaneous services	1
VIII	11	Office of Water Services	Office of Water Services	196
VIII	12	Ordnance Survey	Ordnance Survey	1,607
IX	2	Home Office	Prisons, England and Wales	16,583
IX	3	Home Office	Administration, miscellaneous and community service and civil defence England and Wales	720
X	1	Lord Chancellor's Department	Administration of Justice, England and Wales	950
X	11	Her Majesty's Land Registry[3]	Her Majesty's Land Registry	1
X	12	Public Record Office	Public Record Office	280
X	13	Crown Office	Administration	1,178
XI	1	Department of Education and Science	Schools, research and miscellaneous services	4,534
XI	2	Department of Education and Science	Universities, etc	2,236
XI	4	Department of Education and Science	Administration	2,000
XII	3	Office of Arts and Libraries	Libraries	2,167
XIII	1	Department of Health	Hospital and community health and other services, England	23,284
XV	2	Department of Agriculture and Fisheries for Scotland	Agricultural services and fisheries for Scotland	2,000
XV	6	Scottish Development Department	Roads, transport and environmental services, Scotland	359
XV	11	Scottish Courts Administration	Administration of Justice, Scotland	1,685
XV	15	Scottish Education Department	Education, arts, libraries and social work, Scotland	2,000
XV	18	Scottish Record Office	Scottish Record Office	66
XV	19	General Register Office	General Register Office, Scotland	637
XV	21	Scottish Office	Administration	103
XV	27	Scottish Home and Health Department	Hospital and community health services, Scotland	8,409
XVI	2	Welsh Office	Agricultural services, support for the fishing industry, regional and industrial development, Wales	1,515
XVI	5	Welsh Office	Tourism, roads and transport, housing other environmental services, education and science, arts and libraries and centrally funded health and personal social services, Wales	7,651
XVI	8	Welsh Office	Hospital and community health services, etc., Wales	896
XVIII	1	Her Majesty's Treasury	Administration	2,509
XVIII	6	Customs and Excise	Administration	2,412
XVIII	7	Inland Revenue	Administration	3,985
XVIII	14	Central Office of Information	Central Office of Information	58
Total voted				360,539

[1] The five cash limited Defence votes are each separate cash limits but, by agreement with the Treasury, are managed as a cash block. Most of the expenditure eligible for the scheme in these cash limits is on class I, vote 2.
[2] This is a token Vote. Carryforward will be taken in the form of increased appropriations in aid of £9,147,000.
[3] This is a token Vote. Carryforward will be taken in the form of increased appropriations in aid of £1,961,000.

Entitlements for 1990-91 Cash Limits resulting from the Carryforwards of Capital Underspends

Non Voted cash limits

Cash block	Department	Description	Amount £ 000's
DOE/HC	Department of the Environment	Grants and capital expenditure financed by the Housing Corporation in England	4,240
DOE/NT	Department of the Environment	Capital expenditure in England by new towns for housing, roads, commercial and industrial investment and certain water services	16,228

Cash block	*Department*	*Description*	*Amount £ 000's*
DOE/UA	Department of the Environment	External financing requirement of Urban Development Corporations in England, grants to local authorities and other bodies under the urban programme, the derelict land reclamation and city grant programmes (inc. associated local authority credit approvals) and other expenditure for inner cities initiatives.	4,129
SO/LA1	Scottish Office	Net Capital allocations and grants to local authorities in Scotland on roads and transport, water and sewerage, general services, urban programme, police and social work, schools, further education, teacher training, and arts and libraries.	6,000
SO/LA2	Scottish Office	Net capital allocations and capital grants to local authorities in Scotland for housing. Capital expenditure by New Towns in Scotland for housing and other environmental services.	17,007
WO/UA	Welsh Office	Supplementary credit approvals and grants to local authorities in Wales for the Urban programme, etc and Cardiff Bay Development Corporation initiatives in Wales.	2,792
	Total non voted		50,396
	Total carry forward of capital underspends		410,935

Entitlements for 1990-91 running costs limits resulting from the carry forward of running costs underspends

Department	*Amount £000's*
Trade and Industry	1,524
Office of Gas Supply	50
Department of Employment	4,370
Department of Transport	1,183
Department of Education and Science	371
Office of Population Censuses and Surveys	180
Scottish Office	580
Scottish Courts Administration	125
General Register Office, Scotland	50
Welsh Office	207
Northern Ireland Office Northern Ireland Departments	2,697
Customs and Excise	2,529
Inland Revenue	4,987
Her Majesty's Treasury	377
Total carry forward of running costs underspends	19,230

Commemorative Coins

Mr. Hanley: To ask the Chancellor of the Exchequer if Her Majesty's Government plan to issue any new commemorative coins.

Mr. Major: Her Majesty the Queen has been graciously pleased to approve my recommendation that a 50p coin be issued featuring a special commemorative design to celebrate Britain's presidency of the Council of Ministers in 1992 and the single European market. In addition to circulating versions of the coin, collectors' version will be issued in base metal, silver and gold.

"Next Steps"

Mr. Higgins: To ask the Chancellor of the Exchequer if he will make a statement about the application of "next steps" to the Inland Revenue and Customs and Excise.

Mr. Major: In February 1988 my right hon. Friend the Prime Minister launched the "next steps" initiative. In addition to their policy responsibilities, both Inland Revenue and Customs and Excise have significant executive functions, and they are therefore entirely suitable for applying the principles of "next steps." I have now conducted a review with the chairmen of Inland Revenue and Customs and Excise of the best way to do so.

Each department already operates within an individual statutory framework, which defines the tasks of the department and the relationship between the chairman and the board on the one hand and Treasury Ministers on the other. These arrangements will remain, but I have decided that it would be in the interests of the taxpayer, the public and the staff of the departments to introduce changes which will enable them to operate fully on "next steps" lines. In particular I want to give greater impetus to enhancing internal accountability and delegation, consistent with the management of a tax system which needs to offer all taxpayers equality of treatment.

Following a review by Inland Revenue officials I have concluded that the valuation offices for England and Wales and for Scotland should be launched as a single executive agency under a chief executive who will be appointed by open competition. The aim is to set up the agency in the summer of 1991. The valuation offices already operate as discrete management units and are responsible for negotiating the valuation of land and buildings for a variety of purposes for central and local government; the valuation office for England and Wales also undertakes the valuation of business property for rating purposes. The offices employ over 5,000 staff. Agency status for this work will increase the offices' ability to focus on the work to be done and give their managers more responsibility and flexibility to carry out their task. These benefits should enable them to achieve continuing improvements in efficiency, effectiveness and accountability, and increase the commitment of staff to providing a high-quality valuation service for their customers.

In its other work also the Inland Revenue has well-defined lines of management responsibility and internal accountability through its network of regions and local offices, and its specialist units. It operates a comprehensive system of performance targets which are published annually in its management plans with departmental performance reviewed in the board's annual report, and there is an extensive training and management development programme for staff. It is also tackling major changes flowing from recent reforms in the tax system and

in the way it does its work. The Department will need great flexibility to cope with these changes. To this end it will be further extending internal delegation and accountability, and examining ways of reshaping the structure and organisation of its work, all on "next steps" lines, so as to ensure that the Department continues to be responsive to the needs of taxpayers and provide a high level of service. I have asked the chairman of the Inland Revenue to draw up and submit to me an action programme for this work.

The Inland Revenue is also reviewing the organisation of information technology in the Department, to determine what arrangements will best meet the needs of the Department throughout the 1990s. An announcement will be made in due course.

To the same ends Customs and Excise will reorganise the bulk of its activity into executive units encompassing some 95 per cent. of its staff. The head of each unit will be appointed by the chairman and enjoy increased managerial and operational freedoms within a clearly defined framework of targets, responsibilities and accountabilities. Key features are:

(i) there will be a published framework document for the Department, and a separate framework document for each unit. The head of each unit will be appointed by the chairman and will be accountable to the board;

(ii) the Customs and Excise management plan and the board's annual report will contain progressively improved information about financial and other targets and outturns for the board and for each unit;

(iii) a radical change in the management of staff and their methods of conducting the Department's business, giving managers the maximum possible freedom to operate controls according to assessments of risk and local circumstances and to exercise local authority and discretion both in financial controls and operational systems;

(iv) new emphasis on the individual initiative and expertise of staff with an ambitious programme of management training and development; and

(v) further improvements in service, aimed at minimising burdens on business and the travelling public, and making significant improvements in the information and services the Department provides.

I have asked the chairman of Customs and Excise to draw up an action programme for making these changes, with the objective of having the executive unit structure in place by April 1991. The first step will be to publish the departmental framework document in the autumn. At the same time, the Department will publish the first individual framework documents in a series which will set out the objectives and responsibilities of each executive unit. The programme will be kept under review, and this will include consideration whether certain of the units should become candidates for conversion into freestanding agencies.

Each Department has already made considerable progress in improving its management. But these are important changes. I am confident that operating fully on "next steps" lines the two Departments will deliver further significant improvements in the way they are managed and, in turn, greater efficiency, better service to the public and enhanced commitment and enthusiasm from their staff.

Business Expansion Scheme

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer for each of the years of the existence of the business expansion scheme what was *(a)* the total amount invested in the business expansion scheme, *(b)* the total cost to the Exchequer, *(c)* the percentage and amount of business expansion scheme money invested, and *(d)* the associated cost to the Exchequer, in residential and assured tenancy schemes.

Mr. Ryder *[holding answer 23 July 1990]:* The latest estimates are shown in the table:

£ million

	Amounts invested		*Cost of tax relief*	
	Total	*[1]Of which invested in private rented housing*	*Total*	*[1]Of which in respect of investment in private rented housing*
1983-84	105	—	50	—
1984-85	148	—	75	—
1985-86	157	—	85	—
1986-87	168	—	95	—
1987-88[2]	191	—	110	—
1988-89[2]	425	375	150	130
1989-90[2]	175	150	60	50

[1] The scheme was extended to include investment in private rented housing from 1988-89.
[2] Provisional estimates.

Married Couples' Allowance

Mr. Allen: To ask the Chancellor of the Exchequer what the increase in personal allowances would have to be if the married couples' allowance were frozen in cash terms at the level it is at the present time, so that post-tax real income remained constant for the average married couple; and what would be the cost of each of these changes and the combined cost.

Mr. Ryder *[holding answer 23 July 1990]:* This would depend on the rates of growth in the various categories of income subject to income tax between the current year and the future year for which the comparison is required as well as the inflation rate.

Income Tax

Mr. Allen: To ask the Chancellor of the Exchequer (1) how much revenue would be raised if tax was levied at 50 per cent. for those earning £50,000 and above, 45 per cent. for those earning £40,000 to £50,000, the 40 per cent. band remained as at present and the upper earnings limit was removed;

(2) how much revenue would be raised if tax was levied at 50 per cent. for those earning £50,000 and above, 45 per cent. for those earning £40,000 to £50,000 and the 40 per cent. band remained as at present.

Mr. Ryder *[holding answer 23 July 1990]:* The yield in a full year at 1990-91 levels of income of introducing the rates of income tax shown in the table is estimated to be about £500 million.

Taxable income £	*Rate* *Per cent.*
1-20,700	25
20,701-40,000	40
40,001-50,000	45
50,001 and over	50

Taxable income is income subject to tax from all sources after deducting allowances and reliefs.

The estimate does not take account of the consequential effect on capital gains tax, nor does it allow for any behavioural effects that might result from such an increase.

The additional yield from abolishing the upper earnings limit for employees' class 1 national insurance contributions is estimated to be £2½ billion.

Profit-related Pay

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is the cost to the Exchequer in each year of the profit-related pay scheme.

Mr. Ryder *[holding answer 23 July 1990]:* The latest available information is shown in the reply to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 13 February, column *121*.

Tax Relief

Mr. Meacher: To ask the Chancellor of the Exchequer what is the value of tax relief on pensions, savings/investment for and payment of, to *(a)* individuals, and *(b)* employers for the latest available year given the figures broken down by (i) occupational and (ii) private provision, if available.

Mr. Ryder *[holding answer 23 July 1990]:* The latest estimates in respect of 1989-90 of the reductions in tax liabilities arising from the individual tax reliefs related to pensions schemes are shown in the table:

	£ million
Relief for:	
Employees' contributions to occupational pension schemes[2]	1,800
Employers' contributions to occupational pension schemes[2,3]	[1]3,100
Investment income of occupational pension schemes[2,4]	4,100
Lump sum payments to pensioners[2,4]	1,000
Contributions to personal pensions (including retirement annuity premia and FSAVCs)[3,5]	800

[1] This figure is particularly tentative and subject to a wide margin of error.
[2] The total cost of tax reliefs for pension schemes cannot be calculated by adding together the costs of individual reliefs as this would imply a considerable degree of multiple taxation.
[3] On the basis that under present arrangements employers' contributions are not taxable as a benefit in kind of the employee.
[4] Assuming relief at the basic rate of income tax.
[5] It is not possible to provide reliable estimates of the cost of exemption for investment income and lump sum payments related to retirement annuity contracts.

Small Businesses

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Norman Lamont *[holding answer 24 July 1990]:* The Government's economic policies are designed to maintain a vigorous economy in which business and enterprise can flourish. The Treasury therefore places a high priority on helping small business, and among the specific measures taken over the last 12 months have been:

- an increase in the profits limit for small companies' rate of corporation tax by a third to £200,000, and the limit for marginal relief from the main rate also increased by a third to £1 million;
- introduction of simplified VAT registration requirements which will help keep new small businesses out of the VAT net for longer;
- introduction of a comprehensive bad debt relief scheme for VAT;
- highest permissible increase under EC law in the VAT threshold;
- increase in the annual investment limit under the business expansion scheme to £750,000;
- introduction of a simplified VAT return with five boxes for completion in place of nine;
- introduction of the option of three-line statements instead of full accounts for businesses with turnover of less than £10,000;
- improvements to the VAT cash accounting scheme for businesses with turnovers not exceeding £250,000;
- relaxations to the record-keeping requirements under the VAT second-hand schemes;
- the introduction of fast-lane procedures to reduce the time taken to clear certain EC imports;
- the introduction of a simplified ATA carnet.

Inland Revenue and Customs and Excise officials also continuously review forms, explanatory notices and leaflets with the aim of providing guidance which is easily understood.

The success of the Government's policies is demonstrated by the latest statistics on VAT registrations, which show a record increase in the number of businesses registered for VAT, around 1,700 a week on average, during 1989.

TRADE AND INDUSTRY

Accountancy Firms

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will make a statement on the reasons for including accountancy firms criticised by his Department's inspectors on the joint disciplinary scheme.

Mr. Redwood: The joint disciplinary scheme is operated by the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants of Scotland, and the Chartered Association of Certified Accountants. I understand that, in selecting individuals to sit on any committee of inquiry set up under the scheme, account is taken of all relevant factors including whether having on that team someone from an accountancy firm criticised by the Department's inspectors is in any way material to the case.

Electricity Supply Industry

Mr. Day: To ask the Secretary of State for Trade and Industry what consideration he has given to the application of United Kingdom competition legislation in relation to the arrangements for the restructuring of the electricity supply industry.

Mr. Redwood: I have today laid before the House an order made under section 100(2) of the Electricity Act 1989, exempting certain electricity agreements from the ambit of the Restrictive Trade Practices Act 1976. Two previous orders were made on 27 March and 28 June respectively.

The various orders, which were made following consultation with the Director General of Fair Trading (DGFT) and the Director General of Electricity Supply (DGES), apply in relation to the following categories of agreements entered into by the electricity supply industry (ESI) in England and Wales, and in Scotland, prior to vesting day on 31 March 1990 or as a consequence of the new industry structure:

Pooling and Settlement Arrangements
Initial Settlement Arrangements
Contracts for Differences
Connection and Use of System Agreements
Non-Fossil Fuel Obligation (NFFO) Qualifying Arrangements
Non-Fossil Purchasing Agency (NFPA) Arrangements
French Interconnection Arrangements
Scottish Interconnection Arrangements
British Grid Systems Agreement
Dounreay Supply Agreement
Cable Maintenance Agreements.

These agreements are an essential part of the process of ensuring an orderly transition to new competitive arrangements within the ESI. By exempting them from the application of United Kingdom restrictive trade practices legislation, the orders will help to ensure a stable framework within which effective competition may develop. The actions of the various companies remain subject in the normal way to the anti-competitive practices provisions of the Competition Act 1980 and to the monopoly provisions of the Fair Trading Act 1973.

The exemptions provided by these orders are intended to remain in force for the duration of the individual agreements, provided that there is no material change in the relevant circumstances. However, where agreements last for more than five years from vesting day (or eight years in the case of the NFFO arrangements), it may be appropriate to review the continuing need for the exemptions at some stage following the expiry of those periods, taking account of the competitive environment then prevailing.

Such a review is not expected to result in wide-ranging changes in the basic arrangements now in place in the industry. In particular, the pooling and settlement arrangements, which lie at the core of the new market structure for the buying and selling of electricity, are expected to remain in place indefinitely on the basis that the relevant agreements will be subject to close and regular scrutiny by the Director General of Electricity Supply as part of his general responsibilities under the Electricity Act.

The Government are committed to the introduction of new legislation on restrictive trade practices, in implementation of the proposals outlined in the White Paper "Opening Markets: New Policy on Restrictive Trade Practices" (Cm. 727) published in July 1989. It is our intention that any exemptions still in force at the commencement of the new legislation should be carried forward in transitional arrangements. The introduction of such legislation is subject to the availability of parliamentary time.

Leather Industry

Mr. Marlow: To ask the Secretary of State for Trade and Industry what support Her Majesty's Government are providing to the United Kingdom leather industry to enable it to meet the advancing technological requirements of the sector.

Mr. Douglas Hogg: I am pleased to announce that my Department is to provide assistance to a research programme of five projects on improvements to the control of leather production and the quality of leather. The DTI contribution will be £1,642,694 towards total costs of £4,199,271.

The work sponsored by DTI will be carried out on behalf of the industry by the British Leather Confederation in Northampton over the next five years.

Single Market

Mr. Brandon-Bravo: To ask the Secretary of State for Trade and Industry if he has any plans to extend the scope of his single market campaign to help business to prepare for the single European market.

Mr. Lilley: As part of the single market campaign my Department has in recent months emphasised the natural role of business support organisations, such as chambers of commerce and trade associations, in providing the detailed information and advice needed by the business community. I am encouraged by the growing role such organisations are playing in complementing my Department's continuing single market information service. But I have concluded that there is a need to help them further develop their single market services in the run-up to 1992.

I am therefore making available to business support organisations a package of measures to help them develop and improve their services on single market matters. The package includes financial assistance towards acquiring single market expertise, improving their delivery of single market services and access to my Department's single market database, Spearhead.

Cable Television

Mr. Patrick Thompson: To ask the Secretary of State for Trade and Industry what arrangements he proposes to make for licensing under the Telecommunications Act 1984 existing cable television relay systems which do not at present require to be licensed under the Cable and Broadcasting Act 1984, should the proposals in the Broadcasting Bill receive parliamentary approval.

Mr. Lilley *[pursuant to the reply, 7 June 1990, col. 670-71]:* Details of the licensing regime for SMATV systems under the Telecommunications Act 1984 and the provisions in the Broadcasting Bill should it receive Royal Assent were given in an answer by my hon. Friend the Minister of State, Home Office on 2 March 1990, col. *351-52,* and in the earlier answers given to my hon. Friend the Member for Norwich, North.

SMATV systems in new housing developments in the process of being built on the date that the relevant provisions of the Broadcasting Bill enter into force, the transfer date, will be regarded for licensing purposes as having carried all four terrestrial channels and all five United Kingdom DBS channels immediately before the transfer date provided that:

(a) the contract with the prospective licensee to build such a system was signed and any necessary planning permission granted on or before today's date; and

(b) at least 50 per cent. of the homes on the system were capable of receiving all four terrestrial channels and all five United Kingdom DBS channels immediately before the transfer date.

Those running such systems will thus qualify for an individual Telecommunications Act licence authorising the system to carry, after the transfer date, any television or radio services other than those proscribed under provisions contained in clause 165 of the Broadcasting Bill. Systems covering 1,000 homes or more will also qualify for a five-year diffusion service licence (if the system lies within a cable franchise area) or a five-year local delivery service licence (if it lies outside). Applications for these licences will have to be made in advance of the transfer date.

Any other system partially built at the transfer date will be regarded for licensing purpose as having been built after the transfer date.

ATTORNEY-GENERAL

Bereavement Damages

Mr. Jacques Arnold: To ask the Attorney-General when the Lord Chancellor's consultation paper on bereavement damages will be published.

The Attorney-General: The Lord Chancellor published a consultation paper on bereavement damages in March this year. Copies of the paper were placed in the Library on publication.

OVERSEAS DEVELOPMENT

Uganda

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give a breakdown of European Community aid to Uganda for each of the last five years; what the United Kingdom contribution was for each year; whether the aid was provided for emergency relief, project aid or programme aid; and to which regions of Uganda the aid was targeted.

Mrs. Chalker: European Community aid commitments to Uganda since 1985 have been as follows:

Year	[1] *Project Aid*	[1] *Programme Aid*	[1] *Emergency Aid*	[1] *Food Aid*
1985	—	—	0·1	—
1986	6·0	—	1·5	1·2
1987	77·7	15·0	4·4	0·7
1988	10·7	15·0	0·8	1·5
1989	30·4	—	—	7·9
1990	54·5	—	0·7	—

[1] All figures in millions of ecu. 1 ecu is approximately £0·7.

The United Kingdom contribution to the current (sixth) European development fund (1985-90) is 16·58 per cent. of the total.

The majority of the emergency and food aid for Uganda has been allocated to the north. A number of different regions have benefited from the project and programme aid, including Kampala, the north-east, the east, Karamoja, Masaka, Mbarara, Kabale amd Mpigi.

Details of the separate bilateral aid programme administered by ODA were given in my reply to the right hon. Gentleman of 7 June.

ODA Refugees Section

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration has been given to taking the Overseas Development Administration's refugees section out of the emergency relief section of Overseas Development Administration.

Mrs. Chalker: None. The present arrangements work extremely well.

Emergency Budget

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how the procedure for monitoring and evaluating projects funded under the Overseas Development Administration's emergency budget differs from procedures for projects under the regular aid budget.

Mrs. Chalker: There is no single procedure for either monitoring or evaluating emergency aid operations. Monitoring is usually continuous since the emergency actions are generally of relatively short duration. Procedures for evaluating emergency aid are the same as those for projects funded from the regular aid programme, but the methodology chosen for each study reflects the nature of the project under evaluation.

African Refugees

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all grants from the Overseas Development Administration to projects of the International Conference on Assistance to Refugees in Africa and to the reserve fund of ICARA.

Mrs. Chalker: Since 1984 ODA has made the following grants to projects under the International Conference on Assistance to Refugees in Africa:

Project	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*	*1989-90*
Ockenden Venture—Community development, Es Showak, Sudan	—	—	—	20,000	35,475	51,975
ACORD—Qala en Nahal settlement programme, Sudan	200,000	300,000	300,000	200,000	300,000	80,000

Project	1984-85	1985-86	1986-87	1987-88	1988-89	1989-90
ACORD—Community centre integrated rural & craft education, Rwanda	—	37,205	10,000	—	—	50,000
ACORD—Market gardening, fruit trees and forestry, Guinea Conakry	—	30,000	20,000	47,000	150,000	100,000
ACORD—Women's co-operative market gardening, Guinea Conakry	—	40,000	25,000	53,000		
ACORD—Integrated development, Bokoro, Chad	—	—	97,525	50,000	77,991	60,000
Quaker Peace and Service—Refugee and community project, Sudan	—	—	35,000	54,600	112,000	—
Oxfam—Water supply, Zimbabwe	18,020	—	—	—	—	—
World University Service—Library project, Juba, Sudan	—	6,720	33,923	7,508	—	—
World University Service—Library and women's project, Gedaref, Sudan	—	—	15,000	76,879	81,883	76,000
International Extension College—Sudan extension unit project	—	90,000	33,978	52,800	98,200	175,000
International Extension College—Non-formal education, Somalia	—	—	100,000	25,000	100,000	74,796
Oxfam—Support for IEC non-formal education project, Somalia	—	—	45,000	29,730	71,400	64,321
World University Service—Teacher training, Mozambique	—	—	—	—	—	24,775
Oxfam—Support for vocational training programme for handicapped youths, Somalia	—	—	—	22,637	—	—
Ockenden Venture—Primary education programme, Port Sudan	20,000	15,000	85,000	87,822	100,322	75,810
Ockenden Venture—Community Development Kilo 26, Sudan	—	15,000	23,670	51,425	48,179	58,386
ACORD—Small Enterprise Programme, Port Sudan	85,000	86,095	40,000	60,000	100,000	100,000
Quaker Peace and Service—Refugee Centre, Botswana	—	—	11,300	—	—	—
Action Aid, Handicapped Refugees Project, Somalia	—	—	98,058	40,000	—	—
Ryder Cheshire Mission Handicapped Refugees, Katumba, Tanzania	—	—	25,929	23,679	28,000	30,000
Oxfam—Eastern Sudan Water Supply	—	—	65,865	—	—	—
You and Me—Medical Project, Eastern Sudan	—	—	—	20,000	27,550	21,000
Christian Outreach—Health—Reception Centre, Shagarab, Sudan	—	—	—	—	—	60,000
Christian Outreach Health—Kashmir Girba, Sudan	—	—	—	—	—	40,000
Christian Outreach Community Development, Sudan	—	—	—	—	91,000	120,000
Help the Aged—Eye Care, Sudan	—	—	—	—	70,000	114,000
TOTAL	323,020	620,020	1,065,248	922,080	1,492,000	1,376,063

Red Cross

Mr. Summerson: To ask the Secretary of State for Foreign and Commonwealth Affairs what further assistance Her Majesty's Government are providing in the current year for the International Committee of the Red Cross.

Mrs. Chalker: I have just announced a further contribution to ICRC of £2·6 million, £1·6 million for its Africa programmes and £1 million towards its major programme for Afghan refugees in both Pakistan and Afghanistan.

AGRICULTURE, FISHERIES AND FOOD

Animal Welfare

Mr. Donald Thompson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on representations received following the recent lobby of Parliament on animal welfare, organised by Compassion in World Farming.

Mr. Maclean: I welcome the widest possible debate on the vitally important issue of animal welfare.

The Government are pressing for improved welfare standards to be adopted throughout the European Community. We are currently seeking in the Council important new welfare safeguards for pigs and calves. Among our objectives in these negotiations are to secure the phasing out of unacceptable husbandry systems, as recommended by the Farm Animal Welfare Council, and to extend throughout the Community our ban on the close confinement of veal calves in crates.

The parliamentary lobby highlighted the concern about transport conditions for farm livestock. The Government fully share this concern.

We cannot, as has been suggested, ban exports of live animals under article 36 of the treaty of Rome, as there is already Community law on the protection of animals during international transport. It is most important, however, to ensure that all animal transport is carried out with proper regard to welfare and the Government will be negotiating to this end in discussions on the Commission's proposals for new Community measures on protection of animals in transport, whether to, from or between member states.

Special rules are proposed for animals going for slaughter. The Government will be pressing particularly here for agreement to maintain our controls on trade in horses for slaughter.

The Government welcome any support from those concerned with animal welfare for their efforts to achieve practicable and enforceable welfare safeguards in the Community.

Agricultural Development Advisory Service

Mr. Hague: To ask the Minister of Agriculture, Fisheries and Food what plans he has for organisational developments within the Agricultural Development Advisory Service.

Mr. Gummer: I have reviewed the options for the future organisation of the Agricultural Development and Advisory Service (ADAS). As I announced in a reply to my hon. Friend the Member for Ludlow (Mr. Gill) on 26 February, the central veterinary laboratory and the veterinary medicines directorate became executive agencies from 2 April 1990. The state veterinary service will transfer from ADAS to the Ministry's food safety directorate on 1 August 1990.

The central science laboratory of the research and development service (RDS) is largely engaged on work directly supporting Government policies, particularly on plant health, environmental and wildlife issues. I have concluded that this laboratory is not a candidate for privatisation, but that it should be established as a separate executive agency.

The farm and countryside service (FCS) is engaged to a substantial degree on providing consultancy and other services to farmers and others. The aim is that these commercial services should achieve full cost recovery in due course. The FCS also provides important services to support various areas of the Government's policy work. It is important that a commercial framework and incentives should be established for this work undertaken for Government.

I have therefore concluded that the FCS, together with the experimental husbandry farms and other units in the field R and D division of the research and development service, should be established as a separate agency with the intention that it will as soon as possible become a trading fund. The Government believe that privatisation could, in the longer run, be the logical development for such an organisation.

I am arranging for detailed studies to be put in hand to define precisely the functions to be undertaken in each of the two new agencies and the arrangements for ensuring that full collaboration is maintained between them. It is my intention that both the CSL and the FCS/RDS field R and D division should achieve agency status by 1 April 1992. The drafting of the agency framework agreements will also be carried forward.

My right hon. Friend the Secretary of State for Wales and I will consider what arrangements for the FCS might apply in Wales.

These changes will have important implications for the organisation of the Ministry, including particularly the regional and divisional organisation. I am therefore commissioning an internal review of the organisation needed to undertake the other functions of the regions and divisions.

Agricultural Training Board

Mr. John Greenway: To ask the Minister of Agriculture, Fisheries and Food if he and his ministerial colleagues have concluded their consideration of the outstanding recommendations of the report on the agricultural training board presented by Mr. John E. Smith, November 1989; and if he will make a statement.

Mr. Gummer: Yes. We have concluded that it would be appropriate to extend the remit of the agricultural training board to permit it to offer its training services, at full economic cost, to a wider range of rural businesses, having regard to the existing provision for training and subject to ministerial direction. This will require primary legislation for which an early opportunity will be sought, so as to enable the board to continue its policy of raising more of its finance from the market. The level of Exchequer funding for future years will be determined, as usual, in the

context of the Government's overall decisions on public expenditure. We shall bear in mind the longer-term recommendation on the composition of the board, but we have no immediate plans to alter it or to seek fresh legislation in this respect.

Veterinary Costs

Mr. Hague: To ask the Minister of Agriculture, Fisheries and Food what decisions he has made about the continuation of the subsidy for veterinary costs in export-approved meat plants, in view of the European Community rules on meat inspection charges; and if he will make a statement.

Mr. Maclean: The Community rules on charges for meat inspection were adopted by the Council of Ministers in June 1988 in decision 88/408/EEC and directive 88/409/EEC. They must be brought into effect not later than 1 January 1991 and, inter alia, they prohibit the subsidisation of meat inspection costs except where the actual costs of inspection exceed specified standard charges.

In these circumstances, the scheme introduced in 1983 under which the Government meet the costs of veterinary supervision and certification in plants producing red meat, poultry meat, game meat and meat products to export standard, and also the cost of testing for trichinosis and residues when required by importing countries, will end on 31 December 1990. We shall be consulting interested parties on the new arrangements for meat inspection charges shortly.

State Veterinary Service

Mr. Colin Shepherd: To ask the Minister of Agriculture, Fisheries and Food how many animal health officers are now in post within the state veterinary service; and what qualifications were required for recruitment.

Mr. Maclean: There are currently one hundred and forty-six and a half animal health officers in post in the state veterinary service. The qualifications for entry require candidates to be at least 20 years of age, physically fit, hold a current driving licence and have 4 GCE O-levels or CSE grade 1 passes including English and a scientific subject. Equivalent qualifications are also considered.

East Coast Salmon Fisheries

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food when he expects the review of east coast salmon fisheries under the Salmon Act 1986 to be laid before Parliament; and whether the review will be published as it was presented to him by the advisory body, without alteration.

Mr. Curry: I refer the hon. Member to the reply which was given to my right hon. Friend the Member for Woking (Mr. Onslow) on 29 June, *Official Report*, column *388*. As that reply made clear, scientists from both Fisheries Departments have been collecting a range of scientific information on which the review required under section 39 of the Salmon Act 1986 is to be based. We will be reporting to Parliament on the review as soon as the review is complete.

Milk Marketing Board

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what plans he has for changes in the constitution of the Milk Marketing Board.

Mr. Maclean: My right hon. Friend the Minister has for some time been urging the dairy industry to come forward with proposals for change to the milk marketing arrangements. I will consider sympathetically any proposals it makes which would lead to a more competitive industry better able to respond positively to the challenges and opportunities of the single market.

Wild Rabbits

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the annual cost to *(a)* farming and *(b)* forestry of damage caused by wild rabbits; and what is his estimate of their current numbers.

Mr. Maclean: Damage from wild rabbits to agriculture and horticulture in the United Kingdom is estimated to cost £100 million to £150 million annually. I do not have any information on the costs to forestry.

National surveys between 1980 and 1986 showed a steady increase in the population of rabbits particularly in eastern and south-eastern areas. They are now estimated to number 30 million, about one third the level which existed before the arrival of myxomatosis.

Pet Food

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he will take action to make the voluntary ban on the inclusion of specified offals in pet food statutory.

Mr. Maclean: I refer the hon. Gentleman to the reply given to the hon. Member for Truro (Mr. Taylor) on 20 July, *Official Report*, column *761*.

1990 Harvest

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the 1990 harvest.

Mr. Maclean: Much of the winter barley crop has now been harvested in good conditions. Latest reports indicate that quality is around average and yields variable, with lower yields being obtained from barley grown on light land which has been most affected by lack of water. Harvesting of spring barley has only just started and harvesting of the wheat crop is expected to begin shortly. It is too early to say what the overall quality and size of the 1990 United Kingdom cereals harvest is likely to be.

North Sea Conference

Mr. Illsley: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about his implementation of the agreements from the last North sea conference.

Mr. Maclean: The targets and timetables set by Her Majesty's Government for implementation of the agreements reached at the third North sea conference in March this year were published in the United Kingdom

guidance note on the ministerial declaration on 6 July 1990. This publication is available in the Library of the House.

Set-aside scheme

Mr. Bellingham: To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to introduce grazed fallow as an option for agricultural land entered into the set-aside scheme.

Mr. Maclean: A limited form of grazed fallow is one of a number of options for the better management of set-aside land which we have been considering. We shall announce any changes to the management conditions in time for the start of the third year of the scheme.

Dredging and Extraction

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food whether his Department has made representations calling for a moratorium on further licences for marine sand and gravel extraction pending research on its effect on the sea-bed.

Mr. Maclean: The Department has worked consistently to ensure that fishing interests are safeguarded when licences for marine sand and gravel extraction are considered. The planned research into the speed with which dredged areas recolonise will improve our understanding of the factors involved. We could not justify blocking any new licences until this research has been completed, but we will continue to work with the fishing industry through the established consultation procedures to ensure that fisheries are properly protected.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to introduce a requirement to fit positioning devices on dredgers to ensure that they do not stray out of their licensed areas.

Mr. Maclean: The Crown Estate, which issues licences for dredging sand and gravel from the sea bed, is planning to carry out trials this year with position recorders on three vessels. Provided that these trials are successful, any licences issued after 1991 will require dredging vessels to carry a position recorder and it is expected that most dredging vessels will be carrying position recorders by the end of 1992.

Fire-raising

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral answer to the hon. Member for Pontypridd (Dr. Howells), *Official Report*, 17 May, column 1003, what best endeavours he has displayed to draw the problem of fires, deliberately started by teenagers, to the attention of authorities in relation to the protection of wildlife.

Mr. Maclean: I have written to my colleagues at the Home Office, the Department of the Environment and the Welsh Office, drawing this matter to their attention.

Sewage Slick (East Anglia)

Ms. Walley: To ask the Minister of Agriculture, Fisheries and Food what representations he has received with regard to the sewage slick off the coast of East Anglia.

Mr. Maclean: None.

Ms. Walley: To ask the Minister of Agriculture, Fisheries and Food what measures he proposes to take to protect the onshore fishing industry of East Anglia from the effects of the sewage slick in the Yarmouth area.

Mr. Maclean: Following consultation with the Department's marine scientists Anglian Water installed a long sea outfall which, following the completion of sewerage work in the Yarmouth catchment area, will remove the remaining sewage after fine screening to a sea area where it will safely disperse and degrade.

Bovine Spongiform Encephalopathy

Mr. McFall: To ask the Minister of Agriculture, Fisheries and Food when he last met the National Farmers Union to discuss BSE.

Mr. Maclean: Ministers in this Department are in regular discussion with the National Farmers Union on a wide range of issues, including BSE.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will publish by means of a press release each month until November 1990, the reported cases of bovine spongiform encephalopathy by county in England and Wales and by region in Scotland.

Mr. Gummer: Yes; I will issue a press release showing the numbers of suspect cases placed under restrictions each month by county and region. The information will be published one month in arrears to ensure its accuracy.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many reported cases of bovine spongiform encephalopathy there have been in each county in England and Wales and each region in Scotland in the last month; and what are the cumulative totals by county.

Mr. Gummer: The table sets out the number of BSE suspects placed under restriction in June 1990, the most recent complete month, and the cumulative number of such suspects reported since 21 June 1988, when the disease became notifiable, up to 30 June 1990.

Region and County	*Suspects Reported June 1990*	*Cumulative Total*
Northern		
Cleveland	2	28
Cumbria	24	333
Durham	3	80
Humberside	7	96
Northumberland	7	84
Tyne and Wear	—	2
Yorkshire North	52	686
Yorkshire South	6	52
Yorkshire West	12	86
Midlands and West		
Cheshire	35	433
Derbyshire	20	257
Herefordshire and Worcestershire	15	382
Lancashire	42	421
Leicestershire	33	430
Manchester	1	16
Merseyside	1	9
Nottinghamshire	11	120
Salop	28	486

Region and County	Suspects Reported June 1990	Cumulative Total
Staffordshire	21	373
West Midlands	—	13
Warwickshire	11	212
Eastern		
Bedfordshire	3	44
Cambridgeshire	5	71
Essex	8	87
Hertfordshire	4	91
Lincolnshire	6	152
Norfolk	23	262
Northamptonshire	11	150
Suffolk	22	213
South East		
Berkshire	7	118
Buckinghamshire	20	161
Hampshire	35	772
Isle of Wight	11	118
Kent	26	413
London	—	7
Oxfordshire	27	328
Surrey	11	201
Sussex East	13	255
Sussex West	31	480
South West		
Avon	37	371
Cornwall	79	1,440
Devon	116	2,059
Dorset	90	1,607
Gloucestershire	46	667
Somerset	92	1,482
Wiltshire	64	1,168
Wales		
Clwyd	13	191
Dyfed	49	692
Glamorgan Mid	5	43
Glamorgan South	3	55
Glamorgan West	1	14
Gwent	6	146
Gwynedd	5	70
Powys	13	210
Scotland		
Borders	1	21
Central	1	29
Dumfries	7	142
Fife	2	45
Grampian	16	187
Highland	4	41
Lothian	1	25
Orkney	—	12
Shetland	—	2
Strathclyde	9	201
Tayside	4	67
Total	1,258	19,509

Cattle Records

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he intends his new breeding and movement records scheme for cattle to be compulsory; and if he will make a statement.

Mr. Gummer: Yes.

Fishing Grants

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food when he expects to release fishing grants *(a)* United Kingdom 0-144-89, *(b)* United Kingdom 0-122-89, *(c)* United Kingdom 0-117-89 and *(d)* United Kingdom 0-113-89.

Mr. Curry: The beneficiaries concerned can expect to receive payment within the next seven days.

Intervention Stores

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the amounts in weight of *(a)* butter, *(b)* beef and *(c)* wheat which have been in intervention in each of the last 12 months; and if he will make a statement.

Mr. Maclean: The information requested is available from the monthly notes deposited in the Library of the House.

Agriculture Council

Mr. John Greenway: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the Agriculture Council held in Brussels on 24 July.

Mr. Gummer: I represented the United Kingdom at this meeting together with my hon. Friend the Member for Skipton and Ripon (Mr. Curry), the Parliamentary Secretary in my Department.

Discussion concentrated on the GATT negotiations. The Council noted that it had been agreed that the text produced by the chairman of the GATT agriculture negotiating group would be used as a means of intensifying the negotiations. The Council agreed that it was important that CAP mechanisms should be protected during these negotiations, subject to the agreement already reached that support should be reduced substantially, and progressively and taking account also of the need to secure a satisfactory outcome. I made clear the United Kingdom's support for the Community's demand that agricultural subsidies should be assessed fairly and diminished on an equitable basis. I also supported strongly the Commission's insistence that all agricultural products were subject to the negotiations and that there could be no question of excluding products of particular regions of Europe. Discussion is likely to be resumed in the Council in the autumn.

I emphasised the need for the Commission to ensure orderly marketing of soft fruit imported from eastern Europe into the Community. Very low prices do nothing to help eastern European producers while hitting our own.

HOME DEPARTMENT

Sports Grounds (Safety)

Mr. John Carlisle: To ask the Secretary of State for the Home Department if he will make a statement on the progress made in implementing the recommendations made by Lord Justice Taylor in respect of the safety of sports grounds.

Mr. John Patten: Our initial response to Lord Justice Taylor's final report on the Hillsborough stadium disaster

was summarised in my right hon. and learned Friend's statement on 29 January at columns 19-22, and our detailed interim responses to its 76 specific recommendations were set out more fully in the schedule placed in the Vote Office on that date.

A large number of the safety recommendations contained in the final report were originally included in Lord Justice Taylor's interim report. Our information is that they and many of the non-urgent safety recommendations were largely and quickly implemented by the responsible authorities. Of the main recommendations of the final report still outstanding, we have made it clear that the primary responsibility for the reduction of standing accommodation at football league clubs in accordance with the timetable proposed by Lord Justice Taylor rests with the clubs themselves. The Football Licensing Authority, whose chairman has now been named and which will become fully operational as quickly as possible, will provide in England and Wales the national inspectorate and review body recommended in the report. It will also examine the plans which league clubs have made and advise us, in due course, whether progress towards all-seated accommodation is satisfactory. Powers are available under section 11 of the Football Spectators Act 1989 to enforce that progress, if they are needed. We are still considering the application of these particular recommendations to sports other than football.

The Football Association and the Football League have agreed, as recommended in the report, to set up an advisory design council. The report's recommendations on offences and penalties are still under active consideration by the Home Office. The "Guide to Safety at Sports Grounds" is currently being revised, by the Home Departments with the assistance of a working group of experts, with a view to publication in the autumn.

Recommendations addressed to the police and the co-ordination of emergency services have, so far as practicable, been complied with. New guidance on the charges to be made by police authorities to clubs for the cost of policing inside grounds has been drafted and will be issued after the current round of consultation has been completed.

Prisons (Planning Applications)

116. **Mr. Gregory:** To ask the Secretary of State for the Home Department how many planning applications in respect of prisons have been approved since 1979; and if he will make a statement.

Mr. Waddington: Since 1979, 23 prisons have received planning clearance either from the local planning authority or my right hon. Friend the Secretary of State for the Environment. They are as follows:

ALREADY OPEN
Wayland, Norfolk
Stocken, Leicestershire
Thorn Cross, Cheshire
Full Sutton, York
Littlehey, Cambridgeshire
Mount, Hertfordshire
Swaleside, Sheppey
Garth, Lancashire

UNDER CONSTRUCTION
Brinsford, Staffordshire
Bullingdon, Oxfordshire
Whitemoor, Cambridgeshire
Belmarsh, Woolwich
Moorland, Doncaster
Lancaster Farms, Lancashire
Woodhill, Buckinghamshire
Elmley, Sheppey
Blakenhurst, Worcestershire
Holme House, Tees-side
High Down, Banstead
Everthorpe, Humberside
Ashford, Middlesex
Doncaster, South Yorkshire
Marchington, Staffordshire

Police (Traffic Activities)

Mr. Gerald Bowden: To ask the Secretary of State for the Home Department what information he has on the percentage of police strength deployed on traffic activities; and what is the estimated cost of the policing resources which are absorbed by traffic-related tasks.

Mr. Peter Lloyd: In 1989 approximately 8 per cent. of the total police strength in England and Wales was deployed on specialist traffic duties. The proportion of non-specialist officer's time spent on traffic matters is not recorded. The cost of police resources devoted to traffic-related tasks could not therefore be reliably estimated.

Mr. Ward: To ask the Secretary of State for the Home Department what discussions he has had with the Football Association and the Football League about implementation without delay of the recommendations contained in Lord Justice Taylor's report into the Hillsborough stadium disaster.

Mr. John Patten: My right hon. and noble Friend the Minister of State has had such a discussion on behalf of my right hon. and learned Friend. My right hon. and learned Friend was unable to attend because of an urgent commitment in the House. My right hon. and noble Friend has also written to both organisations making clear the Government's view that it is for the football clubs in the first instance to respond to the recommendations in Lord Justice Taylor's report which are addressed to them. We shall be looking to the Football Licensing Authority in due course to keep us informed about progress. In the meantime arrangements have been made for regular meetings between officials of the Football Association, the Football League and the Government Departments most closely concerned, at which such matters can be discussed.

Mr. Ward: To ask the Secretary of State for the Home Department if he will impose strict annual targets on British football clubs for introducing seating for spectators.

Mr. John Patten: We have no plans to do so. The primary responsibility for responding to Lord Justice Taylor's recommendations for the progressive removal of standing accommodation rests with the football clubs themselves. Provided that satisfactory progress is being made towards the final target dates of 1994 for first and second division clubs, and 1999 for third and fourth division clubs, we will not expect clubs to comply with a rigid programme for the reduction of standing accommodation or for the introduction of additional seating.

Forensic Pathology

Mr. Dalyell: To ask the Secretary of State for the Home Department, pursuant to his answer of 29 January, *Official Report,* column *21,* what is the result of his study of recommendation 3.32 of the Wasserman report on forensic pathology.

Mr. Peter Lloyd: As my right hon. and learned Friend announced in reply to a question from my hon. Friend the Member for Westminster, North (Sir J. Wheeler) on 19 July, we have accepted the proposals of the working party on forensic pathology including the recommendation contained in paragraph 3.32 that the Home Office, on the advice of the proposed policy advisory board for forensic pathology, should fund a number of senior lectureships in departments of forensic pathology/forensic medicine. We now await the advice of the board on this matter.

Private Security Firms

Mr. Michael: To ask the Secretary of State for the Home Department if he will list the recommendations of his working group on the private security industry; and if he will make a statement.

Mr. Waddington: I am considering, in the light of the working group's report, a range of options for improving the regulation of the private security industry. When consideration of the issues has been completed, I will decide what circulation to give to the report and its recommendations.

Animal Procedures Committee

Mr. Andrew Hargreaves: To ask the Secretary of State for the Home Department whether he has received the annual report of the Animal Procedures Committee for 1989; and when he intends to lay copies of the report before Parliament.

Mr. Waddington: I have laid before Parliament copies of the third annual report of the Animal Procedures Committee which will be published today by Her Majesty's Stationery Office as HC581.

I welcome this report, which reveals the care which the committee has taken in tackling a number of difficult issues. The control of scientific procedures on living animals is always a matter of great sensitivity and it is reassuring to see that we have a statutory but independent body which safeguards the balance between the welfare of animals and the pursuit of scientific work of real value.

I am grateful to the members of the committee for the time and skill which they devote to these matters.

Somali Nationals

Mr. Wells: To ask the Secretary of State for the Home Department whether he intends to require Somali nationals who wish to transit the United Kingdom to obtain visas.

Mr. Peter Lloyd: Under the immigration rules, Somali nationals are already required to obtain visas to enter the United Kingdom. However, like most nationalities subject to a visa requirement, Somali nationals at present benefit from a concession whereby passengers who are booked on an onward flight leaving the United Kingdom within 24 hours of their arrival do not need visas. Because of the misuse of the concession by some Somali nationals who are not genuine transit passengers, we have decided to withdraw it with effect from 15 August. From that date, all Somali nationals intending to pass through immigration control, including transit passengers, will need to obtain a visa before setting out.

Police and Fire Services (Communications)

Mr. Norris: To ask the Secretary of State for the Home Department whether he has any plans to review radio communications in the police and fire services: and if he will make a statement.

Mr. Waddington: It is essential that the radio communications systems used by all the emergency services enable them to provide a prompt and effective response to incidents. There is also a need to ensure that those parts of the radio spectrum allocated to the emergency services are used efficiently and that the best value of money is achieved by investing in the most effective technology. Each service determines its own radio communications requirements and there is inevitably some risk of duplication of resources and incompatibility in the systems they adopt. I have therefore put in hand a review aimed at developing a coherent strategy for the police and fire services which takes advantage of the latest developments in radio communications to provide maximum flexibility of response and interoperability within and between the services. It will take account of radio communication arrangements in the national health service including the ambulance service.

Magistrates Courts (Computers)

Dr. Blackburn: To ask the Secretary of State for the Home Department how he intends to make available to prospective suppliers information about the standard specification for magistrates courts computer systems.

Mr. John Patten: Work on the standard specification is due to be completed by next autumn. We are willing to make working drafts available on request to any prospective suppliers in the interests of reducing the time needed to complete the development of computer systems meeting the specification. This must, however, be on the understanding that the drafts are subject to amendment as the project proceeds, that the Home Office cannot take any responsibility for the use made of this material in advance of invitations to tender and that it is not possible to undertake to enter into correspondence about the content of the drafts.

Asylum

Mr. Pawsey: To ask the Secretary of State for the Home Department if he will make a statement on his policy on persons seeking asylum who have not come to this country directly from the country in which they fear persecution.

Mr. Waddington: The United Kingdom is committed to its obligations under the 1951 United Nations convention relating to the status of refugees. In accordance with this convention, no refugee will be moved by the United Kingdom to a territory in which his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

It is an internationally accepted concept that a person fleeing persecution, who cannot avail himself of the protection of the authorities of a country of which he is a national, should normally seek refuge in the first safe country reached. I agree entirely with the concept. The convention's primary function is to give refugees who cannot turn to their own authorities the protection of the international community. It is an instrument of last resort —not a licence for refugees to travel the world in search of an ideal place of residence. Where protection issues do not arise, an application should therefore be dealt with in accordance with normal immigration criteria.

Accordingly, an application for asylum from a passenger who has arrived in the United Kingdom from a country other than the country in which he fears persecution, will not normally be considered substantively. The passenger will be returned to the country from which he embarked, or to another country in which he has been since he left the country of feared persecution or, if appropriate, to his country of nationality, unless I am satisfied that the country is one in which his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion, or that it would return him to such a country. However, in considering any individual case I shall take into account any evidence of substantial links with the United Kingdom which in my view would make it reasonable for the claim for asylum exceptionally to be considered here.

All western European countries which are signatories to the United Nations convention operate safe third-country procedures and the approach is consistent with the convention determining the state responsible for examining applications for asylum lodged in one of the member states of the European Communities signed in Dublin on 15 June 1990, but not as yet in force.

Firearms

Mr. Shersby: To ask the Secretary of State for the Home Department when he will lay before Parliament the annual report of the firearms consultative committee.

Mr. Waddington: I have placed in the Library a copy of the annual report of the Firearms Consultative Committee which is published today by Her Majesty's Stationery Office.

Drugs

Mr. Knowles: To ask the Secretary of State for the Home Department when he intends to reply to the seventh report from the Home Affairs Committee 1989-90 Session and the sixth (interim) report from the Home Affairs Committee, 1989-90 Session, on drugs.

Mr Waddington: The Government response is published today to the seventh report from the Home Affairs Committee on drug trafficking and related serious crime (HC 370) and to the sixth (interim) report "Crack: the threat of hard drugs in the next decade" (HC 356). Copies of the response (Cm 1164) have been placed in the Library.

As the response makes clear, we are very grateful to the Committee for the helpful and constructive nature of its reports and for the recommendations it has made. We have already acted on many of the recommendations.

We take a very serious view of the threat from cocaine in the form of crack, highlighted by the Committee in its interim report. We have reviewed our drugs strategy to ensure that it addresses the threat as fully and effectively as possible and measures have already been announced—notably the Home Office drugs prevention initiative—to help tackle it. We have also commissioned a major three-year research study on cocaine and "crack" prevalence looking at the extent and patterns of misuse and trends in misuse over time.

We share the Committee's view that strong action should be taken to combat money laundering and to deprive drug traffickers of their ill-gotten gains. A working group has been set up, as proposed by the Committee, to examine the potential for improving the operation of the confiscation and money laundering provisions of the Drug Trafficking Offences Act 1986.

We also share the Committee's view that international co-operation is vital in combating illicit trafficking in drugs and bringing those involved to justice. Enactment of the Criminal Justice (International Co-operation) Act 1990 will enable the United Kingdom to ratify both the 1988 United Nations convention against the illicit traffic in narcotic drugs and psychotropic substances and the 1957 European convention on mutual assistance in criminal matters, as recommended by the Committee. The Act also provides powers, proposed by the Committee, for Customs officers to detain cash which may represent the proceeds of drug trafficking.

The Government share the Committee's total opposition to the "legalisation" of drugs, together with its view that, while law enforcement must remain a vital part of the strategy for tackling drug misuse, this must be accompanied by effective measures to reduce the demand for drugs.

Mr. Rathbone: To ask the Secretary of State for the Home Department, further to his answer to the hon. Member for Lewes, *Official Report*, column *323*, on 12 July, what information on drug shipments or drug seizures from illegal trafficking from European countries or from other countries is shared with the United Kingdom's European partners and with international organisations; and what limitations are applied to such information transferred.

Mr. Waddington: There are extensive and increasing exchanges of intelligence and operational information between United Kingdom Customs and police services and those of our European partners, and of other countries with which we have co-operation arrangements, about illicit drugs shipments. Where possible, the information is channelled through drug liaison officers or via Interpol, but in cases of urgency there may be direct contact between operational commanders in the countries concerned. Drug seizures are reported by the United Kingdom Customs and police to Interpol, which publishes annual statistics. In addition, Customs seizures are reported to the Customs Co-operation Council which, as well as producing annual statistics, issues bi-monthly bulletins notifying member states of major seizures, smuggling concealments and drug trends.

The provision of such information is governed by the United Nations conventions of 1961 and 1971 relating to narcotic drugs and psychotropic substances; the Naples convention of 1967 for the provision of mutual assistance between states; the Nairobi convention of 1977 for the

provision of mutual international administration assistance for the prevention, investigation and repression of Customs offences; and bilateral memoranda of understanding. The sharing of such information is limited by considerations of public policy, data protection and the interests of justice.

Arrests

Ms. Gordon: To ask the Secretary of State for the Home Department how many people were arrested by the police in England and Wales in 1986, 1988, and 1989.

Mr. Waddington: The available information relates to arrests for all types of offence, but excludes the Metropolitan police disrict. There were 1,207,000 such arrests in 1986, 1,337,000 in 1988 and 1,464,000 in 1989.

Romanian Orphans

Mr. Alton: To ask the Secretary of State for the Home Department how many adoptions of Romanian children have been authorised in the past 12 months; how many families are known to have expressed an interest in the adoption of Romanian children; and what progress is being made with measures to enable British families more easily to adopt Romanian orphans.

Mr. Peter Lloyd: The available information relates to entry clearance applications made at the British embassy in Bucharest for Romanian children to come for adoption in the United Kingdom. Thirteen such applications have been approved since March 1990 when the first such application was made. Thirty-four further applications have been referred to the Immigration Department of the Home Office and are being considered; 26 of these have been made since the beginning of July. We are reviewing the procedures for dealing with overseas adoptions together with the Department of Health and the Foreign and Commonwealth Office to see whether they can be streamlined further while continuing to provide proper protection for the children involved.

Hindley Remand Centre

Mrs. Wise: To ask the Secretary of State for the Home Department (1) how many people have inflicted serious injuries on themselves, but have not been classified as attempted suicide, at Hindley remand centre in *(a)* 1988, *(b)* 1989 and *(c)* 1990 to date;

(2) how many people have attempted suicide at Hindley remand centre, but have been saved, during *(a)* 1988, *(b)* 1989 and *(c)* 1990 to date;

(3) how many people have committed suicide at Hindley remand centre during *(a)* 1988, *(b)* 1989 and *(c)* 1990 to date.

Mr. Waddington *[holding answer 23 July 1990]:* The numbers of inmates who have (i) inflicted injuries on themselves that were not regarded as suicide attempts (ii) been recorded as having attempted suicide, or (iii) died at their own hand at HM prison Hindley since 1 April 1987 are shown in the table. Incidents of self-injury are not classified according to their seriousness.

	Self-injuries	*Attempted suicides*	*Deaths at the prisoner's own hand*
1 April 1987—30 March 1988[1]	12	5	—
1 April 1988—30 March 1989[1]	34	16	—
1 April 1989—30 March 1990[1]	182	25	[2]2
1 April 1990—18 July 1990	15	16	[2]2

[1] Hindley changed its role in summer 1988 from being a youth custody centre for sentenced young offenders serving terms of 4 months or over to a centre for unconvicted males under 21.

[2] Inquests have not yet been held on an inmate who died in February 1990 and on two inmates who died in June 1990. A verdict of suicide was returned on an inmate who died in October 1989.

Broadcasting

Mr. Forman: To ask the Secretary of State for the Home Department if he will make a statement outlining his policy on the future of Greater London Radio.

Mr. Nicholas Winterton: To ask the Secretary of State for the Home Department what steps he intends to take to encourage the British Broadcasting Corporation to develop still further its commitment to local public service radio.

Mr. Dykes: To ask the Secretary of State for the Home Department whether the remarks made by the Minister of State, the right hon. and learned Member for Putney (Mr. Mellor), about Greater London Radio in a speech of 16 May to a conference on independent radio represent the policy of his Department; and if he will make a statement.

Mr. Waddington *[holding answer 24 July 1990]:* As explained in the Green Paper "Radio: Choices and Opportunities" published in 1987, the Government believe that there continues to be a case for BBC local radio, providing a distinctive service alongside a growing independent radio sector. It is, however, for the BBC to determine the extent of its commitment to local radio within the financial and other resources available to it. Bearing in mind increasing demand for frequencies, it is also important that those currently occupied by BBC stations should be used effectively. I will be interested to see the outcome of the BBC's forthcoming review of the operation of Greater London Radio, Greater Manchester Radio and Radio WM. More generally, the BBC's role in radio will be considered during the review leading to the renewal of the BBC's charter in 1996.

HOUSE OF COMMONS

Petitions

Mr. Cohen: To ask the Lord President of the Council how many petitions were presented in each of the last five years; and how many received replies from the relevant Department.

Sir Geoffrey Howe: The information requested is as follows:

Session	Number of public petitions presented	Number of petitions on which Government observations have been made
1984-85	1,059	45
1985-86	516	28
1986-87	108	8
1987-88	356	156
1988-89	227	52
1989-90[1]	1,002	149

[1]To 20 July 1990.

Members' Facilities

Sir Geoffrey Finsberg: To ask the Lord President of the Council, pursuant to his answer to the hon. Member for Hampstead and Highgate on 23 July, if he will list the minor services and facilities which are not available during the recess stating, in each case, what the practical or economic reason is and in the latter case the savings expected.

Sir Geoffrey Howe: I shall write to my hon. Friend.

ENERGY

Shell Petroleum (Pipeline)

118. **Mr. Hind:** To ask the Secretary of State for Energy how many representations he has received concerning Shell Petroleum's proposal to build an ethylene pipeline from Grangemouth in Scotland to Merseyside; and if he will make a statement.

Mr. Wakeham: A total of 263 representations were received concerning this proposal. A public inquiry was held in Haydock, Grangemouth and Carlisle between 5 and 29 June 1990. The inspector's report is expected in the autumn and I will give my decision in due course.

Nuclear Power

Mr. Speller: To ask the Secretary of State for Energy when he expects to respond to the report of the Select Committee on Energy on the cost of nuclear power.

Mr. Wakeham: I have today placed copies in the Library of the House and the Vote Office of the Government's observations on the Select Committee's reports on the cost of nuclear power and the flue gas desulphurisation programme.

Electricity Distribution

Mr. Morgan: To ask the Secretary of State for Energy when he next expects to meet the 12 chairmen of the electricity distribution companies regarding their gearing ratio in the private sector.

Mr. Baldry: I refer the hon. Member to the answer that my right hon. Friend the Secretary of State gave on Monday 23 July to the hon. Member for Redcar (Ms. Mowlam).

Nuclear Tests

Mr. Strang: To ask the Secretary of State for Energy if he will make a statement on the convention for the physical protection of nuclear materials; and if he will list those states that have ratified it.

Mr. Baldry: The United Kingdom hopes to ratify the convention, along with other European Community member states, in the autumn. In the meantime, we follow the guidance of the convention on practical measures for the physical protection of nuclear material and for movements between states.

Those countries which have ratified or acceded to the convention are:

Australia
Austria
Argentina
Brazil
Bulgaria
Canada
China
Czechoslovakia
Finland
German Democratic Republic
Guatemala
Hungary
Indonesia
Japan
Korea (Republic of)
Liechtenstein
Mexico
Mongolia
Norway
Paraguay
Philippines
Poland
Sweden
Switzerland
Turkey
Union of Soviet Socialist Republics
United States of America
Yugoslavia

Sellafield THORP

Mr. Strang: To ask the Secretary of State for Energy if the safeguards regime developed for the thermal oxide reprocessing plant at Sellafield will be able to verify a complete separation of civil and military reprocessing.

Mr. Baldry: The thermal oxide reprocessing plant at Sellafield will be used for the reprocessing of civil nuclear material only.

Britoil

Mr. Dobson: To ask the Secretary of State for Energy whether he considered selling the golden share in Britoil to BP; and if he will estimate what this would have raised for the Exchequer.

Mr. Wakeham: No. The special rights preference share in Britoil could be held only by a Minister of the Crown or the Treasury Solicitor.

Gas Sales

Mr. Arbuthnot: To ask the Secretary of State for Energy if he will make a statement on the results of the Government's monitoring of gas sold to the market by suppliers other than British Gas for the period 1 June 1989 to 31 May 1990.

Mr. Wakeham: Thirty per cent. of the new gas contracted during the period 1 June 1989 to 31 May 1990 was sold to purchasers other than British Gas. Of this 30 per cent., 98 per cent. was sold to the power generation market. The remaining 2 per cent., or about half of 1 per cent. of the total gas contracted in the monitoring period,

was contracted for sale to the general industrial and commercial gas market. Actual deliveries of new gas to industrial and commercial customers by suppliers other than British Gas were very small during the monitoring period.

NORTHERN IRELAND

Maternity Services

Ms. Harman: To ask the Secretary of State for Northern Ireland if he will list the hospitals in Northern Ireland which had consultant obstetric and/or maternity beds in 1980, 1985 or the most recent year for which information is available and the numbers of beds of each type in each hospital in each year.

Mr. Needham: The information for 1980 is not available in the form requested. The information for 1981 and 1988-89 is as follows:

Average available maternity beds in Northern Ireland

Hospital	*Consultant obstetric*		*GP maternity*	
	1981	*1988-89*	*1981*	*1988-89*
Ulster	44·2	44·2	—	—
Mater	24·2	24·0	—	—
Royal Maternity	110·0	93·6	—	—
Belfast City	79·0	64·7	—	—
Samaritan	2·7	—	—	—
Quoile	25·5	—	—	—
Lagan Valley	42·8	43·0	—	—
Ards	29·0	25·0	—	—
Malone Place	—	—	9·0	—
Bangor	—	—	16·0	—
Downe	—	24·0	—	—
Route	19·0	19·0	—	—
Moyle	28·0	23·1	—	—
Carrickfergus	14·0	6·4	—	—
Mid Ulster	31·0	31·0	—	—
Massereene	—	—	16·0	—
Waveney	24·3	25·0	—	—
Mary Rankin	—	—	16·0	—
Robinson Memorial	—	—	12·0	14·0
Dalriada	—	—	6·0	3·5
Cushendall	—	—	4·0	2·3
Ballymena Cottage	—	10·0	26·0	16·0
South Tyrone	31·9	31·6	—	—
Craigavon Area	61·9	63·2	—	—
Banbridge	—	—	12·0	4·7
Daisy Hill	43·0	52·0	—	—
Newry General	3·0	—	—	—
Mourne	—	—	6·0	—
Tower Hill Maternity	—	—	8·0	4·0
St. John of God	—	—	7·7	—
Altnagelvin	63·0	49·8	—	20·9
Omagh General	3·7	—	2·2	—
Tyrone County	21·6	34·6	—	—
Erne	39·0	37·5	—	—
Anderson House	—	—	23·0	—
Roe Valley	—	—	13·0	—
Strabane	—	—	13·0	—

Teachers

Mr. Beggs: To ask the Secretary of State for Northern Ireland what guidance is being given to school governors in respect of the making of economies by *(a)* employing fewer teachers, *(b)* employing younger teachers or teachers of a lower level on the incremental scale, *(c)* refusing to allocate the full complement of promotional allowances, *(d)* not appointing teachers to provide substitute cover for absent teachers, *(e)* delaying the appointment procedure to replace a teacher who has retired or resigned and *(f)* excluding from appointment consideration teachers of child-bearing age.

Dr. Mawhinney: None. Information on the operation of local management of schools, which will apply from 1 April 1991, has been sent to all boards of governors.

Prisoners

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland how many prisoners from England, Wales, Scotland and the Irish Republic are currently serving a prison sentence in Northern Ireland.

Mr. Cope: According to records held centrally 87 sentenced prisoners are recorded as born in Great Britain (records do not differentiate between those born in England, Scotland or Wales) and 20 as born in the Republic of Ireland.

Northern Ireland Tourist Board

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will publish the balance sheet for the New York office of the Northern Ireland tourist board for the last three years.

Mr. Needham: No separate balance sheet is drawn up for the New York office of the Northern Ireland tourist board. Expenditure by the board on its north American activities is shown in the statement of account published as part of the board's annual reports, copies of which are placed in the Library.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will make a statement about the alleged embezzlement of public money in the operation of the Northern Ireland tourist board in the United States of America.

Mr. Needham: In March 1990 a member of staff of the Northern Ireland tourist board employed in the New York office was dismissed on grounds of misconduct arising from the misuse of public funds. The amount in question was fully recovered.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people have been dismissed from the New York office of the Northern Ireland tourist board in each of the last two years; and if he will give the reasons in each case.

Mr. Needham: Two members of the staff of the Northern Ireland tourist board employed in the New York office have been dismissed within the past two years. One was on grounds of inefficiency and the other was on grounds of gross misconduct involving misuse of public funds.

Labour Statistics

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table in the *Official Report* to show for the Londonderry, East constituency the number of unemployed *(a)* men, *(b)* women and *(c)* total unemployed, in each electoral ward in the constituency and for the wards of Ballymaquigan, Draperstown and Lecumpher in the Mid-Ulster constituency or as much of such information as is available to him.

Mr. Needham: The information requested for the Londonderry, East parliamentary constituency and the three named wards in the Mid-Ulster constituency form the district council areas Coleraine, Limavady and Magherafelt. The numbers unemployed in each of these wards at 14 June 1990, the latest date for which figures are available, are as follows:

Number of unemployed claimants in each ward on 14 June 1990
Limavady

	Male	Female	Total
1. Magilligan	98	21	119
2. Aghanloo	88	21	109
3. Forest	77	22	99
4. Upper Glenshane	104	28	132
5. Feeny	92	10	102
6. Dungiven	158	26	184
7. The Highlands	97	17	114
8. Glack	117	33	150
9. Gresteele	151	63	214
10. Ballykelly	114	75	189
11. Roeside	61	21	82
12. Rathbrady	58	32	90
13. Enagh	110	33	143
14. Coolessan	145	20	165
15. Binevenagh	130	40	170
Total	1,600	482	2,062

Number of unemployed claimants in each ward on 14 June 1990
Coleraine

	Males	Female	Total
1. Kilrea	97	16	113
2. Agivey	67	20	87
3. Knockantern	103	23	126
4. Dunluce	58	22	80
5. Royal Portrush	134	53	187
6. Hopefield	99	53	182
7. Atlantic	111	54	165
8. Portstewart	126	55	181
9. Strand	75	30	105
10. University	77	34	111
11. Ballysally	144	34	178
12. Central	173	42	215
13. Cross Glebe	99	15	114
14. Mount Sandel	82	50	132
15. The Cuts	97	49	146
16. Churchland	109	30	139
17. Waterside	81	42	123
18. Castlerock	114	27	141
19. Maccosquin	147	47	194
20. Ringsend	167	51	218
21. Garvagh	131	41	172
Total	2,291	788	3,079

Number of unemployed claimants in each ward on 14 June 1990
Magherafelt

	Male	Female	Total
1. Swatragh	133	33	166
2. Upperlands	74	25	99
3. Valley	91	28	119
4. Lower Glenshane	103	44	147
5. Maghera	166	43	209
6. Gulladuff	103	35	138
7. Tobermore	82	28	110
8. Knockcloughrim	60	39	99
9. Bellaghy	143	39	182
10. Castledawson	108	47	155
11. Draperstown	144	57	201
12. Lecumpher	81	40	121
13. Ballymaguigan	98	36	134
14. Town Parks West	102	47	149
15. Town Parks East	141	54	195
Total	1,629	595	2,224

Crime Statistics

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) what information he has available to indicate how many *(a)* men, *(b)* women and *(c)* juveniles charged in the last three years and in this year to date with (ii) possession of firearms, (i) possession of ammunition, (iii) possession of explosives, (iv) attempted murder and (v) murder were also charged with membership of an illegal organisation, showing for each category the numbers associated with each illegal organisation;

(2) how many *(a)* adult male and *(b)* adult female prisoners there were in prison in Northern Ireland at 30 June in each year from 1985 to 1990 found guilty of (i) membership of an illegal organisation (ii) possession of explosives, (iii) possion of ammunition, (iv) possession of firearms, (v) attempted murder and (vi) murder or as much information as is available to him;

(3) how many *(a)* men, *(b)* women and *(c)* juveniles charged with (i) murder, (ii) attempted murder, (iii) possession of firearms, (iv) possession of ammunition, (v) possession of explosives and (vi) membership of an illegal organisation, in each of the last five years and in this year to date have actually stood trial on those charges; and how many in each of those categories were (1) convicted (2) found not guilty and (3) convicted of a lesser charge.

Mr. Cope: I regret that in the time available it has not been possible to provide the information requested. I shall write to the hon. Gentleman as soon as possible.

Mr. William Ross: To ask the Secretary of State for Northern Ireland what information is available to him as to in how many cases bail has been granted to *(a)* men and *(b)* women charged with (i) possession of firearms, (ii) attempted murder, (iii) possession of ammunition, (iv) possession of explosives, (v) membership of an illegal organisation ad (vi) murder in each of the last three years and in the current year to date.

Mr. Cope: The information is not readily available and could be obtained only at disproportionate cost.

Police Complaints Commission

Mr. Burt: To ask the Secretary of State for Northern Ireland if he will arrange for copies of the annual report of the Independent Commission for Police Complaints for Northern Ireland to be laid before the House; and if he will make a statement.

Mr. Cope: The report has been laid today. This second report from the commission describes the work of the commission in the first calendar year of its existence. It clearly demonstrates the extent and importance of the work of a civilian body in overseeing the investigation of complaints against the police. It shows also that the commission has set for itself high standards of objectivity and fairness. That is entirely as it should be. I share with members of the commission the belief that arrangements to ensure that complaints are thoroughly and impartially investigated are essential if a police force is to have the trust and confidence of the community which it serves. I

have no doubt that the commission, which is wholly independent of both Government and the RUC, will continue to make a significant contribution to the strengthening of relationships between police and public. In all its efforts to this end, it can be assured of my full support.

Autopsies

Mr. Michael Morris: To ask the Secretary of State for Northern Ireland how many autopsies were carried out in Northern Ireland for the latest year for which information is available.

Mr. Needham *[holding answer 20 July 1990]:* The latest available information is as follows:

	Year ended	*Number*
State Pathology Service autopsies	31 December 1989	1,371
Hospital autopsies	31 December 1988	566

Needle Exchange Schemes

Mr. Strang: To ask the Secretary of State for Northern Ireland how many needle exchange schemes are currently operating in Northern Ireland.

Mr. Needham *[holding answer 23 July 1990]:* None.

Fair Employment Commission

Mr. William Ross: To ask the Secretary of State for Northern Ireland, pursuant to his answer to the hon. Member for Londonderry, East of 18 July, he will seek an assurance from the Fair Employment Commission that it will publish information on the community composition from individual monitoring returns from employers before 15 October.

Mr. Needham *[holding answer 24 July 1990]:* The Fair Employment Commission has announced that it will make available monitoring information in respect of individual concerns following receipt of the 1991 monitoring returns.

Mr. William Ross: To ask the Secretary of State for Northern Ireland whether the information on the Fair Employment Commission sought by the hon. Member for Londonderry, East in written questions answered on 18 July is held on a computer which may be used to extract such information by reference to geographical area or by post code.

Mr. Needham *[holding answer 24 July 1990]:* The Fair Employment Commission is in the process of developing its information systems. Information on registered concerns, including their geographical location, is currently held on a temporary computer system and is being validated for transfer to a permanent computer system in the autumn. It was therefore not possible readily to provide the information requested by the hon. Gentleman.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will request the Fair Employment commission to carry out an investigation into the community composition of the work force employed by the Inner City Trust, Londonderry.

Mr. Needham *[holding answer 24 July 1990]:* No. I would refer the hon. Gentleman to the reply I gave on 10 July, vol. 176, column *156*.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Northern Ireland if he will make a statement on the achievements of *(a)* his policies and *(b)* his office and the Northern Ireland Departments in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Needham *[holding answer 24 July 1990]:* The Government have continued to place a high priority on helping small businesses, through improvements to the business climate, through deregulation and other measures, and through specific programmes of support and assistance. The success of their policies is demonstrated by the latest statistics which show a record increase in the number of businesses registered for VAT in the United Kingdom, of 1,700 a week during 1989. Over the decade the overall increase has been 373,000. These figures include 1,100 net registrations for Northern Ireland in 1989 compared with 600 for 1988.

Government policy in relation to small businesses in Northern Ireland is administered through the Local Enterprise Development Unit (LEDU) which is funded by the Department of Economic Development. The table sets out a number of indicators comparing the results of LEDU's performance between 1988-89 and 1989-90.

	1988-89	*1989-90*
Jobs promoted	5,004	5,944
Cost per job	£4,804	£4,344
LEDU percentage contribution to project costs	32	31
Number of offers made	943	1,122
Grant commitments £ million	22·112	24·412

EMPLOYMENT

Labour Statistics

Mr. Oppenheim: To ask the Secretary of State for Employment what has been the level of unemployment in the Amber Valley parliamentary constituency or the closest corresponding area, each year since 1975 up until the latest year for which figures are available.

Mr. Jackson: Unemployment figures by parliamentary constituency are available only from June 1983. The following information is available in the Library. The table shows the annual average number of unemployed claimants in the Amber Valley parliamentary constituency for the years 1983 to 1989.

The annual average number of unemployed claimants in the Amber Valley parliamentary constituency

Year	*Number*
[1]1983	3,475
1984	3,757
1985	4,167
1986	4,242
1987	3,841
1988	3,202
1989	2,333

[1] Average of the seven months June to December 1983

The comparison is affected by the changes in the coverage of the count that have occurred over the period. Comparable figures for earlier years are not available on the same geographical basis.

Women Workers

Mr. Meacher: To ask the Secretary of State for Employment, pursuant to his answer on 9 July, *Official Report*, columns *97-98*, what comparable information he has on the attitudes of women without dependent children and men.

Mr. Forth: The 1984 British social attitudes survey asked all those in paid work (of at least 10 hours per week) to give their main reason for working.

The results for women without dependent children were as follows:

	Per cent.
Need for basic essentials	47
Enjoy working	12
To earn money of my own	12
To follow my career	10
To earn money to buy extras	9
Working is the normal thing to do	4
For the company of other people	3
For a change from my children or housework	1
Other reasons	2
The results for all men were:	
Need money for basic essentials	71
Working is the normal thing to do	9
Enjoy working	7
To follow my career	5
To earn money of my own	4
To earn money to buy extras	2
For the company of other people	0
For a change from my children or housework	0
Other reasons	1

(Percentages total less than 100 per cent. due to rounding)

Sunday Trading Laws

Mr. Rathbone: To ask the Secretary of State for Employment what he estimates would be the effect on employment of relaxing the present Sunday trading laws.

Mr. Forth: No such estimates are available.

Earnings

Mr. Austin Mitchell: To ask the Secretary of State for Employment if he will publish a table showing the increase in average weekly earnings of full-time adult male *(a)* manual workers in manufacturing and *(b)* non-manuals in the private sector, less manufacturing, together with his estimate of the increase in unit labour costs in manufacturing and non-manufacturing, respectively, since 1979.

Mr. Forth: I refer the hon. Member to the reply given to him in the last Session *(Official Report,* 1 November column *240)* for the increase in earnings of manual workers in manufacturing. Figures are not readily available for non-manuals in the private sector less manufacturing and would involve disproportionate cost to compile.

Figures for unit labour costs in manufacturing are given in table 5·7 of *Employment Gazette*. Unit labour costs in non-manufacturing would involve disproportionate cost to compile.

Training Expenditure

Mr. Austin Mitchell: To ask the Secretary of State for Employment if he will estimate the contribution which an increase in expenditure on training would make to reducing the trade deficit in the foreseeable future.

Mr. Jackson: I am replying as training is a matter for my Department.

The existing substantial investment by employers and Government in training makes an important contribution to Britain's competitiveness, but the crucial factor in creating a world-class work force is the effectiveness of that investment.

Technical and Vocational Education Initiative

Mr. John Evans: To ask the Secretary of State for Employment what steps have been taken by his Department to maximise the investment in the technical and vocational educational initiative spent on capital products.

Mr. Jackson: The aim of the technical and vocational education initiative (TVEI) is to prepare young people aged 24 to 18 for the demands of working life. Funds are used to provide additional teaching and other posts, INSET training, curriculum development, work experience, flexible learning methods etc, not simply capital equipment.

Mr. John Evans: To ask the Secretary of State for Employment if he will list in the *Official Report* the planned expenditure on technical and vocational education initiative in St. Helens in each of the next five years.

Mr. Jackson: The planned expenditure on TVEI in St. Helens in the financial year 1990-91 is £238,000. Future years' expenditure will depend upon resources available, although the Government are committed to spending £900 million over the period of TVEI extension and each authority will receive its full share over the life of its project.

Careers and Occupational Information Centre

Mr. Marlow: To ask the Secretary of State for Employment whether he will make a statement about the future of the careers and occupational information centre.

Mr. Howard: I want to ensure that COIC continues to provide its existing or a better level of service to its customers, including young people in schools and people with special needs, in the most efficient and cost-effective manner.

I have therefore decided to commission a feasibility study to consider the options for the future of COIC, including the options for transferring the centre to the private sector, to assess their financial and other implications and to make recommendations.

I shall consider the results of the feasibility study in the light of the results of my Department's internal review of careers guidance, which was announced on 10 May.

Efficiency Scrutiny

Mr. Pawsey: To ask the Secretary of State for Employment when he intends to publish the report of the efficiency scrutiny of take-up of his Department's programmes.

Mr. Howard: I have today placed copies of the report on the scrutiny of take-up of Employment Department programmes in the Libraries of this House and of another place. Copies of the report have also been sent to members of the Select Committee on Employment. Further copies are available on request from my Department.

My predecessor set up the scrutiny because of his concern—which was shared by the Select Committee on Employment and other hon. Members—about the failure of a significant number of long-term unemployed people to take up places on our progammes after they had expressed an interest in doing so and the tendency of others to leave programmes prematurely after very brief participation. The scrutiny team was asked to recommend cost-effective methods of substantially increasing both levels of take-up and length of participation on the programmes most affected.

We welcome the scrutiny team's report, which we believe contains some practical suggestions to deal with the problem. Overall, we have accepted the great majority of the scrutiny report's 22 main recommendations in full or in part. Most people who enter our programmes for the long-term unemployed are referred by the employment service, in particular as a result of restart interviews. The majority of the recommendations in the scrutiny report are therefore addressed to the employment service. Since receiving the report, we have already taken a number of important steps to implement the main recommendations.

First, we announced a package of measure to improve the employment service's claimant advice functions. These include particularly the introduction of "back to work" plans recording specific agreed action at the end of advisory interviews which can be followed up on a regular basis; the adoption of a caseload approach to claimant advice, so that unemployed people are, where possible, seen and followed up by the same person; and systematic follow-up of everyone who agrees at a restart interview to go to a place on one of the Department's programmes but fails to attend.

Secondly, we have introduced an intensive programme of guidance and advice over a six-week period for the minority of unemployed people who are still unemployed after two years, designed to put them back on the road to a job.

Thirdly, we have announced that we plan to require attendance at a restart course for those who have been unemployed for two years or more and who at subsequent restart interviews refuse to participate in any of my Department's employment and training programmes. Our experience suggests that many people who are initially reluctant to go on these courses find that in fact the courses give them positive support and help in getting back into work. We shall continue to keep the situation in this area under review.

Other recommendations in the report are directed to the Training Agency and TECs or more generally at the way the Department organises its programmes. We are taking steps to implement these, including the following action:

in response to the report's recommendation that we should reorganise the way in which we deliver assessment services for long-term unemployed people, we have decided that TECs should be encouraged to develop the services that they are offering, in close co-operation with the employment service. We shall be asking them to explore ways of improving and making more widely available the kind of assessment and action planning which now takes place within ET;

encouraging TECs and the employment service to use the new programme flexibilities which are available to TECs and other programme development funds to adjust our programmes to meet the needs of as wide a range of long-term unemployed people as possible. This is in response to the report's recommendation that Ministers should consider whether the present range of programmes is adequate to meet the needs of all long-term unemployed people;

drawing to the attention of TECs those recommendations which are aimed at them, and encouraging the closest possible co-operation between TECs and the employment service to ensure that we maximise the contribution that each can make to helping long-term unemployed people.

My right hon. and learned Friend the Secretary of State for Scotland will be taking similar action in Scotland in respect of local enterprise companies.

This series of measures should have a significant impact on improving take-up of our programmes and reducing drop-out. We shall monitor this closely. But it is important to keep the problem in perspective. Existing levels of take up on employment training, for example, are already an improvement on previous programmes and, on the scrutiny's own findings, well ahead of performance in those other countries on which the scrutiny could obtain information. The measures that we are now putting in place will enable us to do even better.

Enterprise Allowance

Miss Widdecombe: To ask the Secretary of State for Employment whether he will make a statement on the enterprise allowance scheme.

Mr. Forth: I am pleased to announce that I have recently invited a small number of operational TECs to pilot measures aimed at helping EAS participants to become better prepared for running their own businesses. Pilots will include a variety of elements such as preparation of business plans, business assessment and additional business training and counselling.

Employment Rehabilitation Service

Mr. Kirkhope: To ask the Secretary of State for Employment whether he is now able to make a statement on plans to transfer the employment rehabilitation service to the employment service.

Mr. Jackson: My right hon. and learned Friend has decided that the employment rehabilitation service will transfer from the Training Agency to the employment service on 1 August 1990 where it will be located alongside the other specialist disability services. Longer-term issues about the organisation of employment assessment and rehabilitation are discussed in the consultative document, "Employment and Training for People with Disabilities", which was published on 29 June and on which comments are invited by 31 December.

EDUCATION AND SCIENCE

Parental Encouragement

Mr. David Nicholson: To ask the Secretary of State for Education and Science what guidance he gives to local education authorities regarding the acceptance of parental

encouragement and assistance regarding pupils' school work; and what representations he has received on this subject.

Mr. Eggar: My right hon. Friend gives no general guidance to local education authorities on these matters. As far as assistance with pupils' course work for GCSE examinations is concerned, teachers are required in submitting course work to certify that the work is that of the candidate. My right hon. Friend from time to time receives correspondence on this issue.

School Holidays

Mr. Allen: To ask the Secretary of State for Education and Science if he will list in table form the information available to him on the dates and lengths of the school holidays taken in each of the G7 countries including the United Kingdom in the last year for which figures are available.

Mr. Fallon: The Department does not collect information on the dates of school holidays in England. Powers to determine the dates of school terms and holidays rest with the LEA in the case of county and controlled schools and with the governors of aided, special agreement and grant-maintained schools. The Department does not collect information about the dates of school terms and length of holidays in other countries.

Bogus Degrees

Mr. Win Griffiths: To ask the Secretary of State for Education and Science if he will give details of each occasion when Her Majesty's inspectors have investigated claims made under the bogus degree legislation involving the names of the institutions, the circumstances in which the investigations came to be made, the results of the investigations, the cost of each; and by whom these costs were borne.

Mr. Alan Howarth: I assume the hon. Member's interest is in the investigation of potentially fraudulent claims caught within the remit of the bogus degree legislation. It is not Her Majesty's inspectors' responsibility to investigate such claims. Under section 215(1) it is the duty of every local weights and measures authority to enforce the provisions of section 214 of the Act within their area.

University Students

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will list for each university *(a)* the total fee support grant allocated by the Universities Funding Council, *(b)* the number of part-time students and *(c)* the number of self-financing students, for the latest year for which figures are available.

Mr. Alan Howarth: The shift in public funding of universities from the block grant to the fee paid as part of the mandatory awards arrangements relates to home and EC award holders on designated courses. The following table shows the element in the Universities Funding Council block grants to universities for academic year 1990-91 based on the number of self-financing full-time and part-time students on designated and other courses. It is for the universities themselves to set fee levels, and to dispose of their block grant and fee income as they judge best. The table also shows total numbers of university part-time home and overseas students in 1988-89.

Universities fees support grants and part-time students

	UFC fees support grant[1] *1990-91 £ million*	*Part-time students*[2] *1988-89*
Aston	—	473
Bath	0·072	506
Birmingham	0·360	1,253
Bradford	0·106	690
Bristol	0·274	545
Brunel	0·058	1,076
Cambridge	0·197	1,144
City	0·081	1,268
Durham	0·193	469
East Anglia	0·206	542
Essex	0·111	180
Exeter	0·116	689
Hull	0·175	732
Keele	—	356
Kent	0·346	568
Lancaster	0·044	662
Leeds	0·247	1,023
Leicester	0·119	489
Liverpool	0·173	1,053
London Business School	—	237
London	3·978	9,884
Loughborough	0·099	601
Manchester Business School	—	98
Manchester	0·427	1,707
UMIST	0·072	226
Newcastle	0·177	698
Nottingham	0·196	1,043
Oxford	0·288	1,897
Reading	0·154	581
Salford	0·200	918
Sheffield	0·217	690
Southampton	0·210	803
Surrey	0·087	802
Sussex	0·226	395
Warwick	0·285	1,226
York	0·019	382
Aberystwyth	0·051	238
Bangor	0·100	354
Cardiff	0·348	1,196
St. David's	0·001	37
Swansea	0·094	351
College of Medicine	0·021	149
Aberdeen	0·325	570
Dundee	0·161	213
Edinburgh	0·495	922
Glasgow	0·612	2,097
Heriot-Watt	0·124	512
St. Andrews	0·103	121
Stirling	0·248	525
Strathclyde	0·018	1,355
Total (Great Britain universities)	12·214	44,546

Note:
Numbers of self-financing students within each institution are not published or held by the Department. The Universities Statistical Record shows that, for academic year 1988-89, there were some 61,000 full-time and part-time, home and overseas students in Great Britain universities recorded as supported only by private funds.

[1] Universities Funding Council Circular Letter 12/90.

[2] Universities Statistical Record Volume 1 "Students and Staff" 1988-89.

City Technology Colleges

Mr. Straw: To ask the Secretary of State for Education and Science if he will update the table given in his answer to the hon. Member for Blackburn, *Official Report*, 8

February, columns *749-52*, giving the latest available information in respect of each city technology college or proposed and planned city technology college.

Mr. MacGregor: The table covers agreed, announced and formally proposed CTCs in England.

Name, site and LEA	*Planned number of pupils*	*[1]Total Capital cost £ million*	*Exchequer contribution £ million*	*Sponsors' contribution [2]Committed £ million*	*Confirmed £ million*	*Principal sponsors*	*Contracts awarded to sponsors*	*School closure involved*	*Has a ballot of parents been held and with what result*
Kingshurst Kingshurst School site Solihull	1,000	9·65	7·55	2·1	2·735	Hanson Trust	None	No	No
Tyneside St. John Fisher School site Gateshead	900	8·609	6·887	1·722	1·600	Peter Vardy	Building Contract-Laings Northern	No	No
Bradford Newby Square, Bradford Bradford	980	8·615	6·892	1·723	3·252	Dixons plc, Mr. Hakim Wong	None	No	No
Dartford Downs School site Kent	1,250	8·560	6·848	1·712	1·3	Mr. G. Leigh	None	No	[3]No
Britschool Site of Selhurst Tertiary Centre Croydon	720	7·001	4·201	2·800	1·127	The British Record Industry Trust	None	No	No
Djanogly Sherwood Rise, Nottingham Nottinghamshire	990	9·95	8·384	1·884	1·566	Mr. Harry Djanoglyy	None	No	No
Macmillan College St. Michael RC School, Middlesbrough Cleveland	1,050	7·702	6·162	1·54	1·485	BAT Industries	None	No	No
Harris Sylvan School site Croydon Croydon	1,100	8·50	6·80	1·70	1·662	Philip and Pauline Harris Charitable Trust	None	Yes	Yes majority against
Bacon's Bacon's School site, Southwark Southwark	1,100	14·279	11·423	2·856	[4]2·50	Philip and Pauline Harris Charitable Trust	None	Yes	No
Haberdashers' Haberdashers' Aske's Hatcham School site Lewisham	approx. 1,000	To be determined	To be determined	To be determined	[5]4·10	Robert Aske Charity	None	Yes	Yes majority in favour
Corby Great Oakley, Corby Northants	1,075	9·95	To be determined	1·99	1·60	Mr. Hugh de Capell Brooke	None	No	No
Derby[3] Wood Street, Derby Derbyshire	900	To be determined	To be determined	To be determined	1·15	The Landau Foundation	None	No	No
Telford[3] New build Shropshire	1,000	10·233	8·186	2·047	2·000	The Mercers Tarmac plc	None	No	No
Wandsworth[3] Mayfield School Wandsworth	approx. 950	To be determined	To be determined	To be determined		ADT	None	No	No

Notes:

[1] In addition the Exchequer bears revenue costs on a basis comparable to those of maintained schools in similar areas.

[2] Sponsors' contributions based on their agreed percentage.

[3] Public consultations were held by Kent on its proposals to close the Downs School. One statutory objection containing 62 signatures was made to the section 12 proposal subsequently published.
[4] This figure includes the sale of the present site, which has been valued at £1·5 million.
[5] This figure includes the donation of the present site, which has been valued at £3·1 million.
[6] Decisions on proposals await outcome of consultation with LEA and others.

Ms. Ruddock: To ask the Secretary of State for Education and Science what amount of earmarked annual grant or related payments he has agreed to pay for the school year beginning in September for each city technology college or city college for technology and the arts; and for what purposes each element of earmarked annual grant has been approved.

Mr. MacGregor: The figures relating to earmarked annual grant for the academic year beginning September 1990 have not yet been agreed. Earmarked grants are the subject of specific bids for the colleges and relate to specific expenditure on:

(a) consumables—the purchase, during the start-up period only, of a basic stock of library and text books, courseware, stationery and other consumable materials;
(b) school meals—the provision of free meals for pupils who qualify, a subsidy in respect of those pupils who do not, and supervision costs;
(c) pupil support—to cover the costs of school uniforms and school transport for disadvantaged pupils;
(d) IT development—software and courseware for the incorporation and exploitation of IT throughout the curriculum and in the administration of the College; and
(e) staff development—to provide for in-service training and curriculum development needs arising from the curriculum in CTCs.

Because these grants are the subject of bids from the colleges themselves, I am unable to provide figures for the academic year 1990-91.

Ms. Ruddock: To ask the Secretary of State for Education and Science what costs, within the terms of paragraph 7 of the model city technology college funding agreement, the Haberdashers' Aske's city technology college trust will incur in acquiring a leasehold on the sites and premises of the present Haberdashers' Aske's schools in Deptford for the purposes of establishing a city technology college.

Mr. MacGregor: Within the terms of paragraph 7 of the model funding agreement that I placed in the House of Commons Library last summer, the Haberdashers' Aske's city technology college trust will contribute to total capital expenditure of the Haberdashers' Aske's city technology college, the capitalised value of the leasehold of the sites and premises for the college. It is the intention of the Haberdashers' Company that this asset will be transferred to the trust for this purpose at no cost.

Ms. Ruddock: To ask the Secretary of State for Education and Science what amount of annual per capita grant or related revenue costs he has agreed to pay for the school year beginning in September for each city technology college or city college for technology and the arts; what unit of cost per pupil has been used in calculating the amount of such payments; and what enhancement of annual per capita grant has been allowed under the terms of paragraph 11 of the model funding agreement.

Mr. MacGregor: The annual per capita grant (APG) for the school year beginning September 1990 for the two CTCs in or near London—Dartford and Croydon—this September has not yet been determined. The APGs for the five CTCs that will be operating outside London are as follows:

	£
Kingshurst	1,820,602
Djanogly, Nottingham	1,397,707
Macmillan College, Teesside	1,234,019
Bradford	[1]934,689
Gateshead	[1]862,550

[1] Denotes those colleges opening this September.

The APG of CTCs outside London is determined by reference to the unit costs (£2,075 for pupils aged 11 to 16, £3,320 for those over 16 in 1990-91) in a group of 24 LEAs which maintain schools in similar areas to CTCs. In addition, provision is made for the college's administration costs and for diseconomies of scale during the start-up period, reflecting good practice in respect of new LEA-maintained schools.

Ms. Ruddock: To ask the Secretary of State for Education and Science what payments have been made by his Department to date to the Haberdashers' Company; what other costs have been incurred by his Department in connection with preparations for the establishment of a Haberdashers' Aske's city technology college; and what have been the specific purposes for which these costs have been incurred.

Mr. MacGregor: The following payments have been made to the Haberdashers' Company in connection with preparations for the Haberdashers' Aske's city technology college.

	£
Project Director's salary	24,824
Educational adviser's fees	6,000
Building feasibility studies	19,341
Publications	15,645

In addition, the Department's staffing costs to support this project are estimated to be £22,958.

Ms. Ruddock: To ask the Secretary of State for Education and Science, pursuant to his reply of 11 July, *Official Report*, column *232*, whether any scheme of government for the Haberdashers' Aske's city technology college approved by him, under the terms of the model funding agreement paragraph 21, will also constitute the college as a single school with two single-sex departments.

Mr. MacGregor: I will need to assure myself that the terms of the scheme of government of the Haberdashers' Aske's city technology college are compatible with the establishment of a single city technology college with two single-sex departments.

Ms. Ruddock: To ask the Secretary of State for Education and Science what are the names of the persons proposed by him and the Haberdashers' Company to serve as primary members of the Haberdashers' Aske's city technology college trust; and when that trust will be established.

Mr. MacGregor: I expect that the Haberdashers' Aske's city technology college trust will be formed this summer. I have yet to agree the necessary articles and memorandum of association, including the names of the Haberdashers' Company nominees. I have nominated Miss Sheila Needham to serve on the trust when this is established.

Pay Statistics

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will list figures comparing the average pay for graduate employees and the average pay for polytechnic lecturers *(a)* upon recruitment, *(b)* at age 25 years, *(c)* at age 30 years, *(d)* at age 35 years and *(e)* at age 40 years.

Mr. Alan Howarth: Estimates of annual graduate[1] gross earnings for 1990[2] are shown in the table:

Age band	*Men (£)*	*Men and women (£)*
20 to 24	12,320	11,440
25 to 29	15,849	14,802
30 to 39	23,419	21,017
40 to 49	28,319	24,055
All (20 to 69)	23,263	20,070

[1] Coverage of graduates excludes unemployed personnel. It is restricted to those with first degrees and excludes those with higher degrees.

[2] Based on the OPCS general household survey (1987) and updated to 1990 using th annual growth in the average earnings index. This source yields data for age bands rather than age points. For 1990, a growth of 9·5 per cent. has been assumed.

Note: Information about the average pay of polytechnic lecturers at age points is not available in the form requested. Polytechnic lecturers are paid on a 14-point scale from £9,117 to £16,521; senior lecturers on a 9-point scale from £15,954 to £20,511; Principal lecturers/readers on 9-point scale from £19,941 to £24,501. The pay of heads of Department ranges from £24,000 to £28,263 according to grade. But pay scales are not strictly comparable with data for gross earnings.

Students (Financial Management)

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what advice on financial maintenance his Department gives to students applying for courses leading to qualifications registered under the Professions Supplementary to Medicine Act 1960.

Mr. Alan Howarth: Students on designated courses leading to certain of these qualifications may be eligible for an award under the Education (Mandatory Awards) Regulations in force at the time of their application, provided that they are not in receipt of a bursary or award made under the Health Services and Public Health Act 1968. My Department publishes annually a brief guide entitled "Grants to Students" which gives general information on eligibility for and calculation of grants under the regulations.

Students on certain courses may also be eligible for a loan under the Education (Student Loans) Regulations 1990 recently approved by Parliament. My Department has issued a leaflet entitled "The Student Top-up Loan Scheme" which gives advice to students on eligibility for loans and their terms and we will shortly publish more detailed guidance in a booklet "Loans to Students".

Grant-maintained Schools

Mr. Straw: To ask the Secretary of State for Education and Science how many copies of *(a)* "Grant Maintained Schools: Questions Parents Ask", and *(b)* "School Governors, How to Become a Grant Maintained School," have been printed; what was the cost; to whom they have been sent; and what was the cost of distribution.

Mr. MacGregor: There have been two editions of "School Governors: How to Become a Grant-Maintained School": 100,000 copies of the first edition were printed at a cost of £22,750; 50,000 copies of the second edition were printed at a cost of £12,690. Copies of the first edition were sent to all maintained schools: it was not the practice at that time to keep detailed postage costs for each publication separately. It cost £870 to post an initial distribution of the second edition to all maintained secondary schools.

A total of 240,000 copies of "Grant-Maintained Schools: Questions Parents Ask" have been printed at a cost of £28,600. It cost £3,675 to post an initial distribution to all schools which are eligible for grant-maintained status.

As is generally the case with DES publications, initial copies of "Questions Parents Ask" and of both editions of "How to become a Grant-Maintained School" were sent for information to major organisations with an interest in the subject, including the local authority associations, every chief education officer in England and the teacher unions.

European Further Education Colleges

Mr. Kirkwood: To ask the Secretary of State for Education and Science what grant mechanisms exist for students who wish to attend further education colleges in the European Community after 1992.

Mr. Eggar: Mandatory awards are available to eligible students from England and Wales attending first degree and designated comparable courses provided by United Kingdom institutions which include a period of study abroad. Loans are to be available on the same basis. Certain postgraduate awards are tenable at institutions abroad, including the College of Europe and the European University Institute. Local education authorities may make discretionary awards to students following other further and higher education courses abroad.

European Community programmes—ERASMUS, LINGUA, COMMETT—also assist United Kingdom students who wish to follow part of their higher education courses in other member states.

In accordance with the treaty of Rome, United Kingdom students taking up places in further and higher education institutions in other member states can have their tuition costs met in full or in part by the relevant authorities, on the same basis as nationals of the state concerned.

Reading Standards

Mr. Bowis: To ask the Secretary of State for Education and Science what action he has taken to establish facts about reading standards among seven-year-olds; and if he will make a statement.

Mr. MacGregor: At my request the Department has sought evidence from a number of local education

authorities mentioned in connection with recent reports of falling reading standards among seven-year-olds. Those inquiries have revealed that LEAs do not at present have consistent policies of testing reading skills, nor employ comparable tests. The information made available to my officials in the course of their inquiries is accordingly inadequate either to substantiate or to disprove the claim of a fall in national standards. I will continue to endeavour to get full responses from the LEAs concerned.

The national curriculum will remedy the current lack of national information about reading skills. Under the assessment arrangements of the national curriculum, the reading skills of all pupils will be assessed against clearly defined statutory criteria at the ages of seven, 11, 14 and 16. The first national assessment of seven-year-olds will be in 1991 and take place annually thereafter. These assessments will provide solid and comprehensive national data about pupils' reading standards for the first time in our history.

In the meantime, I am taking action on two fronts:

(a) I am inviting Her Majesty's inspectorate to focus on the teaching of reading in their inspections of primary schools next term, and to report their findings to me; and

(b) I have asked the School Examinations and Assessment Council (SEAC) to survey the available LEA evidence about the reading levels of seven-year-olds now and over recent years and to advise me further, in the light of this evidence, on levels of reading skills on the eve of the implementation of the national curriculum and of any recent trends in those standards.

Core Subjects (Assessment)

Mr. Hanley: To ask the Secretary of State for Education and Science if he will make a statement about the statutory arrangements for the assessment of seven-year-olds in the core subjects from 1991.

Mr. MacGregor: In the light of consultations on a draft issued by the Department in May, my right hon. Friend the Secretary of State for Wales and I are publishing today orders under section 4(2)(c) of the Education Reform Act 1988 prescribing the arrangements for the first national assessments in England and Wales of seven-year-olds in the core subjects in 1991. Accompanying explanatory circulars are also being issued today. I am arranging for copies of these documents to be placed in the Libraries of both Houses. Copies are also being sent to all local education authorities and to all schools in England and Wales and to other interested bodies.

The orders provide that the assessment of seven-year-olds in the core subjects should combine both mandatory, end of key stage standard assessment tasks (SATs) and teachers' own judgments ("teacher assessments") based on ordinary classroom work over the course of key stage 1 of the national curriculum. They also prescribe standard rules for determining each pupil's overall level of attainment in these subjects and in their constituent profile components from the teacher assessments and SATs.

The orders do not, however, prescribe the nature of SATs themselves, or of the teacher assessments. My right hon. Friend and I will settle these in the light of the evaluation by the School Examinations and Assessment Council (SEAC) of this summer's pilot assessments of seven-year-olds in the core subjects in a 2 per cent. sample of primary schools nationwide; and of wider consultation we are undertaking on them. A key part of that evaluation will be to identify approaches to the conduct of teacher assessments and SATs which are manageable for teachers, apt for pupils and rigorous as assessments. I expect SEAC to report the results of the evaluation to me and to my right hon. Friend in the autumn.

FOREIGN AND COMMONWEALTH AFFAIRS

Kashmir

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy in respect of Kashmir.

Mr. Lennox-Boyd: I refer the hon. Member to the remarks my hon. Friend the then Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs made on this subject on 23 July at columns 209-12.

Afghanistan

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives he intends to take in the United Nations Security Council to seek resolution of the continuing conflict in Afghanistan.

Mr. Lennox-Boyd: None. We are glad to welcome the progress being made in talks between the United States of America and the Union of Soviet Socialist Republics about the possibilities for a political settlement.

Nuclear Non-proliferation Treaty

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals Her Majesty's Government intend to put to the fourth quinquennial review conference of the non-proliferation treaty under article X of the treaty in regard to its extension.

Mr. Waldegrave: I refer the hon. Member to the reply that I gave to the hon. Member for Edinburgh, East (Mr. Strang) on 9 May at column *181*.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs when the last meeting at ministerial level was between the United Kingdom and *(a)* France and *(b)* China at which the possibility of the latter two countries joining the 1968 nuclear non-proliferation treaty was discussed.

Mr. Waldegrave: Ministers discuss non-proliferation matters with France and China when appropriate opportunities arise.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the participation of France and China at the fourth quinquennial review conference of the nuclear non-proliferation treaty; and if he will make a statement.

Mr. Waldegrave: France and China have both announced their intention to attend the non-proliferation treaty review conference as observers.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department was represented at the colloquium "Non-Proliferation in a Disarming World: Prospects for the 1990s" held in Geneva on 20 and 21 June.

Mr. Waldegrave: Yes—by the leader of the United Kingdom delegation to the conference on disarmament in Geneva.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department received an invitation to attend the conference on the proliferation of nuclear and chemical weapons in London on 14 and 15 July.

Mr. Waldegrave: No.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if the three nuclear non-proliferation treaty depository powers have had any meetings with the secretariat of the Latin American non-proliferation organisation—Opanal—in preparation for the fourth review conference of the nuclear non-proliferation treaty.

Mr. Waldegrave: The United Kingdom has had no such meetings; we cannot say whether the United States or Soviet Union have done so.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions have been taken by Her Majesty's Government to implement the recommendations set out in the final document of the third nuclear non-proliferation treaty review conference (NPT/Conf. III/64/I, annex I) in regard to *(a)* active involvement of treaty nuclear weapons states in nuclear disarmament negotiations, *(b)* resumption of negotiations in trilateral and multilateral form towards a comprehensive nuclear test ban treaty and *(c)* support for an international plutonium storage regime under international safeguards.

Mr. Waldegrave: (a) We have fully supported both the 1987 INF agreement, and the current United States/Soviet START negotiations. We and our NATO allies confirmed at the London summit that negotiations for reductions in United States and Soviet short-range nuclear forces (SNF) in Europe should begin once a CFE agreement is signed. NATO is also prepared to eliminate all its nuclear artillery shells from Europe, on the basis of reciprocal action by the Soviet Union.

(b) For the foreseeable future, there will be a continuing requirement to test our nuclear weapons to ensure that they remain effective and up-to-date. A comprehensive test ban treaty is therefore a long-term goal, progress to which can be made only on a step-by-step basis.

(c) When the form that such a regime might take was discussed internationally several years ago, it was not possible to reach a consensus. We are prepared to contribute fully to any further discussion.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has concerning free trade in nuclear materials between any country that is a member of the nuclear non-proliferation treaty.

Mr. Waldegrave: Under article IV of the NPT, all parties

"undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful purposes of nuclear energy".

We fully observe our obligations under the treaty.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the extent of Her Majesty's Government's obligations and duties as a depository power under the nuclear non-proliferation treaty.

Mr. Waldegrave: I refer the hon. Member to articles VIII, IX and XI of the non-proliferation treaty.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how many copies of the information briefing note on the nuclear non-proliferation treaty, produced in June, have been printed; to what parties it has been distributed; and at what cost.

Mr. Waldegrave: A total of 4,083 copies of the background brief were produced. They were distributed to a wide range of academic and other organisations abroad and in the United Kingdom. The document was prepared by officials of the Foreign and Commonwealth Office as part of their normal duties, and it is not possible to allocate an individual cost to its production.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the dates on which the European political co-operation committee's working group on nuclear non-proliferation has met this year and the scheduled dates for any further meetings.

Mr. Waldegrave: The non-proliferation working group met on 31 January to 1 February, 3 to 4 April, and 6 July. One further meeting will take place later this year.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the dates of those occasions on which his Department has consulted the United States of America and the Union of Soviet Socialist Republics on nuclear non-proliferation since October 1985.

Mr. Waldegrave: We have consulted the other depository powers of the non-proliferation treaty on numerous occasions.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will state *(a)* the membership and *(b)* the remit, of the three committees that will be formed at the non-proliferation treaty fourth review conference.

Mr. Waldegrave: Under the draft rules of procedure for the review conference, agreed at the third session of the preparatory committee, each state party to the treaty participating in the conference may be represented by one representative on each main committee. It may assign to these committees such alternate representatives and advisers as may be required. The remit of the committees will be to consider certain items of relevance to the operation of the NPT over the past five years; other items will be considered in the plenary.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration he has given to the implications for (i) the nuclear non-proliferation treaty and (ii) the necessary level of a British minimum nuclear deterrent, of *(a)* the strategic defence initiative and *(b)* any British involvement in it; and if he will make a statement.

Mr. Waldegrave: The strategic defence initiative is a research programme designed to investigate the feasibility

of strategic defences. As my right hon. Friend the Prime Minister and President Reagan agreed in 1984, the overall aim of SDI is to enhance, and not to undermine deterrence. We consider it could contribute to world security and stability.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if the three depository powers under the nuclear non-proliferation treaty are willing to accept on-site inspection to verify a ban on all nuclear testing.

Mr. Waldegrave: For the foreseeable future, our security will depend on deterrence based in part on the possession of nuclear weapons. That will mean a continuing requirement to test our nuclear weapons in order to ensure that they remain effective and up to date. A comprehensive test ban therefore remains a long-term goal, progress to which will be made only on a step-by-step basis. We cannot comment on the views of the other depositories on this subject.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to discuss with Commonwealth countries the issues to be raised in the fourth review conference of the non-proliferation treaty.

Mr. Waldegrave: No.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has as to breaches of the nuclear non-proliferation treaty recorded by monitoring organisations regarding the supply of nuclear material to other states without the required notification in each of the last five years and as to the states involved and the materials in each case.

Mr. Waldegrave: None.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government have received any notification from any party to the nuclear non-proliferation treaty under article VIII of the treaty to amend it; and what information he has as to whether any such notification of amendments has been submitted to the other two depository states to the treaty.

Mr. Waldegrave: We are not aware of any notification of proposed amendments.

Nuclear Submarines

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Islington, North (Mr. Corbyn), *Official Report*, 13 June, column *262*, if he will make a statement on the implications for United Kingdom foreign policy of the transfer of nuclear submarines to India from the Soviet Union.

Mr. Waldegrave: One nuclear-powered submarine has been leased to the Indian navy by the Soviet Union. We understand that the special fissionable material involved has remained under Soviet control. This seems to present no specific issues in relation to United Kingdom foreign policy.

EC Legislation

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if European Community legislation applies to *(a)* the Azores, *(b)* Ceuta, *(c)* Melilla and *(d)* Diego Garcia.

Mr. Garel-Jones: Community legislation applies in the Azores and in Ceuta and Melilla, subject to derogations pursuant to the Act of Spanish and Portuguese Accession. Community legislation does not apply in Diego Garcia, though the British Indian Ocean Territory is associated with the Community under the provisions of part IV of the EEC treaty and Council decision 86/283/EEC.

Iraq and Libya (Nuclear Arms)

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral reply to the hon. Member for Welwyn Hatfield (Mr. Evans), *Official Report*, 13 June, column 272, if he will publish the evidence on which he based his assessment that Iraq and Libya are heading towards having a nuclear arsenal.

Mr. Waldegrave: This was the assessment of my hon. Friend the Member for Welwyn Hatfield (Mr. Evans). My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs agreed with his second point—that we should be encouraging world opinion to bring about peace in the middle east.

United Nations Declarations

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy in respect of United Nations declarations 1514 (XV) of 14 December 1960 and 2625 (XX) of 24 October 1970.

Mr. Lennox-Boyd: The United Kingdom abstained with other western countries on the declaration on the granting of independence to colonial countries and peoples of 1960, largely because it envisaged independence as the only possible outcome of self-determination. The United Kingdom joined in supporting the declaration on principles of international law concerning friendly relations with co-operation among states in accordance with the charter of the United Nations, of 1970, and continues to support it.

Visas (Poland)

Mr. Michael Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding Government policy on requiring visa applications from Polish citizens visiting the United Kingdom.

Mr. Lennox-Boyd: In accordance with the provisions of the immigration rules (HC 251) any Polish citizen wishing to visit the United Kingdom must first make an application for a visa at a British embassy, high commission or consulate.

Mr. Michael Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the length of time to process a visa application by the British embassy in Warsaw.

Mr. Lennox-Boyd: Private applications for visit visas, once lodged with the embassy, are processed the same day.

We aim to process other types of applications normally within seven working days (short-term official) and one month (long-term and multiple-entry).

Dalai Lama

Mr. Tredinnick: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives of the Dalai Lama; and what was discussed.

Mr. Lennox-Boyd: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has had no such meeting.

Cambodia

Mr. Lester: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on the British Government's policy towards Cambodia, following the latest meeting of the five permanent members of the Security Council.

Mr. Hurd: We welcome the American decision to open a dialogue with Vietnam on Cambodia. We share the United States Government's determination to do all that we can to prevent the Khmer Rouge from returning to power by force of arms. Our common objective is to create the conditions to enable the Cambodian people to elect a Government, free from the fear of foreign invasion, civil war or Khmer Rouge atrocities. We and our EC partners were already reviewing our policy towards Cambodia's representation at the United Nations. Indeed, six months ago at the EC-ASEAN ministerial meeting at Kuching we and our EC partners warned the ASEAN Foreign Ministers that we would be re-examining this particular question very closely before the 1990 UNGA. My noble Friend the then Minister of State, Foreign and Commonwealth Office, made clear in another place on 5 February this year that the occupation of the seat would be a key factor in the peace process. On 30 April, replying to a question by the hon. Member for Leeds, West (Mr. Battle), my hon. Friend the then Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs told the House that we would have to look closely at the question of Cambodia's seat at the United Nations in the context of current diplomatic activity aimed at achieving a peaceful settlement. I can now state that we do not want the coalition of which the Khmer Rouge is a member to continue to occupy Cambodia's United Nations seat. Consultations with EC partners and other interested countries on the handling of this question will continue.

With the other permanent members of the UN Security Council, we continue to work hard to achieve a comprehensive political settlement. At their latest meeting on 16-17 July, the Permanent Five made significant progress on two key elements of a solution based on an enhanced UN role: transitional arrangements regarding the administration of Cambodia during the pre-election period: and military arrangements. They agreed to accelerate their work in the remaining three areas (free and fair elections, safeguarding of human rights and international guarantees) which were identified in their earlier meeting in New York on 25-26 May as essential aspects of a comprehensive political settlement. The Five are due to hold their next meeting in New York on 27-28 August.

I have placed a copy of the summary of conclusions of the 16-17 July meeting in the House of Commons Library.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Lennox-Boyd *[holding answer 24 July]:* In 1989-90 both wings of the Foreign and Commonwealth Office continued to place a part of their requirements for goods and services with small businesses. In the Diplomatic Wing the value of this business over the last two years was:

	£ million	*Percentage of expenditure*
1988-89	16·38	15·9
1989-90	32·80	22·5

The DW director of purchasing disseminates to purchasing departments information and guidance on procurement from small firms. He ensures that, whenever possible, such firms are included in invitations to tender and that they are awarded contracts if their offer is the best on a value-for-money basis.

The ODA uses procurement agencies to undertake purchasing and supply on behalf of recipient governments in developing countries. Its register of agents includes several small businesses. ODA also encourages small firms to compete for aid-financed consultancy contracts overseas.

In line with the BOTB forward plan, diplomatic service posts put a particular emphasis on supporting small and medium-sized businesses through a wide range of export promotion services. Performance indicators for these activities do not distinguish company size.

Ivory

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 5 June, *Official Report*, column *472*, if he will give details of licences issued for the export of ivory since 18 May.

Mr. Lennox-Boyd *[holding answer 10 July 1990]:* Between 18 May 1990 and 7 July 1990 the Hong Kong authorities issued 15 export licences as follows:

Licence(s)	*Quantity (KG)*	*Description*	*Destination*
8	5,222·1	Ivory scrap	China
1	156·5	Worked ivory	Mexico
3	112·6	Worked ivory	Andorra
1	14	Worked ivory (personal effect)	Taiwan
1	8	Worked ivory (pre-convention)	Australia
14			

In addition, one export licence was issued for 6·1 kg of worked ivory personal effects destined for United

Kingdom. This licence was issued on 5 July 1990, but expired on 16 July 1990 without being collected by the applicant.

DEFENCE

Local Government Finance

Mr. Austin Mitchell: To ask the Secretary of State for Defence (1) what is the number of service men counted as resident in the United Kingdom for poll tax purposes;

(2) where the service men are counted as resident in the United Kingdom for poll tax purposes located by base, county, and parliamentary constituency.

Mr. Archie Hamilton: No record is held of this information, which could be obtained only at disproportionate cost.

Mr. Austin Mitchell: To ask the Secretary of State for Defence what consultations have taken place between local authorities and his Department on future poll tax payments by service men.

Mr. Archie Hamilton: Ministry of Defence officials have met local authority representatives on a number of occasions to discuss various matters relating to the community charge. At a local level, every service unit has appointed an officer responsible for liaison with community charge registration officers.

Nuclear Weapons

Mr. Strang: To ask the Secretary of State for Defence (1) pursuant to his oral reply to the right hon. Member for Blaenau Gwent (Mr. Foot), *Official Report,* 3 April, column 1020, which are the signatories of the nuclear non-proliferation treaty who appear to have embarked on an attempt to achieve nuclear technology, to which he referred;

(2) pursuant to the answers to the hon. Members for Canterbury (Mr. Brazier) and for Dorset, South (Mr. Bruce), *Official Report,* 15 May, columns 730 and 733, if he will list the nations to which the hon. Member refers as trying to develop nuclear capability.

Mr. Archie Hamilton: I have nothing to add to the reply given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office, to the hon. Member for Clydebank and Milngavie (Mr. Worthington) on 8 June 1990 at column *738.*

Nuclear Tests

Mr. Strang: To ask the Secretary of State for Defence what were the increases of radioactivity measured (i) above ground on the test site and (ii) off the test site, following each of the nuclear weapons tests listed in his reply to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), *Official Report,* 15 June, column *380.*

Mr. Archie Hamilton: As I said in my answer to my hon. Friend the Member for Gedling (Mr. Mitchell) on 5 April 1990 at column *834,* there was a minor release of radioactivity from the Barnwell test conducted on 8 December 1989, but no radioactivity was detected beyond the boundaries of the test site; no radiological hazard was presented to members of the public nor to operatives on the test site. None of the other tests released any radioactivity.

Nuclear-armed Vessels

Mr. Strang: To ask the Secretary of State for Defence, pursuant to the answer to the hon Member for Brent, East (Mr. Livingstone), *Official Report,* 11 June, column *41,* if he will set out the restrictions placed on the deployment of United Kingdom nuclear-armed vessels when *(a)* in the territorial sea, and *(b)* in internal waters of (i) the Falkland Islands, (ii) South Georgia and South Sandwich Islands, (iii) the Cayman Islands, (iv) the Turks and Caicos Islands, (v) the British Virgin Islands and (vi) Anguilla and Montserrat.

Mr. Archie Hamilton: The United Kingdom at all times complies with its obligation under the treaty of Tlatelolco not to deploy nuclear weapons in territories, including territorial and internal waters, which lie within the treaty's zone of application. It remains, however, our invariable practice to neither confirm nor deny the presence of nuclear weapons on board particular ships at particular times.

Trident Computer

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he expects the Logica computer system for Trident to be fully operational.

Mr. Kenneth Carlisle: The material control system in new facilities at AWE Aldermaston, for which Logica is developing software, is expected to become fully operational next year.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what are the consequences to the Trident programme of the failure of the Logica computer system to meet his Department's full software specification.

Mr. Kenneth Carlisle: The material control system in the new facilities at AWE Aldermaston, for which Logica is developing software, is expected to become fully operational next year. Production of components for Trident warheads is not due to begin in the new facilities until 1992.

RAF Leuchars

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he has any intention of restarting night flying for search and rescue operations from RAF Leuchars.

Mr. Archie Hamilton: No.

Civilian Staff

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his answer of 12 June, *Official Report,* columns *142-43,* whether he has any plans to provide other forms of training for civilian staff to assist them in the event that their services are no longer required.

Mr. Kenneth Carlisle: Pre-retirement training is available to civilian staff of the Department. During their careers, MoD civil servants receive training in a wide variety of skills many of which are applicable to outside employment. Our plans for civilian training are kept under continuous review.

Childhood Leukaemia

Mr. O'Neill: To ask the Secretary of State for Defence whether he intends to commission any studies into the incidence of childhood leukaemia in the Fareham and Gosport area.

Mr. Kenneth Carlisle: The Ministry of Defence does not intend to commission a special study into the incidence of leukaemia in the Fareham and Gosport area.

Mr. O'Neill: To ask the Secretary of State for Defence what studies have been carried out into the incidence of childhood leukaemia in the Fareham and Gosport area.

Mr. Kenneth Carlisle: The Ministry of Defence has not commissioned any studies into the incidence of childhood leukaemia in the Fareham and Gosport area.

Running Costs

Mr. O'Neill: To ask the Secretary of State for Defence what are the average annual running costs of *(a)* each vessel listed on pages 53, 54 and 55 according to class, *(b)* each of the commando units and headquarters listed on page 55 according to type of unit, *(c)* each of the squadrons according to the type of equipment with which they are issued listed on pages 56, 59 and 60 and *(d)* each of the units and headquarters according to type of unit listed on page 57 of the "Statement on the Defence Estimates 1990", Cm. 1022-1; and what methodology has been used to assess the average annual running costs of units.

Mr. Archie Hamilton: I will write to the hon. Member.

Mr. O'Neill: To ask the Secretary of State for Defence what are the average annual running costs of *(a)* the Royal Aerospace Establishment, *(b)* the Admiralty Research Establishment, *(c)* the Royal Armament Research and Development Establishment, *(d)* the Royal Signals and Radar Establishment, *(e)* the Procurement Executive, *(f)* the Proof and Experimental Establishment, *(g)* the Sea Systems Controllerate, *(h)* the Air Systems Controllerate and *(i)* the Land Systems Controllerate.

Mr. Kenneth Carlisle: In 1989-90, the running costs of these organisations were as follows:

	£ million
Royal aerospace establishment	100
Admiralty research establishment	50
Royal armament research and development establishment	45
Royal signals and radar establishment	30
Sea systems controllerate	75
Land systems controllerate:	
Proof and experimental establishments	15
Other land systems controllerate	30
Air systems controllerate	45
Other procurement executive	255
Total procurement executive	645

Running costs cover civilian pay, civilian and service travel and subsistence, utilities, services and general administrative expenses.

Equipment

Mr. O'Neill: To ask the Secretary of State for Defence what was the approximate average annual cost of providing new equipment measured over the last 20 years to *(a)* each of the commando units and headquarters according to type of unit, listed on page 55, *(b)* each of the squadrons according to the type of equipment with which they are issued listed on pages 56, 59 and 60 and *(c)* each of the units and headquarters according to type of unit listed on page 57 of the "Statement on the Defence Estimates 1990", Cm. 1022-1.

Mr. Carlisle: The information is not available without disproportionate effort.

Defence Industry

Mr. O'Neill: To ask the Secretary of State for Defence what consideration has been given to maintaining a defence industrial base that is capable of meeting the future requirements of the armed services in the course of his study of the options for change.

Mr. Alan Clark: I refer the hon. Member to the statement by the Secretary of State for Defence today on "Options for Change" in which he indicated that we would now be consulting the defence industries about our broad proposals.

Pre-release Training

Mr. O'Neill: To ask the Secretary of State for Defence what is the average amount of pre-release training that is provided to those service personnel who are eligible to receive it; and what is the average amount of expenditure on pre-release training for each service man or woman.

Mr. Archie Hamilton: Service men and women are entitled to 28 days pre-release voluntary training; 31 per cent. of this training is conducted at Ministry of Defence resettlement centres, 12 per cent. on Ministry of Defence-sponsored courses at other centres and 57 per cent. during civilian attachments with outside organisations. The cost of this training currently averages £974 per person including in-house briefings.

Mr. O'Neill: To ask the Secretary of State for Defence what was the total amount of expenditure on pre-release training in each year for the last 10 years; and whether he has any plans to extend the provision of pre-release training to civil staff.

Mr. Archie Hamilton: Expenditure on pre-release training across the three services was not identified and aggregated prior to formation of the tri-service resettlement organisation on 2 January 1990. However, a study conducted in 1987 identified 1985-86 expenditure as being £11 million, and current year expenditure is anticipated to be £11·2 million. Expenditure on pre-release training has remained reasonably steady over the last 10 years.

Our plans for civilian training are kept under continuous review.

Expenditure Freeze

Mr. O'Neill: To ask the Secretary of State for Defence what commitments were affected by the temporary bar he referred to on 18 June, *Official Report*, column *688*; what was the planned expenditure of each of these; which commitments were not affected; on what date the bar came into force and what is its current status; and what effect it has had on *(a)* planned expenditure for the 1990-91

financial year, *(b)* recruitment of personnel, *(c)* retention of personnel, *(d)* the study of options for change, *(e)* future procurement plans, and *(f)* the size and structure of the defence industries.

Mr. Archie Hamilton: A temporary bar on the placing of new defence contracts and entering into new commitments was introduced on 11 May 1990 and lifted on 2 July 1990. The bar was accompanied by a general ban on civilian recruitment. This ban was removed on 9 July.

The temporary bar has not altered the planned total of defence expenditure of 1990-91. Its purpose was to provide time for deciding on a number of short-term changes at the margin of the defence programme in order to remove forecast overspending on the planned budget.

Certain exceptions to the temporary bar and recruitment ban were permitted including commitments of high operational urgency, security measures and civilian recruitment in grades and geographical areas already experiencing recruiting difficulties. Armed forces recruiting was not restricted. It is estimated that the number of civilian vacancies left unfilled during the period of the general ban amounted to about 700. The number of contracts and purchases held back while the temporary bar was in force is large. Disproportionate effort would be required to provide a complete list.

"Options for Change" work continued in parallel with the temporary bar. As my right hon. Friend the Secretary of State said on 18 June the selection of short-term measures to reduce expenditure sought to have regard to the picture emerging from "Options for Change".

In itself the temporary bar on new commitments, in force for only seven weeks, will not have had significant effects for personnel retention, future procurement plans or the size and structure of the defence industries. As regards decisions on savings to reduce expenditure in the current year an announcement has already been made—by my hon. Friend the Minister of State for Defence Procurement on 18 June—that further work on the eighth batch of Tornado aircraft will not be authorised, and further announcements will be made shortly regarding additional savings identified during the temporary bar which are now judged to be necessary.

The temporary bar and the civilian recruitment ban have now been replaced by arrangements whereby all new commitments are scrutinised particularly closely to ensure that the defence cash limit for the current year is not breached.

Commercially Sensitive Information

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 6 July, *Official Report*, column *762*, whether it is his policy to consult and reach agreement with defence companies on the nature and type of information that may be of commercial value to their competitors.

Mr. Alan Clark: Any information relating to commercial undertakings, processes or affairs given to the Ministry of Defence by companies is regarded as being in confidence unless the company concerned and the Ministry of Defence agree that it can be released.

Staff Establishments

Mr. O'Neill: To ask the Secretary of State for Defence what is the number, Civil Service grade or service rank, and salary of the staff establishments at *(a)* the Royal Aerospace Establishment, *(b)* the Admiralty Research Establishment, *(c)* the Royal Armament Research and Development Establishment, *(d)* the Royal Signals and Radar Establishment, *(e)* the Procurement Executive, *(f)* the Proof and Experimental Establishment, *(g)* the Sea Systems Controllerate, *(h)* the Air Systems Controllerate and *(i)* the Land Systems Controllerate.

Mr. Kenneth Carlisle: The number of staff as at 1 April 1990 and pay bills for 1989-90 for these organisations were as follows:

	Civilians		*Servicemen*	
	Number	*Pay £ million*	*Numbers*	*Pay £ million*
Royal aerospace establishment	4,878	66	83	2
Admiralty research establishment	2,898	41	100	2
Royal armament research and development establishment	2,365	35	208	4
Royal signals and radar establishment	1,593	24	29	1
Sea systems controllerate	3,784	64	533	10
Land systems controllerate:				
Proof and experimental establishments	265	4	57	1
Other land systems controllerate	1,399	24	125	2
Air systems controllerate	1,743	35	127	2
Other procurement executive	12,764	200	245	5
Total procurement executive	31,689	493	1,507	29

A breakdown of staff numbers and pay by grade or service rank is available only at disproportionate cost.

Tristar

Mr. Paice: To ask the Secretary of State for Defence whether he has placed a contract for the maintenance of the Royal Air Force Tristar fleet.

Mr. Alan Clark: I am pleased to say that, following intense competition, a contract has been awarded to Marshall of Cambridge (Engineering) Limited. The contract, which is valued in excess of £30 million, covers scheduled and unscheduled maintenance of the aircraft, including repair and overhaul of components, over the next four years.

RAF St. Mawgan

Mr. Neale: To ask the Secretary of State for Defence what further development is planned at RAF St. Mawgan.

Mr. Archie Hamilton: RAF St. Mawgan in Cornwall is a main operating base for Nimrod maritime patrol aircraft. There are no current plans for changes to that role.

The Ministry of Defence is additionally planning to develop at St. Mawgan a joint maritime communications centre (JMCC) in co-operation with the United States navy. This unit will provide an important link between United Kingdom and United States maritime forces and headquarters.

The JMCC will comprise a buried, hardened communications building approximately 70 metres square within the existing perimeter of RAF St. Mawgan. It will be integrated with the existing RAF fixed communications system, and will include two additional satellite ground terminals each approximately 3 metres in diameter, also sited within the station boundary. It has been agreed with the United States that the United Kingdom will finance and construct the JMCC building and the United States provides the operational equipment. Once fully operational, some 400 personnel will be associated with the JMCC, including both operational and support staff. Approximately half the operational staff will be provided by the Royal Navy and Royal Air Force and the remainder will be from the United States navy. Subject to consultation with the local planning authority, it is planned that major construction work on the JMCC will start in the middle of 1991, with the JMCC becoming operational in 1995.

Low Flying

Dr. Thomas: To ask the Secretary of State for Defence what are the regulations governing the practice of air-to-air refuelling in the United Kingdom low flying system; and what distinctions there are in the application of these regulations.

Mr. Kenneth Carlisle *[holding answer 18 July 1990]:* There is no requirement to carry out air-to-air refuelling within the United Kingdom low flying system.

Mr. Redmond: To ask the Secretary of State for Defence (1) what action he is taking to put on-stream, low-flying flight simulators; how many the RAF currently have operational; and if he will make a statement;

(2) if he will list by NATO air force, the number of low-flying flight simulators they have operational.

Mr. Kenneth Carlisle: There are currently no low-flying simulators in service with the RAF or, so far as we know, with other NATO air forces. With the introduction of more sophisticated types of simulators, such as the Harrier GR7 simulator in 1991, there will be a significant improvement in synthetic low-level training capability. However, even though advanced, this type of simulator will still be unable to replicate with sufficient fidelity the complex environment of a fast jet aircraft at low level. "Live" flying will continue to be necessary. Developments in simulator technology may eventually result in simulators with the requisite capacity, and we shall continue to keep abreast of developments in this area.

Mr. Redmond: To ask the Secretary of State for Defence what savings would be made to his Department's budget from a 60 per cent. reduction in low-level military jet flights and their replacement by flight simulators.

Mr. Kenneth Carlisle: The flight simulators currently in service with the Royal Air Force do not provide a realistic alternative to low-level training sorties.

Mr. Redmond: To ask the Secretary of State for Defence if he will list the approved targets for toss and dive manoeuvres carried out by military jet aircraft.

Mr. Kenneth Carlisle: The point raised is the subject of recommendations by the House of Commons Defence Committee whose report on low flying (HC 120) is currently being considered by the Government and to which a response will be made in due course.

SOCIAL SECURITY

Community Charge Rebates

117. **Mr. Janner:** To ask the Secretary of State for Social Security if he will make a statement regarding community charge rebates.

Mrs. Gillian Shephard: The Department of Social Security is responsible for community charge benefit. Community charge benefit replaced rate rebates in April 1990 and will help about 10 million charge payers in Great Britain in 1990-91 at an estimated cost of around £2·5 billion. Community charge benefit is more generous than the rate rebate scheme it replaced. The lower benefit taper —15 per cent. in community charge benefit as opposed to 20 per cent. in the rate rebate scheme—will bring an estimated extra 800,000 claimants on to benefit at a cost of over £200 million. The doubled upper capital limit of £16,000 is estimated to increase the number of community charge benefit cases by 130,000 at a cost of £35 million.

Mr. Kirkwood: To ask the Secretary of State for Social Security what is the number of people in Scotland and the Borders currently receiving community charge rebates.

Mrs. Gillian Shephard: The latest information supplied by Borders regional council shows that just over 11,700 community charge rebates were in payment on 31 August 1989. Rebates to couples are counted as one rebate. The comparable figure for Scotland is about 900,000.

Leaflets

Mr. Bill Michie: To ask the Secretary of State for Social Security what were the criteria by which it was decided to contract out the distribution of leaflet No. SFL10 rather than using his Department; and how much this has cost.

Mrs. Gillian Shephard: The distribution of leaflet SFL10 to the Department's local and regional offices was arranged by the Central Office of Information to ensure rapid delivery of the publication, because the information it contained had a limited lifespan. A total of 467,000 leaflets were distributed in this way at a cost of £5,130. Half these leaflets were then distributed locally to other advice agencies by the Department at no further identifiable cost. In addition a quantity was held at ISCO 5, a sheltered warehouse, permanently contracted to the

Department for general print distribution, to service further demands from other organisations and individual members of the public. The cost of these individual requests cannot be separately identified.

Mr. Bill Michie: To ask the Secretary of State for Social Security what was the cause of the insufficient supplies of leaflet SFL10 being available for community advice organisations for distribution to their clients.

Mrs. Gillian Shephard: We are not aware that insufficient supplies of SFL10 were available. The Department produced 600,000 copies to meet the likely demand for this short-life leaflet. A total of 450,000 were distributed to DSS local offices. They were either retained at local offices for direct distribution or were issued by them to local agencies and advice organisations.

Pensioners' Incomes

Sir Peter Hordern: To ask the Secretary of State for Social Security what proportion of those receiving state retirement pensions also receive other incomes; and what were the average earnings of pensioners in each of the last 10 years.

Mrs. Gillian Shephard: The last available information shows that in 1987 more than 86 per cent. of pensioners had income from sources other than their retirement pension. The most recent figures of the average earnings of pensioners are set out in the table:

	Earnings[1] £
1979	63·00
1980	62·70
1981	67·30
1982	60·40
1983	76·10
1984	72·50
1985	69·10
1986	68·70
1987	84·26

[1]Average is for those individuals actually receiving earnings income.
Source: Family Expenditure Survey.

Mr. Gregory: To ask the Secretary of State for Social Security what is his estimate of the latest trend in pensioners' real incomes since 1979; and if he will make a statement.

Mrs. Gillian Shephard: The average total net income of pensioners increased by over 31 per cent. in real terms between 1979 and 1987. This compares very favourably with the 3 per cent. real terms increase between 1974 and 1979.

Source: Family Expenditure Survey.

Mr. Andrew Bowden: To ask the Secretary of State for Social Security (1) if he will list the cash and percentage changes in real income between *(a)* 1979 and 1987 and *(b)* 1983 and 1987 for all pensioners units, single pensioners and pensioner couples, in each case breaking down the figures by decile group;

(2) if he will list *(a)* the percentage and *(b)* the cash changes in pensioners' incomes by decile group for the period 1983 to 1987.

Mrs. Gillian Shephard *[holding answer 20 July 1990]:* The information requested is in the tables.

Net income at 1987 prices
Single pensioner units

	1979	*1983*	*cash change: 1987*	*percentage change: 1979-87*	*1983-87*	*1979-87*	*1983-87*
Lowest	35·49	40·98	41·02	5·52	0·04	15·6	0·1
2	39·79	46·06	47·12	7·32	1·06	18·4	2·3
3	43·36	50·69	51·90	8·54	1·22	19·7	2·4
4	46·87	54·78	57·19	10·33	2·41	22·0	4·4
5	49·73	59·10	61·29	11·56	2·19	23·2	3·7
6	52·55	61·87	65·25	12·70	3·38	24·2	5·5
7	55·97	66·01	69·97	13·99	3·96	25·0	6·0
8	61·40	72·53	76·55	15·14	4·02	24·7	5·5
9	72·59	87·42	93·32	20·73	5·90	28·6	6·8
Highest	103·24	127·72	143·90	40·66	16·18	39·4	12·7
Overall mean	57·74	69·22	75·10	17·36	5·87	30·1	8·5

Note: Medians have been used to calculate the incomes by deciles to minimise statistical distortion at either end of the income distribution. Means have been used to calculate overall average incomes.

Net Income at 1987 Prices
Married Pensioner Units

Decile	*1979*	*1983*	*1987*	*cash change: 1979-87*	*1983-87*	*per cent change: 1979-87*	*1983-87*
Lowest	62·67	70·60	71·58	8·91	0·98	14·2	1·4
2	70·10	79·59	83·08	12·98	3·49	18·5	4·4
3	74·31	85·76	90·15	15·84	4·39	21·3	5·1
4	79·12	90·51	97·50	18·39	7·00	23·2	7·7
5	85·63	95·98	106·41	20·78	10·43	24·3	10·9
6	93·87	105·04	116·98	23·11	11·94	24·6	11·4
7	103·25	115·61	132·17	28·92	16·56	28·0	14·3
8	122·83	131·99	153·09	30·26	21·10	24·6	16·0
9	145·76	166·31	190·06	44·30	23·75	30·4	14·3
Highest	208·42	252·61	312·62	104·20	60·01	50·0	23·8

Decile	1979	1983	1987	cash change: 1979-87	cash change: 1983-87	per cent change: 1979-87	per cent change: 1983-87
Overall Mean	107·32	121·57	140·67	33·35	19·10	31·1	15·7

*Medians have been used to calculate the incomes by deciles to minimise statistical distortion at either end of the income distribution. Means have been used to calculate overall average incomes.

Net Income at 1987 Prices
All Pensioner Units

Decile	1979	1983	1987	cash change: 1979-87	cash change: 1983-87	per cent change: 1979-87	per cent change: 1983-87
Lowest	36·39	42·57	42·67	6·28	0·10	17·3	0·2
2	42·93	50·44	51·36	8·43	0·92	19·6	1·8
3	48·15	57·26	59·20	11·05	1·94	23·0	3·4
4	52·64	62·40	65·40	12·76	3·00	24·2	4·8
5	58·66	68·69	72·27	13·61	3·58	23·2	5·2
6	66·60	78·47	83·02	16·43	4·55	24·7	5·8
7	75·58	88·37	94·65	19·07	6·28	25·2	7·1
8	87·23	99·95	110·84	23·60	10·89	27·1	10·9
9	107·33	121·23	139·71	32·38	18·48	30·2	15·2
Highest	159·93	186·66	219·77	59·84	33·11	37·4	17·7
Overall Mean	75·92	88·96	99·88	23·96	10·92	31·6	12·3

*Medians have been used to calculate the incomes by deciles to minimise statistical distortion at either end of the income distribution. Means have been used to calculate overall average incomes.

Mr. Meacher: To ask the Secretary of State for Social Security (1), pursuant to his answer to the hon. Member for Birmingham, Northfield (Mr. King) of 20 February, *Official Report*, columns *675-77*, on pensioners' incomes, if he will give the same analysis for each decile or quintile of pensioners' incomes, and if he will include income from the state earnings-related pension scheme as a separate item;

(2) if he will indicate the breakdown of the 17 per cent. real increase in the net income of the lowest quintile of pensioners since 1979; if he will indicate what percentage is due to the *(a)* basic state retirement pension, *(b)* SERPS, *(c)* occupational pensions, *(d)* savings and interest, *(e)* increased take-up of disability benefits and *(f)* other sources of income; and if he will give a similar breakdown for each of the four quintiles.

Mrs. Gillian Shephard *[holding answer 8 March 1990]:* The information requested is set out in the tables. The source of the data is the family expenditure survey. It is not possible from this source to identify payments of additional pension from the state earnings-related pension scheme.

Table 1 Pensioners' Incomes

	1974	1979	1987	Real terms increase 1974-79 Per cent.	Real terms increase 1979-87 Per cent.
Lowest quintile					
Total social security benefits	32·50	37·50	42·80	15	14
Occupational pensions	0·50	0·40	1·66	−11	295
Savings income	1·30	1·30	2·70	−1	112
Earnings	0·60	0·50	0·20	−27	−47
Total gross income	34·90	39·60	47·50	14	20
Total net income	34·80	39.30	46·70	13	19
2nd quintile					
Total social security benefits	41·30	45·90	55·10	11	20
Occupational pensions	1·80	2·50	4·30	38	74
Savings income	2·70	2·30	3·80	−16	67
Earnings	1·00	0·30	0·50	−71	71
Total gross income	46·80	51·00	63·70	9	25
Total net income	46·40	50·50	62·30	9	24
3rd quintile					
Total social security benefits	48·30	51·70	62·60	7	21
Occupational pensions	5·40	5·80	10·40	7	81
Savings income	4·40	4·50	6·10	1	36
Earnings	3·50	2·50	1·40	−28	−43
Total gross income	61·60	64·50	80·50	5	25
Total net income	59·90	62·70	77·70	5	24
4th quintile					
Total social security benefits	54·80	61·10	71·10	12	16
Occupational pensions	12·20	11·70	21·70	−4	86
Savings income	7·30	5·50	13·10	−25	137
Earnings	8.40	6·70	3·90	−17	−44
Total gross income	82·70	85·30	109·80	3	29

	1974	1979	1987	Real terms increase 1974-79 Per cent.	Real terms increase 1979-87 Per cent.
Total net income	78·70	81·70	103·30	4	27
Highest quintile					
Total social security benefits	47·90	56·60	64·50	18	14
Occupational pensions	39·00	45·90	78·40	18	71
Savings income	38·00	31·70	78·60	−17	148
Earnings	54·50	39·50	33·30	−28	−16
Total gross income	179·50	173·60	254·80	−3	47
Total net income	150·00	145·60	209·60	−2	44

Table 2: Pensioners' income from savings and occupational pensions, 1974, 1979 and 1987

Pensioners with savings income

	Percentage with savings income			Average amount received (£s per week at 1988 prices)		
	1974	1979	1987	1974	1979	1987
Quintile:						
Lowest	38	45	65	3·4	2·8	4·2
2	45	51	61	6·0	4·5	6·3
3	50	63	66	8·9	7·1	9·2
4	53	68	80	13·8	8·1	16·4
Highest	76	83	95	49·9	38·3	82·9
All	53	62	73	20·5	14·6	28·4

Pensioners with occupational pension

	Percentage with occupational pension			Average amount received (£s per week at 1989 prices)		
	1974	1979	1987	1974	1979	1987
Quintile:						
Lowest	7	8	23	6·4	5·2	7·1
2	20	27	34	9·2	9·2	12·6
3	36	41	53	14·8	14·1	19·6
4	53	60	68	22·9	19·6	32·0
Highest	58	70	81	67·0	65·5	96·8
All	35	41	52	33·7	32·1	44·8

Table 3: Pensioners' Incomes by Quintile 1987 prices

		RP, Supp. benefit and housing benefit	Occupational pension	Investment income	Other sources	Total gross	Total net
1st Quintile	1979	36·50	0·40	1·30	1·40	39·60	39·30
	1987	41·90	1·70	2·70	1·20	47·50	46·70
Real increase 1979-87 (per cent.)		15	295	112	−15	20	19
Proportion of total net increase (per cent.)		72	17	20	−3	105	100
2nd Quintile	1979	44·40	2·50	2·30	1·80	50·90	50·50
	1987	54·00	4·30	3·80	1·60	63·70	62·30
Real increase 1979-87 (per cent.)		22	74	67	−13	25	24
Proportion of total net increase (per cent.)		81	16	13	−2	108	100
3rd Quintile	1979	49·20	5·80	4·50	5·00	64·50	62·70
	1987	58·60	10·40	6·10	5·40	80·50	77·70
Real increase 1979-87 (per cent.)		19	81	36	8	25	24
Proportion of total net increase (per cent.)		63	31	11	3	107	100
4th Quintile	1979	57·10	11·70	5·50	11·00	85·30	81·70
	1987	63·10	21·70	13·10	11·90	109·80	103·30
Real increase 1979-87 (per cent.)		11	85	137	8	29	26
Proportion of total net increase (per cent.)		28	46	35	4	113	100
5th Quintile	1979	52·70	45·90	31·70	43·40	173·60	145·60
	1987	57·80	78·40	78·60	40·00	254·80	209·60
Real increase 1979-87 (per cent.)		10	71	148	−8	47	44
Proportion of total net increase (per cent.)		8	51	73	−5	127	100
Overall	1979	48·00	13·20	9·00	12·50	82·80	75·90
	1987	55·10	23·30	20·90	12·00	111·20	99·90
Real increase 1979-87 (per cent.)		15	76	131	−4	34	32
Proportion of total net increase (per cent.)		30	42	49	−2	119	100

Source: Family Expenditure Survey.
All cash figures are £s per week at 1987 prices.
In common with all other surveys, the family expenditure survey draws information from a random sample of the population. This means that the FES will occasionally include some individuals whose weekly incomes are considerably higher or lower than those of the remainder of their quintile. The unrepresentative income of such individuals may cause wide swings in the figures particularly in year-to-year comparisons and when disaggregated into quintiles. In general, when viewed over the long term, the data provide a reliable indication of the movement in average weekly income.

Pensioners' Charter

Mr. Skinner: To ask the Secretary of State for Social Security if he will meet representatives of retirement pensioners' organisations to discuss the pensioners' charter; and if he will make a statement.

Mrs. Gillian Shephard: Ministers have met pensioners' groups twice during the last two months to discuss a range of issues of concern to them and to listen to their views.

Invalid Care Allowance

Mrs. Wise: To ask the Secretary of State for Social Security, further to the reply to the hon. Member for Preston of 7 March, *Official Report*, column *682*, on recipients of invalid care allowance who also receive income support, if he will publish the corrected figures provided in a letter to the hon. Member by the Parliamentary Under-Secretary.

Mrs. Gillian Shephard: The corrected figure of the number of recipients of invalid care allowance who also received income support in May 1988, which I provided in a letter to the hon. Member, is 14,000.

Mrs. Wise: To ask the Secretary of State for Social Security, pursuant to the reply of 7 March, *Official Report*, column *682*, on recipients of invalid care allowance who also receive income support, what are the corresponding figures for May 1989.

Mrs. Gillian Shephard: The figures requested have been published in "Income Support Statistics Annual Inquiry May 1989", a copy of which is in the Library.

Benefit Claimants

Mr. Moss: To ask the Secretary of State for Social Security what is the average length of time an individual claimant has to wait for a decision on their claim for benefit from an adjudication officer or tribunal hearing from the time that individual becomes unemployed.

Mrs. Gillian Shephard: The average time taken to clear benefit claims is calculated by reference to the date a claim is received rather than from the date of unemployment and the date a decision is made by the adjudication officer. The two main benefits concerned are unemployment benefit and income support. The latest available information from 31 May 1990 is as follows:

Benefit	*Average clearance time*
Income support	4·6 days

Information is not available in the form requested for claims to unemployment benefit or for decisions made by social security appeals tribunals and could be obtained only at disproportionate cost.

Pensioners

Mrs. Beckett: To ask the Secretary of State for Social Security how many *(a)* male and *(b)* female pensioners there are in the United Kingdom.

Mrs. Gillian Shephard: The latest available figures show that in March 1989 there were 3·49 million male pensioners and 6·55 million female pensioners receiving retirement pension in the United Kingdom.
(*Source:* retirement pension statistics March 1989.)

Earnings

Mrs. Beckett: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women in each region earn below the national insurance threshold; and how many are between the upper and lower earnings limits.

Mrs. Gillian Shephard: The average number of employees earning between the lower and upper earnings limits in any week in 1990-91 is approximately

Men 8·6 million
Women 8·0 million

Detailed information on the numbers earning below the lower earnings limit is not available. It is estimated, however, that in any week about 2·75 million employees earn less than the lower earnings limit, of whom about one quarter are men. Up to 0·5 million of these people would be only temporarily below the lower earnings limit by virtue of a reduction in their normal earnings—for example, due to sickness.

The figures are for employees in Great Britain. Information on a regional basis is not available.

McKiernon Judgment

Mr. Alfred Morris: To ask the Secretary of State for Social Security how many people suffering from occupational deafness and asthma, whose cases were affected by the decision of the Court of Appeal in the case of Mr. Frank McKiernon, have benefited or will benefit from the decision; how many such people will have lost their entitlement in consequence of the action he took retrospectively to change the law; and what is the estimated total saving to his Department from the action he took.

Mr. Scott: Information on those who have benefited from the Court of Appeal decision is not held centrally and could be obtained only at disproportionate cost. The intention of the legislation in schedule 6 paragraph 4 of the Social Security Act 1990 is that any entitlements conditional upon the court's judgment should be discontinued once the Act is in force. Were it not for this legislation, it is estimated that a trawl of past cases might have increased benefit expenditure by up to £100 million.

Benefits

Mr. Meacher: To ask the Secretary of State for Social Security, pursuant to his answer of 28 June, *Official Report*, columns *353-56*, on the value of benefits, if he will publish the corrected figures for the benefits in relation to earnings, including the period November 1979 to April 1990.

Mrs. Gillian Shephard: I regret the error in the earlier reply. This arose from the use of the incorrect category of

workers for the gross earnings figures. The corrected figures are in the table. It is not possible to provide the ratio of benefits to gross earnings for April 1990 because the 1990 new earnings survey is not yet available. The corrections also apply to the answer given to the hon. Member on 20 December 1989 at columns *300-02*.

	Ratio of benefit to gross earnings		
	November 1978	*November 1979*	*April 1989*
	Per cent.	*Per cent.*	*Per cent.*
Retirement pension			
Single person	23·4	23·3	18·2
Married couple	37·4	37·3	29·1
Unemployment benefit			
Single person	18·9	18·5	14·5
Married couple	30·6	29·9	23·4
Sickness benefit			
Single person	18·9	18·5	13·9
Married couple	30·6	29·9	22·4
Industrial disablement benefit	38·3	38·0	29·7
Industrial death benefit	24·1	23·8	18·2
Maternity allowance			
Single person	18·9	18·5	13·9
Married couple	30·6	29·9	22·4
Non-contributory retirement pension			
Single person	14·0	14·0	10·9
Married couple	22·5	22·4	17·5
War disablement pension	38·3	38·0	29·7
War widows pension	30·7	30·4	23·7
Attendance allowance			
Higher rate	18·7	18·6	14·6
Lower rate	12·5	12·4	9·7
Invalid care allowance			
Single person	14·0	14·0	10·9
Married couple	22·5	22·4	17·5
Severe disablement allowance			
Single person	14·0	14·0	10·9
Married couple	22·5	22·4	17·5
Mobility allowance	12·0	12·0	10·2
Child benefit	3·6	4·0	3·0
One-parent benefit	2·4	2·5	2·2

Note: Gross earnings means average gross weekly earnings, all full-time workers on adult rates in all industries and services excluding those whose pay was affected by absence (*source:* new earnings survey). Figures for November use an estimate of average earnings interpolated by the seasonally adjusted monthly index of average earnings, all employees in industries and services published in the *Employment Gazette*.

Fylde Local Office

Ms. Walley: To ask the Secretary of State for Social Security if he will give the number of claims for each of the last 12 months made to the Department of Social Security, Fylde.

Mrs. Gillian Shephard: The number of claims for family credit received by the family credit unit at North Fylde central office is in the table:

	Claims
1989	
July	66,075
August	62,397
September	80,792
October	80,670
November	85,530
December	70,996
1990	
January	78,122
February	76,049
March	89,088
April	77,080
May	93,310
June	70,101

Notes:
1. The figures are for the 4 or 5 weeks ending on the last Friday of the month.
2. The figures for claims received include those made to renew existing awards and those made more than 4 weeks before the expiry of an existing award (and therefore invalid.)

Ms. Walley: To ask the Secretary of State for Social Security what is the current staffing establishment at Fylde, Blackpool, to deal with family credit claims.

Mrs. Gillian Shephard: The current staffing complement at North Fylde central office to deal with family credit claims is 779. An additional 33 staff years are available to assist in handling claims in periods of high activity.

Ms. Walley: To ask the Secretary of State for Social Security if he will give the number of *(a)* filled posts, and *(b)* unfilled posts, for each of the last 12 months, dealing with family credit at Fylde, Blackpool; and if he will make a statement on staffing requirements to deal with family credit applications by the Fylde office at Blackpool.

Mrs. Gillian Shephard: Information about filled and unfilled posts is not available in the form requested. The allocation of staff years and expenditure against allocation in the last 12 months is in the table:

	Budget (staff years)	*Expenditure (staff years)*
1989		
July	69·50	74·17
August	69·25	72·60
September	67·83	68·84
October	67·58	67·32
November	67·58	67·32
December	67·00	71·80
1990		
January	66·50	70·51
February	66·50	66·89
March	66·50	66·83
April	64·92	63·56
May	64·92	64·02
June	64·92	65·69

Months where expenditure exceeded budget reflect the injection of additional resources in the light of the work load situation at the time.

The present complement of 779 was set for 1990-91 following a staff inspection to ascertain correct staffing levels against anticipated work load. An additional 33 staff years were allocated for use during periods of high activity.

Resettlement Unit

Mr. David Porter: To ask the Secretary of State for Social Security whether he has agreed business targets for the resettlement unit's executive agency for the current financial year.

Mrs. Gillian Shephard: Yes. They form part of the Resettlement Agency's business plan, a copy of which will be placed in the Library shortly.

Social Security Acts

Mr. Robert G. Hughes: To ask the Secretary of State for Social Security if he has received the report by the Government Actuary on the operation of the Social Security Acts since 1980.

Mr. Newton: I have today laid before the House the report that the Government Actuary has made on the operation of the Social Security Acts between April 1980 and April 1985 in accordance with section 137 of the Social Security Act 1975. The report provides a detailed forward look into the next century on the possible future costs of benefits paid out on the national insurance fund and on the contributions likely to be needed to pay for them. The Government will take this report into account in the normal processes for reviewing contributions and benefit expenditure.

Housing Benefit

Mr. Meacher: To ask the Secretary of State for Social Security by how much public expenditure has been reduced as a result of policy changes to housing benefit each year since 1987, both at current prices and at 1990 prices; and what has been the cumulative total of savings.

Mrs. Gillian Shephard *[holding answer 21 June 1990]:* Direct comparisons over this period are difficult both because the definition of what constitutes public expenditure has changed and because the replacement of domestic rates by the community charge has involved a fundamental change to the structure of the benefit. It is also not feasible to isolate the effects of individual policy changes in such a way as to judge their cumulative effect over time because they cannot readily be disaggregated from other factors affecting benefit expenditure such as benefit upratings, movements in housing costs and income levels, the level of the domestic rates or community charge set by local authorities, and changes in the numbers and compositions of the caseload.

However, in very broad terms, the overall effect of policy changes over this period has been to increase public expenditure on housing benefit and community charge benefit and also to increase the overall spending on housing benefit and on other social security support to assist with payments of rates and community charges. The main changes on a year-on-year basis are as follows. The 1988 reforms were estimated at the time to save £150 million in public expenditure on housing benefit, compared with continuing the old scheme unchanged. In addition, they were estimated to save some £480 million in expenditure not classified at the time as public expenditure, of which £350 million arose from the requirement for all claimants to meet at least 20 per cent. of domestic rates from their own resources. Against this must be set an increase of £400 million in public expenditure from the adjustment to the benefit rates to provide help with this contribution to those receiving income-related benefits.

In the year of the reforms there were certain improvements to the scheme which increased overall expenditure. These were the higher capital limit (£35 million) and the transitional protection scheme for vulnerable groups (£65 million).

Since then there have been further improvements including a package of measures for poorer pensioners (£32 million) and the further increase in the capital limit (£90 million). The transfer of support for the accommodation costs of boarders from income support increased housing benefit expenditure by £190 million. The more generous taper used for community charge benefit in 1990-91 is estimated to cost a further £210 million.

Civil Servants

Mr. Cryer: To ask the Secretary of State for Social Security how many civil servants in his Department of the rank of principal or equivalent and above are graduates of Oxford and Cambridge; and how many are graduates of other universities.

Mrs. Gillian Shephard *[holding answer 12 July 1990]:* Departmental personnel records show that 346 officers in grades 1 to 7 (and professional equivalents) in the Department of Social Security have degrees: 52 are graduates of Oxford or Cambridge and 294 graduated from other universities.

SCOTLAND

Afforestation

114. **Mr. Wray:** To ask the Secretary of State for Scotland whether Her Majesty's Government are considering suggestions by scientists that adequate and extensive afforestation schemes in Britain and Europe could play an important part in the efforts to solve the problems of air pollution and global warming.

Lord James Douglas-Hamilton: The Government are fully aware that growing trees absorb significant quantities of carbon dioxide from the atmosphere, thus helping to counter the problem of global warming. We provide substantial grants to encourage afforestation in the United Kingdom, and we supported the forestry action programme initiative launched by the European Community just over a year ago.

River Tweed Fisheries

Mr. Beith: To ask the Secretary of State for Scotland what involvement his Department had in the alterations to the cauld in the River Tweed at Melrose and of work being carried out on the river bed in the vicinity of Horncliffe; and whether he has made any assessment of the likely effect of these works, and of steps which may be taken to reinstate the river bed at these points, on salmon and sea trout fisheries.

Mr. Lang: I am not aware of any involvement or request for advice or assessment on the part of the Department in relation to these matters.

For salmon and sea trout fisheries, the River Tweed commissioners have powers under section 57 of the Tweed

Fisheries Act 1857, to compel removal of obstructions to the free run of salmon and sea trout. It would be for the commissioners themselves, in the first instance, to decide whether or not the use of these powers might be appropriate in particular instances.

Accountancy Firms

Mr. Austin Mitchell: To ask the Secretary of State for Scotland whether he has any plans to cease using accountancy firms found to be unprofessional by the joint disciplinary scheme.

Mr. Rifkind: On reaching an adverse finding against an accountancy firm, the committee of inquiry appointed under the joint disciplinary scheme may make an order censuring, reprimanding or admonishing such a firm and an order as to costs. My Department would not draw any automatic conclusion from the fact of an adverse finding; careful note would be taken of the terms of the finding in considering whether work should be commissioned from the firm.

Mr. Austin Mitchell: To ask the Secretary of State for Scotland whether he has any plans to cease using accountancy firms sued by the Government for negligence.

Mr. Rifkind: The existence of current or previous litigation is one of many aspects taken into account in deciding whether accountancy firms should be invited to tender for assignments. The objective must be to ensure that the service required is obtained from the most appropriate source.

Industrial Investment

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list the levels of investment in industry in Scotland, the south of Scotland and the Borders for every year since 1979, with 1979 = 100.

Mr. Lang: Industrial investment figures are available only for Scotland as a whole.

The table below gives estimates of gross domestic fixed capital formation for industry in Scotland at current prices for each year since 1979 to 1987, the latest year for which figures are available.

These figures have not been indexed with 1979 = 100 as this is appropriate only when comparing data through time at constant prices. Constant price figures are not available as separate price deflators are not available for Scotland.

Gross domestic fixed capital formation
Total industry Scotland

Year	*£ millions*
1979	2,350
1980	2,650
1981	2,569
1982	2,603
1983	2,632
1984	2,865
1985	3,133
1986	3,099
1987	3,043

Source: Central Statistical Office.

Mentally Handicapped People

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what is the current level of residential care provision for people with a mental handicap in Scotland; and what level of such residential care is recommended in the "Scottish Health Authorities' Review of Priorities for the Eighties and Nineties" document.

Mr. Lang: Provisional figures for 31 March 1989, the latest date for which information is available centrally, show that 2,200 places were available for persons with mental handicap in local authority homes and homes registered by them. In addition, 727 persons resident in homes for the elderly were described as mentally handicapped.

Registered homes and those provided by local authorities themselves constitute only one part of the range of housing and other accommodation which may be provided for persons in this category. The SHARPEN report recommends that priority be given to care in the community services for persons with a mental handicap but does not indicate a specific level of residential care for such people.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will list any organisations in Scotland from which he has received representations about planning blight in the development of new services for people who have a mental handicap and other priority care groups; and what was the nature of the representations.

Mr. Lang: Representations have been received from three registered housing associations (Ark, Key and Margaret Blackwood) in respect of special needs housing developments which they were seeking to promote. The concern was that the financial viability of these schemes would be affected by the level of payments they could expect to receive from local authorities in respect of care costs for residents following the transfer of financial responsibility and resources from the Department of Social Security.

It was pointed out in reply that it will be for local authorities to decide on the allocation of the resources to be transferred to them from the Department of Social Security for expenditure on care in the community; and that this discretion applies fully to the level of support to be provided for meeting residential care and other costs in individual cases.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what proportion of Department of Social Security payment of income support to people with a mental handicap living in residential care in Scotland was considered to be spent inappropriately because the person was not in fact in need of such care.

Mr. Lang: The award of income support does not incorporate a test of care need. A Government-financed study of persons living in private and voluntary residential care homes for the elderly and receiving income support payments was carried out in 1987; one of the four local authority areas studied was in Scotland. No similar study has been carried out in relation to persons with a mental handicap.

Manufacturing Expenditure

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will publish the capital expenditure on manufacturing, including and excluding leasing, in Scotland for the year 1974 and for every year since 1979 at 1985 prices.

Mr. Lang: The information is not available in the form requested.

There are no separate price deflators for Scotland and the use of United Kingdom price deflators is no longer considered to give sufficiently reliable constant price estimates. Figures are therefore given at current prices.

The figures given are for net capital expenditure for manufacturing industries in Scotland. These figures include operating leasing but not financial leasing. It is not possible to give figures for capital expenditure including or excluding leasing.

The table below gives estimates of net capital expenditure in manufacturing industries in Scotland at current prices for the years in question. The figures relate to financial years.

Year	*Net capital expenditure Manufacturing industry Scotland £ millions*
1974	309·9
1979	592·5
1980	653·3
1981	619·8
1982	544·0
1983	490·6
1984	622·9
1985	866·3
1986	777·7
1987	735·5

Source: Annual Census of Production.

Fishing Vessels

Mr. Morley: To ask the Secretary of State for Scotland when the Department of Agriculture and Fisheries for Scotland was first aware of the extent of landings into Peterhead emanating from area VIIa.

Mr. Lang: The Department of Agriculture and Fisheries for Scotland first became aware of an increase in the level of landings into Scotland of non-sector cod from area VIIa at the beginning of June. At that point, the monthly allocation for individual non-sector vessels was significantly reduced by fisheries departments. Continued high levels of landings during June resulted in the catch restrictions on each vessel being tightened further from 1 July and eventually to the closure of the fishery to the non-sector from 10 July.

Mr. Campbell-Savours: To ask the Secretary of State for Scotland which vessels were physically checked for catch details passing from areas 4 to 6 or areas 6 to 4 in each month separately since 1 January.

Mr. Lang *[holding answer 24 June 1990]:* The table lists by month the 32 vessels called into Scrabster and inspected following receipt of radio reports.

Month and Vessel	*Registered Number*
1990	
January	
Ajax	INS 168
Forelock	BCK 127
Unity	BCK 35
February	
—	
March	
Shearwater	BF 86
Ulysses	PD 76
Seaspray	PD 245
Treasury	INS 293
Starlight	PD 150
Constant Friend	PD 83
Sparkling Star	PD 137
Sharona	INS 274
Diligent	PD 314
Orion	BF 432
Sharona	PD 185
Brighter Dawn	PD 62
Prosperity	LH 445
Rose Bay	PD 65
Lorena	BF 227
Sea Spray III	PD 245
Girl Maureen	K 100
April	
Sonia Jane	BF 31
Prosperity	LH 445
Ulysses	PD 76
Solan	INS 112
Serenga	PD 95
Evening Star	LK 87
River Dee	K 51
Brighter Dawn	PD 76
Ulysses	ID 62
St. Kilda	INS 47
Eleanda	BCK 60
May	
Fear Not	INS 197
June	
—	

Mr. Morley: To ask the Secretary of State for Scotland what catches were recorded by Scottish vessels from ICES areas VIId, VIIb and VIIc in June.

Mr. Lang: I refer the hon. Member to the answer which I gave to my hon. Friend the Member for Pembroke (Mr. Bennett) on 24 July.

Mr. Morley: To ask the Secretary of State for Scotland whether the Department of Agriculture and Fisheries in Scotland has instigated a review of *(a)* log book recordings, *(b)* area of activity and *(c)* distinguishing characteristics of fish being landed in respect of concerns over misdeclarations of landings.

Mr. Lang: Log books are examined each time a fishing vessel lands a catch or when it is boarded at sea. The log book entries are checked to ensure that they are consistent with the quantities and species of fish landed or on board the vessel. Confirmation of the areas of fishing activity are sought by comparing the log book entries with surveillance data provided by fishery protection vessels and aircraft.

The ability to determine area of catch from the physical characteristics of the fish varies from species to species. In the case of cod there is at present no ready and reliable means of distinguishing whether the fish came from the

North sea or the Irish sea. It is also possible that a catch landed by a fishing vessel could contain fish from both areas.

Mr. Morley: To ask the Secretary of State for Scotland how many vessels have been contained in Scottish ports for misdeclaring catches from sea areas other than area VII.

Mr. Lang: It is not the policy to detain fishing vessels in port in anticipation of charges being brought for breach of fisheries legislation. A vessel would be detained only where it seemed likely that a court might order forfeiture of the vessel or where it was felt that this would help to ensure that the accused would appear in court to answer the charges.

Borders Region

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list all grants given by the Scottish Development Agency to businesses and projects in the Borders region.

Mr. Lang: The amount of Scottish Development Agency grants given to individual businesses or projects is a commercial matter between the agency and the companies or individuals concerned and I am therefore unable to provide the hon. Member with this information. However, I can say that in 1989-90, the Scottish Development Agency made four awards of grant totalling £20,000 under the PRIDE scheme in respect of projects in the Borders region.

Mr. Kirkwood: To ask the Secretary of State for Scotland what is the number of people employed by industrial group, and the average income of each industrial group, in the Borders for every year since 1979.

Mr. Lang: The available information is given in the tables below. Information on employment for the Borders is available only for the years for which there was a census of employment. Information on the income-based estimate of gross domestic product is not available by industry group for the Borders. The table shows the income based estimate of total gross domestic product at factor cost in current prices for each year since 1979 for which an estimate is available.

Employees in employment by industrial group in the Borders region

Thousands

1980 standard industrial classification	*1978 [1] June*	*1981 [1] September*	*1981 [2] September*	*1984 [2] September*	*1987 [2] September*
All industries and services	38·3	36·1	36·1	35·2	36·7
0 Agriculture, forestry and fishing	4·2	3·7	3·7	3·0	2·4
1 Energy and water supply	0·5	0·5	0·3	0·4	0·3
2 Extraction of minerals and ores, manufacture of metals, mineral products and chemicals	14·3	12·2	0·7	0·6	0·5
3 Metal goods, engineering and vehicles			2·4	2·8	2·5
4 Other manufacturing industries			9·5	9·2	9·3
5 Construction	2·6	2·1	2·1	2·1	2·4
6 Distribution, hotels, catering and repairs	16·8	17·4	6·7	6·3	6·9
7 Transport and communication			1·0	1·0	1·5
8 Banking, finance, insurance, business services and leasing			1·5	1·8	1·6
9 Other services			8·0	8·0	9·4

[1] These figures for 1978 and 1981 were collected using the 1968 standard industrial classification (SIC). The analysis by 1980 standard industrial classification broad industry group has been derived by combining the 1968 SIC categories that give the best approximation to 1980 SIC categories.
[2] These figures have been collected and presented on the basis of the 1980 standard industrial classification.

Income-based estimate of gross domestic product[1]—Borders region

	1979	*1981*	*1984*	*1987*
Gross domestic product (£ million)	271	323	412	551
Gross domestic product per head (£)	2,678	3,186	4,066	5,393

Source: Central Statistical Office.
[1] Gross domestic product at factor cost in current prices.

Mr. Kirkwood: To ask the Secretary of State for Scotland how many vacancies remained unfilled at jobcentres and at career offices, not seasonally adjusted and seasonally adjusted, in the Borders region for every year since 1979.

Mr. Lang: There are no comprehensive statistics on unfilled vacancies. Latest estimates suggest that nationally only about one third of all vacancies are notified to jobcentres. A seasonally adjusted vacancy series is not available below Scotland level. Information on the number

of unfilled vacancies, not seasonally adjusted, at jobcentres and careers offices in the Borders region in June of each year since 1979 is set out in the table:

Year (June of each year)	Vacancies at jobcentres	Vacancies at careers offices
1979	464	45
1980	336	10
1981	247	5
1982	246	4
1983	345	9
1984	405	10
1985	530	7
1986	454	9
1987	555	18
1988	941	23
1989	519	24
1990	619	29

[1]Vacancies for the years 1983 to 1988 inclusive, include Community Programme vacancies on the day of the count.

[2]Because of possible duplication (i.e. when a vacancy is notified to both services by an employer) and timing differences the second series should not be added together.

Community Care

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what representations he has sought from Scottish local authorities as to their degree of preparedness to take on the new community care responsibilities in April 1991; on what date he last sought this information; and what replies he has received on this issue.

Mr. Lang: I met the Convention of Scottish Local Authorities on 15 May to discuss the implementation of the Government's community care proposals. At the meeting the representatives of the convention said that local authorities had made considerable efforts to be ready for implementation on 1 April 1991. Subsequently, in a letter of 29 June to the Secretary of State, the convener of the convention's social work committee indicated that authorities' plans for implementation were at an advanced stage in preparation for 1 April 1991. I believe, however, that the phasing we have now proposed will allow more effective implementation of the changes.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will estimate the effect of the new community care responsibilities on the personal community charge levels in 1991 in each region of Scotland.

Lord James Douglas-Hamilton: This is a matter for individual local authorities to determine, but, in the light of the revised implementation plan for community care which my right hon. and learned Friend announced last week and the aggregate external finance settlement which he announced earlier today, the effect on community charge levels in 1991-92 should be small.

Investment

Mr. Kirkwood: To ask the Secretary of State for Scotland what was the gross value added per person in civilian employment in Scotland for every year since 1979, with 1979 = 100.

Mr. Lang: The information is not available in the form requested.

There are no separate price deflators for Scotland and the use of United Kingdom price deflators is no longer considered to give sufficiently reliable constant price estimates. Figures are therefore given at current prices.

Gross value added figures are available only for manufacturing industries in Scotland and are taken from the annual census of production.

The table below gives estimates of gross value added, employment and gross value added per employee at current prices for the years in question. The figures relate to financial years. It is not appropriate to index these current price figures to 1979 = 100.

Year	Manufacturing industry Scotland		
	Gross value added	Employment	Gross value added per employee
	£ millions	'000	£
1979	4,573	577	7,925
1980	4,756	533	8,921
1981	5,100	477	10,700
1982	5,414	448	12,087
1983	5,772	420	13,743
1984	5,830	397	14,693
1985	6,399	392	16,316
1986	6,192	381	16,235
1987	7,086	370	19,150

Source: Annual census of production

Population

Mr. Dewar: To ask the Secretary of State for Scotland if he will provide the most recent available breakdown of the Scottish adult population by household size in *(a)* total and *(b)* percentage terms.

Mr. Rifkind: I refer the hon. Member to the answer that I gave him on 22 February 1990 at col *865-66*. Updated information is not yet available.

Local Government Finance

Mr. Dewar: To ask the Secretary of State for Scotland when he expects to publish the 1988-89 issue of "Scottish Local Government Financial Statistics"; and whether he will include in that document tables showing the reconciliation between the local authority expenditure figures on a local authority accounting basis and local authority expenditure as defined on a public expenditure White Paper basis in Cm 1015 and Cm 1021.

Mr. Rifkind: The 1988-89 issue of "Scottish Local Government Financial Statistics" is expected to be published in early autumn. The format will be similar to previous issues, and it is not intended to include tables reconciling local authority expenditure figures on the two bases.

Vocational Qualifications

Mr. Kirkwood: To ask the Secretary of State for Scotland what is the number of vocational qualifications awarded in 1974 and for every year since 1979.

Mr. Lang: The full information requested is not available centrally. The relevant information available covers first degrees and advanced level diplomas awarded to students following full-time or sandwich courses at Scottish universities and colleges. The figures are given below.

Year	Number
1981	14,658
1982	15,102
1983	16,493
1984	17,099
1985	17,246
1986	17,408
1987	17,447
1988	18,025
1989	18,316

SDA Grants

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list the total value of Scottish Development Agency grants by year and local authority since 1979.

Mr. Lang: Information on grants prior to 1981-82 is not available in the form requested. From 1981-82 to 1989-90 the information is set out in the table. Figures for 1989-90 are provisional.

Scottish Development Agency
Analysis of grant-in-aid
Development funding and grants expenditure 1981-82 to 1989-90

District	1981-82 £'000	1982-83 £'000	1983-84 £'000	1984-85 £'000	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	[1]1989-90 £'000
Strathclyde	—	306	3,677	6,555	3,467	10,571	9,076	17,884	9,436
Argyll and Bute	—	—	—	—	—	—	—	7	38
Dumbarton	—	—	—	—	51	43	25	43	207
Clydebank	—	—	—	8	153	554	149	2	61
Bearsden and Milngavie	—	—	—	—	—	—	—	—	—
Strathkelvin	—	—	—	—	—	21	45	31	70
Cumbernauld and Kilsyth	—	—	30	1	15	25	49	13	306
Monklands	—	—	—	17	108	89	117	50	79
Glasgow City	—	281	3,299	6,060	2,053	7,511	6,748	16,082	5,934
Renfrew	—	—	70	90	—	536	30	181	749
Inverclyde	—	—	28	42	24	250	476	446	469
Cunninghame	—	25	201	85	563	422	548	182	277
Kilmarnock and Louden	—	—	25	25	—	25	29	25	37
Eastwood	—	—	—	—	—	—	—	—	—
East Kilbride	—	—	—	20	5	30	22	19	63
Hamilton	—	—	—	—	—	—	39	91	133
Motherwell	—	—	12	68	294	398	482	303	472
Clydesdale	—	—	—	113	128	15	17	45	130
Cumnock and Doon Valley	—	—	7	—	13	25	33	23	32
Kyle and Carrick	—	—	5	26	13	517	16	16	72
Strathclyde Composite	—	—	—	—	47	110	251	325	307
Dumfries and Galloway	—	—	62	370	141	52	110	196	146
Wigtown	—	—	62	365	130	22	30	95	72
Stewartry	—	—	—	—	—	—	10	28	9
Nithsdale	—	—	—	—	1	25	55	39	37
Annandale and Eskdale	—	—	—	—	—	—	5	1	7
Dumfries and Galloway Composite	—	—	—	5	10	5	10	33	21
Borders	—	—	59	—	—	121	261	64	52
Tweeddale	—	—	—	—	—	—	—	—	—
Ettrick and Lauderdale	—	—	—	—	—	115	142	53	36
Berwickshire	—	—	—	—	—	6	119	9	4
Roxburgh	—	—	59	—	—	—	—	—	10
Borders Composite	—	—	—	—	—	—	—	2	2
Lothian	—	—	460	325	703	572	1,729	682	2,023
West Lothian	—	—	45	45	481	319	182	77	218
Edinburgh City	—	—	365	280	205	191	1,357	466	1,463
Midlothian	—	—	—	—	—	31	32	14	83
East Lothian	—	—	—	—	17	—	118	24	58
Lothian Composite	—	—	50	—	—	31	40	101	201
Central	—	—	79	393	162	101	451	241	851
Stirling	—	—	50	350	15	48	127	35	334
Clackmannan	—	—	—	—	147	53	276	24	327
Falkirk	—	—	29	43	—	—	45	121	145
Central Composite	—	—	—	—	—	—	3	61	45
Fife	—	—	25	82	14	237	561	235	226
North East Fife	—	—	—	—	—	55	27	21	57
Kirkcaldy	—	—	25	22	—	40	478	115	98
Dunfermline	—	—	—	—	—	130	30	70	11
Fife Composite	—	—	—	60	14	12	26	29	60
Tayside	—	—	481	782	478	1,537	1,029	337	1,049
Angus	—	—	452	566	19	103	83	23	40
Perth and Kinross	—	—	—	—	51	59	182	4	98
Dundee City	—	—	29	216	408	1,375	764	308	852
Tayside Composite	—	—	—	—	—	—	—	2	59

District	1981-82 £'000	1982-83 £'000	1983-84 £'000	1984-85 £'000	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	[1]1989-90 £'000
Grampian	—	—	—	60	989	276	130	629	1,571
Moray	—	—	—	—	—	35	8	55	29
Banff and Buchan	—	—	—	45	23	38	40	22	92
Gordon	—	—	—	—	—	35	—	7	28
Aberdeen City	—	—	—	15	966	168	82	545	1,315
Kincardine and Deeside	—	—	—	—	—	—	—	—	—
Grampian Composite	—	—	—	—	—	—	—	—	107
Highland	—	—	—	125	148	1	111	146	132
Caithness	—	—	—	—	—	—	—	—	—
Sutherland	—	—	—	—	—	—	—	—	—
Ross and Cromarty	—	—	—	125	148	—	—	—	—
Nairn	—	—	—	—	—	—	—	—	—
Inverness	—	—	—	—	—	—	—	—	—
Skye and Lochalsh	—	—	—	—	—	—	—	—	—
Lochaber	—	—	—	—	—	1	—	—	—
Badenoch and Strathspey	—	—	—	—	—	—	—	—	—
Highland Composite	—	—	—	—	—	—	111	146	132
Western Isles	—	—	—	—	—	—	—	—	—
Orkney	—	—	—	—	—	—	—	—	—
Shetland	—	—	—	—	—	—	—	—	—
Scotland Composite	600	394	657	1,908	4,598	6,432	5,542	5,643	8,671
SDA Total expenditure	600	700	5,500	10,600	10,700	19,900	19,000	26,057	24,157

[1] Figures for 1989-90 should be considered provisional only as they have not been fully reconciled. It should be noted that grant expenditure figures include payments in respect of business advisory services.

NHS Managers

Mr. Dewar: To ask the Secretary of State for Scotland how many senior managers in administration, professional and technical sections of the NHS in Scotland have left the service either through redundancy, resignation or early retirement during the past five years.

Mr. Rifkind: A senior manager structure was introduced into the National Health Service in Scotland on 22 December 1987. Since that date, one officer in that category has retired prematurely from the service on grounds of redundancy and five on grounds of the interests of the efficiency of the service. No information is available centrally on resignation for any other reason.

Prisoners

Mr. Kilfedder: To ask the Secretary of State for Scotland how many prisoners from Northern Ireland and the Irish Republic are currently serving a prison sentence in Scotland.

Lord James Douglas-Hamilton: I regret that this information is not available in the format requested. However, on the basis of provisional figures, in 1989, 56 persons born in Northern Ireland and 22 persons born in the Irish Republic were received under sentence into penal establishments in Scotland.

Health Expenditure

Mr. Tom Clarke: To ask the Secretary of State for Scotland if he will publish a table of expenditure in 1988-89 by Scottish local authorities in respect of persons in residential care homes by the client groups (i) elderly, (ii) physically handicapped, (iii) mentally handicapped and (iv) mentally ill.

Mr. Lang: The information requested is set out in the table.

	[1]Net expenditure on residential care in 1988-89 (£m)
Elderly	65·4
Physically handicapped	1·8
Mentally handicapped	10·0
Mentally ill	0·5

[1] Net expenditure met from rates and grants.

Mr. Tom Clarke: To ask the Secretary of State for Scotland how much money will be available to local authorities and voluntary organisations for the new mental illness project grant; when the final guidance will be issued to local authorities and other bodies; what provision there will be in Scotland for a special grant for projects helping people with alcohol and drug-related problems; and if he will make a statement.

Mr. Lang: As my right hon. and learned Friend indicated in his written reply to the hon. Member for Tayside, North (Mr. Walker) on 18 July, specific grant will be payable for increased community services for the mentally ill from 1991-92. Grant will be paid at 70 per cent. of the costs of projects up to a total of £3 million in the first year. A consultation paper outlining the proposed arrangements for the payment of grant was issued to local authorities and voluntary agencies in March. Formal guidance reflecting the result of these consultations will be provided to local authorities shortly.

Voluntary sector projects providing assistance to persons with alcohol or drug-related problems will continue to be eligible to receive grant from my Department under section 10 of the Social Work (Scotland) Act 1968. In 1990-91 £96,000 has been made

available for current expenditure and £260,000 for capital expenditure. In addition the Scottish Office will continue to make funds available to health boards for the welfare of local drug misuse services. The level of support provided in 1990-91 is £2·2 million.

Marine Nature Reserves

Mrs. Ann Taylor: To ask the Secretary of State for Scotland if he will list the sites under consideration for possible designation as marine nature reserves indicating which is the first to be designated and the likely date of designation.

Lord James Douglas-Hamilton: Two potential marine nature reserves have been identified in Scotland by NCC using guidelines laid down in the joint NCC/NERC report entitled "Nature Conservation in the Marine Environment". These are Loch Sween in Argyll and St. Abbs in Berwickshire. Work on Loch Sween is more advanced and is about to enter the public consultation stage.

Birch Point (Dumping Allegations)

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on the preliminary findings of the initial investigation into the alleged dumping of explosives at Birch Point in the Firth of Clyde.

Mr. Lang: A report on the preliminary survey and other investigations carried out by the Department of Agriculture and Fisheries for Scotland is being published today. I am arranging for copies of the report to be placed in the Libraries of both Houses.

The report confirms that although there were shortcomings in ICI's sea disposal procedures in the early 1980s, these were resolved satisfactorily with the full co-operation of the company. The evidence of the survey indicates that the movement of dumped material from the dump site has been due to fishing activity in and around the disposal ground. It is not possible to say how far dumped material may have been spread.

The further survey of the dump site, which I announced last week, is now in progress. To enable the survey to proceed undisturbed by fishing activity all fishing in the area has been prohibited for the duration of the survey. The results of this survey should provide the basis for decisions on further guidance to fishermen, the control of fishing activity and any steps to be taken in relation to the dump site itself.

Highlands and Islands

Mr. Bill Walker: To ask the Secretary of State for Scotland if he is now able to announce which areas of the highlands and islands are to be targeted under the business development scheme of the rural enterprise programme announced on 17 November 1989.

Lord James Douglas-Hamilton I am pleased to announce that the rural enterprise programme's business development scheme, which is designed to help farmers and crofters diversify into new enterprises, will operate initially in Wester Ross, Lochalsh, Lochaber and south-east Sutheriand. Subject to parliamentary approval of the statutory instrument, locally based project officers should be appointed this autumn, and I expect the first awards to be made under the BDS next spring. Subject to the response achieved in these areas, Ministers will review the case for extending the BDS to other areas next autumn.

I have also decided that the REP's marketing scheme, which is designed to help farmers and crofters to market their produce more effectively, to promote a diversified business, and to publicise the benefits of improving the health status of livestock, will operate throughout the Highlands and Islands area eligible for assistance under objective 5b of the EC structural funds. I hope that the marketing scheme will be in operation before the end of 1990.

Parole

Mr. Allan Stewart: To ask the Secretary of State for Scotland what consideration he has given to the Kincraig committee's report on parole and related issues in Scotland; and if he will make a statement.

Mr. Rifkind: When the Kincraig report (Cm598) was published in March 1989, I invited comments on the review committee's recommendations from all concerned. I am grateful for the very positive response which this elicited.

The Government's conclusions and proposals are published today in a paper entitled "Parole and Related Issues in Scotland—The Government's Response to the Report of the Review Committee", copies of which have been placed in the Library.

Our proposals are based very substantially on the review committee's recommendations and reflect full acceptance of the underlying principles which they identified. Accordingly, our main proposals are that

- all prisoners should serve at least half their sentences in custody;
- release before the end of sentence should always be conditional, thus restoring meaning to the full sentence passed by the court;
- parole should be available to prisoners serving sentences of four years or more, who would be eligible for parole from the half-way point in their sentences, and should be considered in the light of statutory criteria of which the most important should be whether the prisoner can safely be released without risk to the public;
- there should be compulsory post-release supervision for all longer term prisoners, and, at the discretion of the courts, for prisoners sentenced to between one year and under four years.

The aim of these proposals is that reformed arrangements for early release should be fairer than the existing arrangements, under which prisoners convicted of more serious offences may serve a smaller proportion of their sentence in custody than shorter-term prisoners, and that there should be a greater emphasis on the behaviour of offenders after their release from custody.

I shall seek a suitable opportunity to bring before Parliament the legislative changes which will be required to implement these proposals.

Teacher Shortages

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will list the geographic and subject areas in which there is a current teacher shortage in Scotland; and if he will make a statement.

Mr. Lang *[holding answer 24 July 1990]:* Information about the number of vacancies in full-time teaching posts, by education authority and by subject, as on 31 January 1990 is given in the following tables.

The present teacher supply situation in Scotland is broadly satisfactory. The Scottish Education Department will continue to monitor teacher numbers, and, with advice from the planning group on teacher supply, set up in 1989, and on which education authorities, colleges of education and the General Teaching Council for Scotland are represented, will consider and instigate measures required to maintain an adequate intake to the teacher force in Scotland.

Numbers of advertised vacancies for full-time teaching posts, Scotland, 31 January 1990

Region or Islands area	*Secondary*	*Primary*
Borders	8	2
Central	—	—
Dumfries and Galloway	9	—
Fife	—	—
Grampian	19	36
Highland	9	4
Lothian	—	18
Orkney	—	—
Shetland	—	3
Strathclyde	—	—
Tayside	2	—
Western Isles	2	—
Scotland	49	63

Number of advertised vacancies for full-time secondary teaching posts, Scotland, 31 January 1990

Subject	*Vacancies*
All subjects	49
Art	2
Business Studies	7
Classics, Greek, Latin	—
Computing	1
English	6
Gaelic	2
Geography	2
History	—
Home Economics	1
Mathematics	3
French	3
German	—
Other modern languages	—
Modern studies	1
Music	7
Physical education	1
Religious education	1
Biology	—
Chemistry	3
Physics	3
Speech and drama	1
Technological education	1
Learning support	4
Other	—

Pre-school Education

Mr. Dunnachie: To ask the Secretary of State for Scotland how many children received pre-five education in Scottish state schools during sessions *(a)* 1988-89 and *(b)* 1989-90; and if he will make a statement.

Mr. Lang *[holding answer 24 July 1990]:* There were 40,855 and 42,269 children in education authority nursery schools or departments in 1988-89 and 1989-90 respectively.

Adult Education

Mr. Dunnachie: To ask the Secretary of State for Scotland how many adults enrolled in day-time classes in Scottish state schools in the following school sessions *(a)* 1987-88, *(b)* 1988-89 and 1989-90; and if he will make a statement.

Mr. Lang *[holding answer 24 July 1990]:* There were 12,900, 14,010 and 13,525 persons aged over 18 years old who had resumed education in education authority schools in sessions 1987-88, 1988-89 and 1989-90 respectively. This information was published in SED statistical bulletins 1/B1/1988, 5/B1/1989 and 9/B1/1990, copies of which are in the Library.

The presence of adults in the classroom is beneficial both to the pupils and to the adults themselves, and I expect that more adults will choose this path to continue their education in future. It is, however, for education authorities themselves to decide how far they wish and can afford to go in providing school education beyond the statutory requirements.

WALES

Local Offices

Mr. Wigley: To ask the Secretary of State for Wales what changes are currently being proposed to the pattern of local employment offices in Gwynedd; if he will give details of the assessed annual financial savings arising from these changes; and if he will make a statement.

Mr. David Hunt: Operational issues are a matter for the chief executive of the employment service. I have referred the hon. Gentleman's question to the director for Wales.

Inward Investment

Mr. Alan W. Williams: To ask the Secretary of State for Wales what was the total amount of inward investment by foreign-owned companies into Wales for each year from 1978-79 to the present.

Mr. David Hunt: The information is as follows:

Year	*Number of projects*	*Capital investment £ million*
1979	18	—
1980	16	—
1981	20	—
1982	17	—
1983	31	—
1984	45	164
1985	48	144
1986	50	155
1987	59	159
1988	56	1,048

Information on inward investment projects in Wales by foreign-owned companies is held by Welsh Development International only for the years 1984 onwards. Capital investment associated with projects is that supplied by companies at the time. Final figures for 1989 are not yet available. Project numbers for the years prior to 1984 are those notified to the Invest in Britain Bureau.

Mentally Handicapped People

Mr. Michael: To ask the Secretary of State for Wales how far in advance changes in the ownership or management of private institutions for mentally handicapped people have to be notified.

Mr. Grist: There is no specified period in which changes in the ownership or management of private homes for mentally handicapped people have to be notified in advance.

Mr. Michael: To ask the Secretary of State for Wales what checks a social services department, health authority or any other relevant authority is obliged to make in respect of the suitability of *(a)* the proprietor, *(b)* the manager and *(c)* anyone with a position of responsibility in respect of a private establishment for mentally handicapped people.

Mr. Grist: In assessing the fitness of persons concerned or intended to be concerned with a private home for mentally handicapped people, registration staff are expected to consider individuals' qualifications, health skills, proven experience, and, where appropriate, financial acumen. Registration authorities should also ascertain whether applicants for registration have been convicted of any offence under the Registered Homes Act 1984. Furthermore, authorities are advised to inquire into whether applicants have any other criminal convictions, including "spent" convictions within the meaning of the Rehabilitation of Offenders Act 1974.

Mr. Michael: To ask the Secretary of State for Wales whether he will undertake a review of the arrangements under which the suitability of people involved in the management and/or ownership of private establishments for the mentally handicapped is monitored; and if he will make a statement.

Mr. Grist: No. It is the responsibility of the registering authority to monitor the arrangements for assessing the suitability of people involved in the management and/or ownership of private establishments for people with a mental handicap under guidance issued by the Department.

Countryside Council

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) what was anticipated to be the date upon which the Countryside Council for Wales would commence its activities on 1 January; and if he will make a statement.

(2) when he expects the Countryside Council for Wales to commence its activities; and if he will make a statement;

(3) if there has been any delay in the financing, establishment and starting date of the Countryside Council for Wales; and if he will make a statement.

Sir Wyn Roberts: Subject to the passing of the relevant legislation, the Countryside Council for Wales will take over the responsibilities of the Nature Conservancy Council and the Countryside Commission in Wales with effect from 1 April 1991 as originally envisaged. The council will, however, be formally established before then, on a date to be determined, to enable it to prepare for its new role. The council will receive grant-in-aid from the date of its formal establishment.

Mr. Alex Carlile: To ask the Secretary of State for Wales when he expects to announce the composition of the Countryside Council for Wales; and if he will make a statement.

Sir Wyn Roberts: My right hon. Friend has already announced his intention to appoint Mr. Michael Griffith as the first chairman of the Countryside Council for Wales. My right hon. Friend and I are also currently considering the names of a number of candidates for other appointments to the council. An announcement will be made in due course.

Hospital Catering

Mr. Michael: To ask the Secretary of State for Wales what steps he has taken in relation to South Glamorgan health authority, to ensure that all necessary physical conditions and procedures are satisfactorily met in the catering departments at its district general hospitals.

Mr. Grist: The Department issued the latest guidance to district health authorities on food hygiene and pest control in the NHS in 1988. Responsibility for inspecting hospital catering premises and for monitoring food hygiene procedures generally within hospitals rests with the relevant local authority environmental health departments.

Mr. Michael: To ask the Secretary of State for Wales what advice his Department has given regarding the use of cook-chill methods *(a)* generally and *(b)* in national health service institutions in Wales; and if he will place copies of any guidance in the Library.

Mr. Grist: General advice on the subject was contained in the press release "Advice to the Public on Listeria and Food" issued by the Chief Medical Officer at the Department of Health on 10 February 1989. This advice was drawn to the attention of all chief environmental health officers and medical officers of environmental health.

Further advice was provided in a letter entitled "Listeriosis and Food", copies of which were sent to all doctors in Wales on 21 February 1989.

The most recent guidelines on cook-chill and cook-freeze catering systems were issued to the NHS in Wales on 5 July 1989.

Copies of all these documents have been placed in the Library of the House.

Pollution Inspectors

Mr. John Morris: To ask the Secretary of State for Wales who is the officer of Her Majesty's inspectorate of pollution with responsibilities for Wales; what are his other duties; how much time he has spent in Wales in the current year; and when he last met him.

Mr. Grist: The head of west division of Her Majesty's inspectorate of pollution (HMIP), based in Bristol, has overall responsibility for Wales. I have not yet had an opportunity to meet him, though our officials do so on a regular basis. There are also seven pollution inspectors with responsibility for Wales based in Cardiff.

Pollution, Port Talbot

Mr. John Morris: To ask the Secretary of State for Wales what consideration he has given to pollution from British Petroleum Chemicals at Port Talbot in the last two months; and what steps he intends to take to remedy the situation.

Mr. Grist: I refer the right hon. and learned Gentleman to the reply given to him on 20 July at columns *758-59*.

Mr. John Morris: To ask the Secretary of State for Wales whether he will ask Her Majesty's inspectorate of pollution to monitor on a day-to-day basis industrial pollution at Port Talbot for the next three months.

Mr. Grist: Her Majesty's inspectorate of pollution assures me that it will continue to discharge its statutory responsibilities in conjunction with the local authority as necessary.

Severn Crossing

Mr. Roy Hughes: To ask the Secretary of State for Wales if he will make it his policy to establish a liaison committee consisting of representatives of local community councils, Monmouth borough council, Gwent county council, the contractors and a representative of the Welsh Office to safeguard the environmental interests of people living near the construction of the second Severn crossing.

Sir Wyn Roberts: The most effective way of establishing liaison between the contractors and local communities on the environmental and other issues involved in this major project is currently under consideration.

Emergency Provision

Mr. Michael: To ask the Secretary of State for Wales if he will make it his policy that, following the implementation of the relevant sections of the National Health Service and Community Care Act, allowance will be made for sums to be paid by the health authorities of patients who receive emergency or other treatment while on holiday in another district health authority area to be held over for expenditure in the succeeding financial year.

Mr. Grist: Patients will of course be entitled to emergency treatment while on holiday, and it is the responsibility of each health authority to provide adequate accident and emergency cover in its area. When a patient is admitted to hospital for emergency treatment, the authority in which he or she lives will be responsible for meeting the costs of the treatment required. There will be no question of patients being unable to get treatment they urgently need because of uncertainty over payment. Health authorities will need to set aside funds for such eventualities, and we expect settlements to be made promptly—normally within the financial year—to protect the financial position of the hospitals providing treatment.

BISF Houses

Mr. Allen: To ask the Secretary of State for Wales if he will meet a delegation of hon. Members, peers and residents to discuss steel-framed houses and the Parnham report on BISF houses; an assessment of condition.

Mr. Grist: I understand the Parnham report is specific to the Nottingham area. In those circumstances, a meeting would not seem appropriate.

Year of the Disabled

Mr. Michael: To ask the Secretary of State for Wales what steps he intends to take to promote 1991 as the Year of the Disabled in Wales; and if he will make a statement.

Mr. David Hunt: My hon. Friend the Parliamentary Under-Secretary of State delivered a speech, a copy of which is in the Library of the House, at a Wales Council for the Disabled event on Friday 20 July 1990, in which he stressed the importance of 1991 as the Year of the Disabled in Wales: a year in which substantial progress is made for people with disabilities and their carers to have ready access to the facilities and opportunities which able-bodied people take for granted. I fully support this objective.

To this end, on 8 May 1990 my Department issued to all health and local authorities and other interests in Wales guidance on good practice in the provision of services for people with physical or sensory disabilities. We will shortly publish details of the targeted grants which will be available in Wales from April 1991 to help provide more flexible forms of domiciliary care.

Help is also available through the new renovation grants regime for disabled people to receive financial support—up to 100 per cent. where appropriate—to help them to live independently in their own homes. For those who need to rent, nearly all the homes provided through Housing for Wales are built to mobility standards and a significant proportion of the annual programme goes to meet specific special needs provision.

We will take every opportunity to reiterate the key messages to all with a part to play, including public bodies, the private sector and the community at large and ensure that they are taken forward as part of the comprehensive programme for the improvement of social and community care as set out in White Paper "Caring for People" and in my answer to my hon. Friend the Member for Cardiff, North (Mr. Jones) on 18 July.

HEALTH

Medway Health District

Mr. Moate: To ask the Secretary of State for Health if he will publish the figures for the number of hospital in-patients treated in the Medway health district in 1988-89, or the most recent year for which figures are available and in the previous year.

Mr. Dorrell: The information requested is shown in the table.

Year	*In-patient cases treated*
1986	37,300
1987-88	38,400
1988-89	36,200

Figures for all three years are deaths and discharges. Figures for 1987-88 have been adjusted to be comparable with definitions used in 1986 and 1988-89.

Junior Doctors

Mr. Ron Davies: To ask the Secretary of State for Health what progress has been made in negotiations on proposals for a reduction in the hours worked by junior doctors.

Mrs. Virginia Bottomley: I recently met with representatives of all key parties, including the profession, to discuss this matter.

The talks were both productive and encouraging. A working group has been established to explore the main issues. It has been asked to make an initial report later this summer when I shall next meet them formally to discuss its findings.

In-patients, Barnet

Mr. John Marshall: To ask the Secretary of State for Health if he will make a statement about the latest number of in-patient cases treated by Barnet health authority.

Mr. Dorrell: During 1988-89, the latest year for which data are available, a total of 36,482 in-patient cases were treated by Barnet district health authority. That is 9 per cent. more than in 1979.

NHS (Environmental Proposals)

Mr. Bowis: To ask the Secretary of State for Health what action is being taken to make the national health service more environmentally friendly.

Mr. Dorrell: We recently launched two campaigns—"Brighter and Better Hospitals", concerned with generally improving hospitals' internal and external environments, and "Towards a Greener NHS", concerned with energy conservation, the use of lead-free petrol in NHS vehicles and reducing air pollution from waste incinerators.

Health authorities are also encouraged, and are taking active steps, to reduce their use of CFCs and to examine possibilities both of collecting waste for recycling and the use of recycled materials.

Details of the campaigns are given in *Health Service Estate* journal No. 70 (June 1990), copies of which have been placed in the Library.

Community Care

Mr. Allen Mckay: To ask the Secretary of State for Health what representations he has received regarding funding arrangements for the Government's community care proposals.

Mrs. Mahon: To ask the Secretary of State for Health what representations he has received regarding funding arrangements for the Government's community care proposals.

Mrs. Virginia Bottomley: Many representations on all aspects of community care, including funding, have been received, from a wide variety of organisations. The local authority associations were invited to submit their views on the costs to the Department. These views have informed the Government's decision on the phasing of community care and the local authority settlement announced by my right hon. Friend the Secretary of State for the Environment on 19 July at columns *1185-1208*.

Mr. Alfred Morris: To ask the Secretary of State for Health (1) what is his estimate of the coist to local authorikties of preparing for the community care reforms to have been implemented in April 1991, now that he has postponed them;

(2) iff any compensation will be available to local authorities for the preparatory expenditure for the community care reforms which have now been postponed; and if he will make a statement.

Mrs. Virginia Bottomley: No. We made adequate allowance in the local authority settlement for 1990-91 for pre-implementation costs for our proposals which build on existing good practice.

Waiting Lists

Mr. Burns: To ask the Secretary of State for Health if he will make a statement on the waiting list initiative.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply that I gave to my hon. Friend the Member for Birmingham, Northfield (Mr. King) on 18 January at columns *403-4*. The inter-authority comparisons and consultancy (IACC) initiative mentioned in my earlier reply is now complete and has been very effective in reducing waiting times. The number of patients waiting over a year in the 43 specialties studied by the IACC team has virtually been halved, and has reduced by 37 per cent. in the 22 districts as a whole. IACC published its full report on 19 July this year, and copies are available in the Library.

Manchester Hospitals (Staffing)

Mr. Andrew F. Bennett: To ask the Secretary of State for Health if he will make a statement about staffing levels in hospitals in Greater Manchester.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I gave him on 3 July at columns *545-46*.

Ex-psychiatric Patients

Mr. Harry Greenway: To ask the Secretary of State for Health how many ex-psychiatric patients he estimates now to be living in the community; what were the comparable figures five years and 15 years ago; and if he will make a statement.

Mr. Dorrell: This information is not collected centrally.

In-patients

Mr. Thurnham: To ask the Secretary of State for Health what was the average number of in-patients treated in a week in 1979 and in 1989.

Mr. Dorrell: The information requested is given in the table.

In-patient cases treated, NHS hospitals, England, 1979 and 1988-89

Year	*In-patient cases treated*[1]	*In-patient cases treated per week*
1979	5,400,120	103,848
1988-89	6,585,982	126,654
Increase	1,185,862	22,805
Percentage increase	22	22

[1] Discharges and deaths.
Source: SH3 return, 1979
SH3a return, 1988-89.

Hospitals, Kendal

Mr. Jopling: To ask the Secretary of State for Health (1) what is the number of hospital beds currently available in the Kendal district; and what is the anticipated number which will be available when the new hospital is open;

(2) what is the number of doctors, nurses and other support staff who currently work in hospitals in the Kendal area; and what are the anticipated numbers who will be employed when the new hospital is open.

Mr. Dorrell: Information on the number of hospital beds and the number of hospital staff employed is collected by district only. The current available information on South Cumbria district is as follows:

	[3]*Number*
Average daily available beds (1988-89)	796
Medical and dental staff including locums (1988)[1]	90
Nursing and midwifery including agency staff (1988)	1,120
Support staff (1988)[2]	810

[1] Includes permanent paid, honorary and locum staff. Excludes senior registrars and consultants in non-teaching DHAs and senior registrars in teaching DHAs—these staff have their contracts with the RHA.

[2] Includes administration and clerical, ancilliary, professional and technical, works, maintenance and ambulance staff.

[3] "Number of staff employed are expressed as Whole Time Equivalents (WTE) and rounded up to the nearest 10."

My right hon. Friend may wish to contact the chairman of South Cumbria health authority for further information.

Donated Equipment

Mr. Steinberg: To ask the Secretary of State for Health if he will list the value of equipment donated to the national health service by charity organisations and public appeals for each year since 1979.

Mr. Dorrell: The information requested is not collected centrally.

Social Workers

Mr. Allen: To ask the Secretary of State for Health what steps have been taken to improve the training of approved social workers resulting from the publication in February of the Central Council for Education and Training in Social Work paper on refresher training for approved social workers.

Mrs. Virginia Bottomley: As CCETSW's paper says, responsibilities for continuing the work now firmly lies with local authorities and professional associations. CCETSW will continue to monitor the quality and content of training for approved social workers and to encourage their professional development. CCETSW will also continue to disseminate guidance and to provide training opportunities for training officers and supervisors of approved social workers.

Mr. Allen: To ask the Secretary of State for Health what plans are being made to equip social workers and other local authority staff with the knowledge and skills to make assessments of the need for social care of mentally ill people receiving hospital treatment.

Mrs. Virginia Bottomley: The training of approved social workers helps to equip them in making assessments of the needs of mentally ill people. Preparation for making assessments is also being incorporated in both qualifying and post-qualifying training for social workers and in the training of other social care staff.

Mental Health Act

Mr. Atkinson: To ask the Secretary of State for Health when he expects that mental health statistics will be available for the number of hospital beds, the number of patients, their admission and discharge, length of stay and detention under various sections of the Mental Health Act 1983 for a later year than 1986.

Mr. Dorrell: We expect to issue a statistical bulletin covering the period to 1990 by early next year.

Free Prescriptions

Mr. Pike: To ask the Secretary of State for Health whether he now proposes to make any extension to the categories covered by free prescriptions.

Mrs. Virginia Bottomley: No. A full charge is paid on less than one in five prescription items dispensed in the NHS. The present exemption arrangements protect those who are likely to have difficulty in paying charges. Those who are not exempt but who need a lot of prescriptions can limit their outlay by buying a prepayment certificate.

NHS Trusts

Mr. Stern: To ask the Secretary of State for Health when he expects to announce the results of his consideration of applicants for self-governing status so far received for the south-western region.

Mr. Kenneth Clarke: Each NHS trust application will be the subject of a three- month public consultation. I shall announce my decision on each application after I have had an opportunity to consider the outcome of the public consultation. I expect therefore to announce my decision on the first NHS trusts in November 1990.

Mr. Battle: To ask the Secretary of State for Health if staff employed by a potential national health service trust will be included in the three-month public consultation exercise which will follow each application to become a national health service trust.

Mrs. Virginia Bottomley: We have consistently made it clear that we expect staff of potential trusts to be among those consulted by the regional health authority on an application for trust status.

Mr. Madden: To ask the Secretary of State for Health if he will extend the consultation period in relation to the submission of views to him concerning hospitals in Bradford becoming a self-governing trust; if he will list the individuals and organisations to whom the application prospectus has been sent; what is the total cost of the production, printing and distribution of the prospectus; and if he will make a statement.

Mrs. Virginia Bottomley: We believe that three months should be ample time for public consultation on NHS trust applications. Regional health authorities are responsible for managing such consultations. The hon. Member may wish to contact Yorkshire RHA for information on the management of the consultation in Bradford.

Human Fertilisation and Embryology Authority

Mr. Thurnham: To ask the Secretary of State for Health if, following his announcement of the provisional chairman and deputy chairman of the Human Fertilisation and Embryology Authority, he will now announce the remaining membership.

Mr. Kenneth Clarke: I am pleased to announce that the following people have indicated their willingness to serve as members of the Human Fertilisation and Embryology Authority:

Margaret Auld FRCN, formerly Chief Nursing Officer, Scottish Home and Health Department; Vice President, Royal College of Midwives;

Professor Robert J. Berry FRSE, Professor of Genetics at the University of London;

Professor Ian Cooke FRCOG, Professor of Obstetrics and Gynaecology, University of Sheffield Jessop Hospital for Women; specialist in reproductive medicine.

Professor Antony Cox FRCP FRCPsych, University of London Professor of Child and Adolescent Psychiatry at the United Medical and Dental Schools of Guy's and St. Thomas's Hospitals.

Liz Forgan, Director of Programmes at Channel 4 Television;

Joan Harbison ABPsS, Senior Lecturer in Education, Stranmillis College, Belfast;

Dr. Stephen Hillier PhD MRCPath, Director of Reproductive Endocrinology Laboratory, Department of Obstetrics and Gynaecology, University of Edinburgh Centre for Reproductive Biology;

Professor Brenda Hoggett QC, Law Commissioner; Recorder of the Crown Court; Visiting Professor of Law at King's College, London;

The Rt. Rev. Richard Holloway, Bishop of Edinburgh;

Dr. Helen Houston, MD MRCGP, general practitioner, Senior Lecturer in Continuing Medical Education at the Department of Postgraduate Studies, University of Wales College of Medicine.

Penelope Keith, actress;

Angela Mays, training consultant;

Dr. Anne McLaren FRS, Director of the Medical Research Council Mammalian Development Unit;

Rabbi Julia Neuberger, Visiting Fellow, King's Fund Institute; Chairman of the Patients' Association;

Professor Robert W. Shaw FRCS (Ed) MRCOG, Professor of Obstetrics and Gynaecology at the Royal Free Hospital School of Medicine;

David Shilson, senior official in the Bank of England;

Professor Robert Snowden, Professor of Family Studies at Exeter University;

Christine Walby, Director of Social Services, Solihull;

Professor David Whittingham FRCVS, Professor of Experimental Embryology, University of London and Director of the Medical Research Council Experimental Embryology and Teratology Unit.

As the Human Fertilisation and Embryology Authority cannot be set up by the United Kingdom Health Ministers until the Human Fertilisation and Embryology Bill has received Royal Assent, their acceptance is on a provisional basis until then.

The members have been selected on the basis of their experience and personal qualities and not as representatives of any group or profession. They have been chosen so as to ensure that the authority is informed by views and experience across a wide range of relevant disciplines.

Miss Auld, Professor Cooke, Dr. Hillier, Dr. McLaren, Rabbi Neuberger, and Professor Shaw are currently members of the Interim Licensing Authority. This body was set up in 1985 by the Medical Research Council and the Royal College of Obstetricians and Gynaecologists pending legislation on human fertilisation and embryology. It will continue in being until the Human Fertilisation and Embryology Authority assumes its full powers, probably in the summer of 1991.

Road Accident Victims

Mr. Gerald Bowden: To ask the Secretary of State for Health what estimates he has for the total medical and ambulance costs associated with treatment for victims of road accidents; how much is recouped from insurance companies to meet the cost of treating road accident victims; and what plans he has to put in hand arrangements to recover any shortfall.

Mr. Dorrell: Information on the actual cost to the National Health Service in England of road accidents is not collected by the Department. However, the Department of Transport has estimated the medical and ambulance costs associated with the treatment of road accident victims in Great Britain at around £160 million in 1988.

Under the Road Traffic Act 1988 health authorities may levy an emergency treatment fee on the user of the vehicle involved in the accident. They may also raise charges for inpatient and outpatient treatment of road accident victims, subject to statutory maxima, against the owner of the vehicle or the authorised insurer. The total income collected by health authorities in England was £8·7 million in 1988-89. Details of the element recouped from insurance companies is not available.

Radioactive Caesium

Dr. Thomas: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Don Valley (Mr. Redmond), *Official Report*, 9 July, column 67, if he will publish such information as he possesses for the past five years on the number of reported cases of radioactive caesium in people.

Mr. Dorrell: In the United Kindom the presence of radiocaesium in people is widespread but can be detected only by sophisticated monitoring equipment. The Department of the Environment are sponsoring a survey using mobile equipment of levels of radiocaesium in people in parts of England and Wales. Preliminary results demonstrate that in every person monitored the radiocaesium activity was less than one fifth of the radioactive potassium activity naturally present in the body. This represents a negligible risk to health.

Blood

Mr. Kennedy: To ask the Secretary of State for Health whether he has any plans to introduce legislation to enable United Kingdom health authorities to sell whole blood and red cell concentrates to health authorities in 1992 in the single European market.

Mr. Dorrell: No.

Mr. Kennedy: To ask the Secretary of State for Health if he will make it his policy to enable the United Kingdom blood transfusion service to develop a programme which, subject to acceptable and validated product quality, would ensure that all plasma-derived factor VIII concentrate used in the national health services will be derived from United Kingdom blood donors.

Mr. Dorrell: At present approximately 70 per cent. of the factor VIII used in England and Wales is produced at the Bio Products Laboratory from the plasma of unpaid donors to the national blood transfusion service. The remainder is commercially produced factor VIII which is imported into the United Kingdom. The imported products are prescribed as a result of the preference of individual clinicians. The Bio Products Laboratory is, therefore, meeting in full the demand for its factor VIII, as it is for virtually all other blood products. It is making efforts to increase its share of the blood products market in this country, but the choice of product remains with the clinicians.

Information relating to Scotland and Northern Ireland is a matter for my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for Northern Ireland.

Advertising

Mr. Kirkwood: To ask the Secretary of State for Health how much his Department has spent on advertising and other promotional material for campaigns regarding *(a)* nurse recruitment, *(b)* blood donor recruitment, *(c)* drug misuse and *(d)* the national health service reforms, in 1988-89, 1989-90 and the estimated budgets in 1990-91.

Mrs. Virginia Bottomley: Expenditure and estimated budget figures for the years 1988-89, 1989-90 and 1990-91 for campaigns relating to nurse recruitment, blood donor recruitment, drug misuse and the national health service reforms are as follows:

£ million

	1988-89	*1989-90*	*1990-91 (estimate)*
Nurse recruitment	2·338	4·184	3·871
Blood donor recruitment	0·405	0·641	0·627
Drug misuse	2·668	3·808	4·542
National health service reforms	0·139	0·359	2·746

RU486

Mr. Doran: To ask the Secretary of State for Health whether he has received a report of the results of the British multi-centre trials of the drug RU486; and if he will make a statement.

Mrs. Virginia Bottomley: For reasons of commercial confidentiality the licensing authority does not disclose information about the receipt or progress of applications for permission to conduct clinical trials in patients, or of product licence applications. The result of all clinical trials are required to be submitted when an application for a product licence is made.

Salmonella

Mr. Pike: To ask the Secretary of State for Health what information he has on the recent salmonella outbreak at Burnley general hospital; and if he will make a statement.

Mr. Dorrell: There was an outbreak of food poisoning at Burnley general hospital in June this year due to Salmonella enteritidis PT4. The likely cause was cross-contamination from chicken which was defrosted in metal trays normally used for salads.

Implementation of guidance issued by the Department of Health enables health authorities to maintain standards of hygiene and safety of patient meals. In particular, the guidance warns of the need to take care to ensure that raw meat, including poultry, does not come into contact with cooked or prepared foods.

Publicity

Mr. Kirkwood: To ask the Secretary of State for Health what was the total expenditure on advertising, publicity and communications *(a)* in 1989-90 and *(b)* in 1979-80, excluding any expenditure relating to social security which came under his Department's jurisdiction at that time.

Mrs. Virginia Bottomley: The total expenditure on advertising, publicity and communications for the years 1989-90 and 1979-80 are as follows:

1979-80 £ million	*1989-90 £ million*
1·526	17·244

Emergency Provision

Mr. Michael: To ask the Secretary of State for Health if he will make it his policy that, following the implementation of the relevant sections of the National Health Service and Community Care Act, allowance will be made for sums to be paid by the health authorities of patients who receive emergency or other treatment while on holiday in another district health authority area to be held over for expenditure in the succeeding financial year.

Mr. Dorrell: If a person requires hospital treatment while away from home, the cost will be borne by the local district health authority in the case of outpatient attendance at a casualty department, and by the patient's home district health authority in the case of inpatient treatment. Districts will normally remit treatment costs to NHS providers within one month. It is already possible for health authorities to hold over up to half a per cent. of their budgets from one year to the next.

Abortion

Mr. Alton: To ask the Secretary of State for Health how many notifications of abortion were received by the chief medical officer later than seven days after the abortion took place during 1988.

Mrs. Virginia Bottomley *[holding answer 24 May 1990]:* The answer is 54 per cent. The explanations given

Heart Disease

Mr. David Young: To ask the Secretary of State for Health what are the latest statistics of *(a)* deaths and *(b)* sufferers from heart disease in each health district in the north-west region.

Mr. Dorrell *[holding answer 23 July 1990]:* Information about the number of deaths due to heart disease is given in the table.

Number of deaths due to heart disease[1]—usual residents of the North-Western regional health authority and component districts, 1989[2]

District Health Authority	Male	Female
Lancaster	282	240
Blackpool, Wyre and Fylde	921	774
Preston	230	238
Blackburn, Hyndburn and Ribble Valley	558	582
Burnley, Pendle and Rossendale	503	509
West Lancashire	215	164
Chorley and South Ribble	328	297
Bolton	495	503
Bury	368	358
North Manchester	331	311
Central Manchester	246	198
South Manchester	349	368
Oldham	474	472
Rochdale	394	403
Salford	520	497
Stockport	470	495
Tameside and Glossop	478	500
Trafford	397	375
Wigan	630	591
Total	8,189	7,875

[1]International Classification of Diseases (ICD) 390-429; this excludes congenital heart disease.
[2]Provisional.

The information in the table gives the estimated number of patients treated in NHS hospitals in the North Western RHA for conditions related to heart disease during 1988-89. Information on the number of sufferers from heart disease is not collected centrally.

Estimated number of in-patient and day case completed consultant episodes for diagnosis heart disease (ICD 390-429) 1988-89.

	Numbers
Lancaster	800
Blackpool, Wyre and Fylde	3,100
Preston	1,200
Blackburn, Hyndburn and Ribble Valley	2,800
Burnley, Pendle and Rossendale	3,100
West Lancashire	800
Chorley and South Ribble	1,300
Bolton	2,600
Bury	2,000
North Manchester	1,300
Central Manchester	1,400
South Manchester	1,500
Oldham	2,100
Rochdale	2,100
Salford	2,700
Stockport	2,500
Tameside and Glossop	2,500
Trafford	1,800
Wigan	4,000
North Western RHA	39,400

Source: HES 1988-89.

Asthma

Mr. Simon Hughes: To ask the Secretary of State for Health what information he has in respect of the numbers of people affected by asthma in *(a)* 1990, *(b)* 1985 and *(c)* 1980; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 24 July 1990]:* Precise figures on people affected by asthma are not collected centrally. However, it is estimated that there are approximately 1 million diagnosed asthmatics in England and Wales at present.

ENVIRONMENT

Pollution Control

8. **Mr. Stott:** To ask the Secretary of State for the Environment when he last met the director of Her Majesty's inspectorate of pollution to discuss progress in pollution control.

Mr. Trippier: I meet the director of Her Majesty's inspectorate of pollution regularly and discuss progress on all aspects of HMIP's business including the discharge of the inspectorate's regulatory functions.

Tenants' Choice

11. **Mr. McCartney:** To ask the Secretary of State for the Environment if he will make a statement about the transfer of housing under the tenants' choice provision of the Housing Act 1988.

Mr. Nicholls: Tenants' choice continues to help improve the quality of management on local authority estates, by offering tenants a viable alternative which in turn has encouraged local authorities to look much harder at the service they provide.

Public Water Supplies

14. **Mr. Teddy Taylor:** To ask the Secretary of State for the Environment what progress has been made in reducing the nitrate levels of public water supplies.

Mr. Trippier: Considerable progress has been achieved in recent years in reducing nitrate levels in public water supplies. In addition to finding new nitrate-free sources, water companies have been blending water of high nitrate concentration with water of low nitrate concentration to meet the standard and have been developing de-nitrification treatment processes. Water companies have made undertakings to meet the required standards by these several means progressively over the coming years. All supplies will comply by 1995 at the latest. Those supplies which do not meet the standard in the interim are not considered to endanger health.

Water Quality

20. **Mr. Gow:** To ask the Secretary of State for the Environment what recent communications he has received from the Commission in Brussels about the quality of the United Kingdom's drinking water and beaches.

Mr. Heathcoat-Amory: The European Commission has commenced court proceedings against this country and

virtually all other member states on the bathing water and drinking water directive. I had useful discussions yesterday with the Commission about our very substantial investment programme to improve the quality of our drinking water and bathing waters.

National Parks

21. **Mr. Andrew F. Bennett:** To ask the Secretary of State for the Environment if he will review the boundaries of the national parks.

Mr. Heathcoat-Amory: No; it is for the Countryside Commission to initiate reviews of the boundaries of national parks.

Athletics

22. **Mr. Menzies Campbell:** To ask the Secretary of State for the Environment if he has any plans to meet the chairman of the Sports Council to discuss the Government's support for British athletics; and if he will make a statement.

Mr. Atkins: I am meeting the vice-chairman of the Sports Council tomorrow to talk about the council's corporate plan. We will be touching on a variety of issues which may include British athletics.

Bristol Channel (Dumping)

23. **Mr. Speller:** To ask the Secretary of State for the Environment what proposals there are to end the dumping of sewage and sewage sludge in the Bristol channel.

Mr. Heathcoat-Amory: The Government are committed to ending dumping of sewage sludge at sea by 1998 and to the introduction of treatment for all substantial discharges of sewage. Discussions are now being held with the water industry and relevant regulatory bodies about the implementation of these policies.

Toxic Land

24. **Mr. Patrick Thompson:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of toxic land from the land register.

Mr. Trippier: My right hon. Friend the Secretary of State for the Environment is considering various possibilities to accelerate the removal of contaminated land from the land register. Any firm proposals would be the subject of consultation.

Marine Environment

25. **Mr. Kirkwood:** To ask the Secretary of State for the Environment if he will outline his Department's responsibilities in respect of protection of the marine environment.

Mr. Heathcoat-Amory: My Department is responsible for the overall co-ordination of Government policies as they affect the environment, including the marine environment.

Local Government Finance

26. **Mr. Donald Thompson:** To ask the Secretary of State for the Environment how many adults in England *(a)* are eligible to pay the community charge and *(b)* were registered to pay domestic rates in their last year of existence.

Mr. Nicholls: Some 36 million adults are eligible to pay the community charge this year compared with around 18 million domestic ratepayers under the previous system.

43. **Mr. Tom Clarke:** To ask the Secretary of State for the Environment when he next expects to meet the Association of Metropolitan Authorities and the Association of County Councils to discuss the implications for poll tax projections of central Government funding for local services in 1991-92.

Mr. Nicholls: My right hon. Friend is planning to meet representatives of the Association of Metropolitan Authorities, the Association of County Councils and other local authority associations at the Consultative Council on Local Government Finance on 17 September. At the meeting he expects to discuss the level and distribution of central Government support for local authority spending in 1991-92.

40. **Mr. David Evans:** To ask the Secretary of State for the Environment how many charge payers he estimates will have their community charge bill reduced in 1990-91 as a result of the community charge capping of a number of designated local authorities.

Mr. Nicholls: More than 4 million.

37. **Mr. John Greenway:** To ask the Secretary of State for the Environment what plans he has to improve further the assessment of the spending needs of local authorities; and if he will make a statement.

Mr. Lofthouse: To ask the Secretary of State for the Environment what consideration he has given to changes in standard spending assessments for 1991-92; and if he will make a statement.

Mr. Nicholls: My right hon. Friend will announce his proposals for standard spending assessments in the autumn.

35. **Mr. Michael Brown:** To ask the Secretary of State for the Environment whether he has received any representations in favour of replacing the community charge with a property tax based on notional rental values.

46. **Mr. Tredinnick:** To ask the Secretary of State for the Environment whether he has received any recent representations in favour of replacing the community charge with a property tax based on capital values.

56. **Miss Widdecombe:** To ask the Secretary of State for the Environment how many representations he has received in favour of replacing the community charge with the old system of domestic rates.

64. **Mr. Malcolm Bruce:** To ask the Secretary of State for the Environment what recent representations he has received in favour of a return to the domestic rates.

96. **Mr. Watts:** To ask the Secretary of State for the Environment how many representations he has received in favour of replacing the community charge with a tax on property.

Mr. Butler: To ask the Secretary of State for the Environment how many representations he has received in favour of a return to domestic rates.

Mr. Nicholls: I continue to receive representations on all aspects of local government finance. Not surprisingly, very few of these favour a return to domestic rates.

Mr. Nicholas Brown: To ask the Secretary of State for the Environment how many people, and what proportion, of those required to pay 20 per cent. of their poll tax were liable to pay rates.

Mr. Nicholls *[holding answer 23 July 1990]:* I estimate that the community charge bill for about 4 million adults is 20 per cent. or less of the personal charge for their area, and for 2·4 million of this 4 million (58 per cent.) either they or their spouses were former ratepayers.

Mr. Higgins: To ask the Secretary of State for the Environment what percentages of local authority expenditure in the current year are financed from the community charge, the unified business rate and central Government support *(a)* on average in England and *(b)* in Worthing.

Mr. Portillo: The information is as follows.

Percentage of Local Authority Expenditure Financed by:

	England per cent.	*Worthing per cent.*
Community charge[1]	27·0	36·4
Unified business rate	26·0	40·1
Central government support[2]	45·3	22·9
Use of reserves	1·7	0·6

[1] Community charges net of community charge benefit and transitional relief grant as reported on authorities' budget returns. These grants are included in Central Government support.

[2] Comprising Revenue Support Grant, safety net adjustments, special grants and specific and supplementary grants both inside and outside Aggregate External Finance.

Ms. Abbott: To ask the Secretary of State for the Environment what is the estimated cost to the Exchequer of abolishing the requirement to pay poll tax of those who are currently required to pay only 20 per cent. of the poll tax.

Mr. Nicholls: Based on local authority returns, I estimate that 500,000 students currently receive relief under section 13 of the Local Government Finance Act 1988. It is estimated that these students will pay about £40 million in community charge this year.

The cost of increasing the maximum reduction available through community charge benefit to 100 per cent. is a matter for my right hon. Friend the Secretary of State for Social Security.

Mr. Stern: To ask the Secretary of State for the Environment if he will make it his policy to collect and to report to the House the average costs of collection of the community charge in its first year in England and Wales *(a)* per community charge payer and *(b)* as a proportion of the charge collected.

Mr. Nicholls: Yes.

113. **Mr. Dykes:** To ask the Secretary of State for the Environment what recent representations he has received about his proposals to charge-cap local authorities.

Mr. Portillo: My right hon. Friend received a number of representations about his proposals on caps for those local authorities designated for charge capping in 1990-91.

91. **Mr. Lewis:** To ask the Secretary of State for the Environment what are his best estimates of the losses on poll tax collection likely to be incurred in 1990-91.

Mr. Nicholls: The Government have made no separate estimates or assumptions about losses in the collection of the community charge. There is no reason why the percentage volume of community charge arrears should be any greater than under the rating system.

93. **Mr. David Shaw:** To ask the Secretary of State for the Environment whether the Government intend to retain the power to cap local authority budgets.

Mr. Nicholls: Yes.

77. **Mr. Boyes:** To ask the Secretary of State for the Environment what are his best estimates of the likely average level of poll tax in 1991-92; and if he will make a statement.

101. **Mr. Barron:** To ask the Secretary of State for the Environment if he has made any assessment of spending needs of local authorities for the coming financial year 1991-92; and if he will make a statement.

Mr. Nicholls: I refer the hon. Members to the statement which my right hon. Friend the Secretary of State made to the House on 19 July.

80. **Mr. Oppenheim:** To ask the Secretary of State for the Environment when he last met the Association of District Councils; and whether community charge levels were discussed.

75. **Mr. Anthony Coombs:** To ask the Secretary of State for the Environment when he last met the Association of County Councils; and whether levels of local authority spending were discussed.

Mr. Nicholls: My right hon. Friend met representatives of the Association of District Councils, the Association of County Councils and other local authority associations at the meeting of the Consultative Council on Local Government Finance on 5 July. The meeting discussed the level of spending planned by local authorities in 1990-91, the need for spending by local authorities in 1991-92, and the implications for community charge levels.

70. **Mr. Andrew Smith:** To ask the Secretary of State for the Environment what recent representations he has received concerning his Department's review of the poll tax.

Mr. Nicholls: My right hon. Friend has received a number of representations.

60. **Mr. Terry Fields:** To ask the Secretary of State for the Environment if he will bring forward proposals to replace the community charge.

98. **Mr. Devlin:** To ask the Secretary of State for the Environment whether he has any plans to review the operation of the community charge with a view to restricting payment to only one person in every household.

103. **Mr. Ken Hargreaves:** To ask the Secretary of State for the Environment if he will outline the principles which guided him in conducting his review of the community charge.

Mr. Nicholls: I have nothing to add to the statement made by my right hon. Friend on 19 July.

52. **Mr. Hayward:** To ask the Secretary of State for the Environment whether he has any plans to meet local authority leaders to discuss alternatives to the community charge.

Mr. Nicholls: I refer my hon. Friend to the reply given by my hon. Friend the then Parliamentary Under-Secretary of State, the Member for Southampton, Itchen (Mr. Chope), to my hon. Friend the Member for Harrow, West (Mr. Dykes) on Friday 20 July, *Official Report*, Volume 176, column *738*.

47. **Mr. Franks:** To ask the Secretary of State for the Environment how many students in further education under 20 years of age have applied for exemption from the community charge.

Mr. Nicholls: Information about applications for exemptions is not available centrally. I shall publish estimates of numbers of exempt persons when data are available from local authority returns.

Ocean Dumping

28. **Mr. Morgan:** To ask the Secretary of State for the Environment when he last met his counterparts in the European Community regarding ocean dumping.

Mr. Heathcoat-Amory: Dumping at sea was discussed by Ministers of North sea states at the third North sea conference held in The Hague in March this year which Ireland, Portugal and Spain also attended as observers.

Environment White Paper

29. **Sir David Steel:** To ask the Secretary of State for the Environment when he expects to publish his next White Paper on the environment.

Mr. Trippier: This autumn.

Liverpool Football Club

Mr. Wareing: To ask the Secretary of State for the Environment if he will make representations to UEFA to lift the ban on the entrance of Liverpool football club into European competitions; how many representations he has received against the ban; and if he will make a statement.

Mr. Atkins: As I made clear in my recent letter and report to UEFA on progress on measures to combat football hooliganism, I believe that a blanket ban on English clubs participating in European competitions is no longer justified. As to the question of lifting UEFA's additional three-year ban on Liverpool football club, in the first instance it is for the English FA to nominate Liverpool and for UEFA to take the final decision. Since August 1989 I have received five letters in support of the lifting of the ban on Liverpool.

Uniform Business Rate

32. **Mr. Madden:** To ask the Secretary of State for the Environment when he expects to announce the uniform business rate for the year 1991-92; and if he will make a statement.

61. **Mr. Cox:** To ask the Secretary of State for the Environment when he expects to announce the increase in the uniform business rate for the year 1991-92; and if he will make a statement.

Mr. Nicholls: My right hon. Friend will calculate and notify charging authorities of the national non-domestic rating multiplier for 1991-92 in the autumn. As the hon. Gentlemen will know, however, the multiplier cannot in future rise from year to year in real terms. This compares favourably with the 62 per cent. increase in real terms between 1979-80 and 1989-90 in the non-domestic poundage set by Bradford metropolitan borough council.

Land Register

33. **Mr. Summerson:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of underutilised land from the land register.

44. **Mr. Bellingham:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of dormant land from the land register.

54. **Mr. Brazier:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of unused land from the land register.

55. **Mr. Waller:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of underutilised land from the land register.

63. **Mr. Bevan:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of underutilised land from the land register.

66. **Dr. Blackburn:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of toxic land from the land register.

71. **Mr. Irvine:** To ask the Secretary of State for the Environment what steps he proposes to take to accelerate the removal of derelict land from the land register.

79. **Mr. Marland:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of derelict land from the land register.

84. **Mr. David Nicholson:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of unused land from the land register.

87. **Sir John Hunt:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of vacant land in the inner cities from the land register.

92. **Mr. Steen:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of dormant land from the land register.

100. **Mr. Simon Coombs:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of dormant land from the land register.

107. **Dr. Goodson-Wickes:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of toxic land from the land register.

111. **Mr. Alexander:** To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of vacant land from the land register.

Mr. Franks: To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of dormant land from the land register.

Mr. Ken Hargreaves: To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of derelict land from the land register.

Mr. Pawsey: To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of under-utilised land from the land register.

Miss Widdecombe: To ask the Secretary of State for the Environment what measures he is considering to accelerate the removal of vacant land from the land register.

Mr. Michael Spicer: I refer my hon. Friends to the answer I gave earlier today to my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby).

Sewers (Radioactive Discharges)

34. **Mr. Livsey:** To ask the Secretary of State for the Environment if he will make a statement on radioactive discharges to the public sewer.

Mr. Trippier: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State, the Member for Wells (Mr. Heathcoat-Amory), to the hon. Member on 27 June 1990, *Official Report*, Vol. 175, column *266*.

Bathing Waters

36. **Mr. Andrew Welsh:** To ask the Secretary of State for the Environment what discussions he has had with the European Commission on the quality of designated bathing waters.

Mr. Heathcoat-Amory: We maintain a dialogue with the Commission on this topic.

Ms. Walley: To ask the Secretary of State for the Environment when he will transpose the requirements of designation and compliance of 76/160/EEC bathing water directive to United Kingdom law.

Mr. Heathcoat-Amory: We are at present discussing with the water industry a draft of regulations to be made under the Water Act 1989 to bring the requirements of directive 76/160/EEC explicitly within the scope of United Kingdom law.

Ms. Walley: To ask the Secretary of State for the Environment when he intends to announce a sampling and analysis system to be used by the National Rivers Authority for its monitoring responsibilities in bathing water.

Mr. Heathcoat-Amory: The Secretary of State has appointed the National Rivers Authority as the competent authority for implementing directive 76/160/EEC. It is for the National Rivers Authority to determine the appropriate sampling and analysis procedures consistent with the directive.

73. **Mr. Conway:** To ask the Secretary of State for the Environment what percentage of United Kingdom bathing waters complies with the European Community directive; and what the figure was in 1979.

83. **Mr. Moss:** To ask the Secretary of State for the Environment how many United Kingdom bathing waters complied with the European Community bathing waters directive *(a)* in 1979 and *(b)* at the current time; and what percentage of total designated waters this represents.

Mr. Heathcoat-Amory: In 1979, 18 of the 27 identified bathing waters complied with the directive's mandatory coliform standards; this is 67 per cent. For 1989, 336 of the 440 identified bathing waters complied with the directive's mandatory coliform standards; this is 76 per cent.

Planning Legislation

38. **Mr. Batiste:** To ask the Secretary of State for the Environment what representations he has received about existing planning legislation; and if he will make a statement.

Mr. Atkins: My Department is always receiving comments on the operation of town and country planning legislation and suggestions for improving it. In addition, we have received many comments in response to consultation papers on specific aspects of planning law.

72. **Mr. Vaz:** To ask the Secretary of State for the Environment when he proposes to introduce new planning legislation; and if he will make a statement.

Mr. Atkins: Following recent public consultation exercises my right hon. Friend intends to introduce legislation on town and country planning when the parliamentary timetable permits.

Housing Corporation

39. **Mr. Frank Field:** To ask the Secretary of State for the Environment if he will make further funds available to the Housing Corporation; and if he will make a statement.

Mr. Michael Spicer: We are already increasing very significantly the level of resources available to the Housing Corporation for investment in housing associations. The corporation's gross capital expenditure in 1989-90 was £935 million; provision for 1990-91 is £1,100 million and is planned to rise to £1,536 million in 1991-92 and £1,736 million in 1992-93.

67. **Mr. Tony Lloyd:** To ask the Secretary of State for the Environment if he has any plans to meet the chairman of the Housing Corporation to discuss its finances.

Mr. Nicholls: My hon. Friend the Minister for Housing and Planning meets the chairman of the Housing Corporation from time to time to discuss the corporation's finances and other matters.

Transitional Relief

41. **Mr. Pike:** To ask the Secretary of State for the Environment what are his best estimates of the level of take-up of transitional relief for non-ratepaying pensioners and people with disabilities for 1990-91.

Mr. Nicholls: I estimate that about half a million elderly or disabled persons in England are entitled to extra help

under the transitional relief scheme. They have until 1 October, or later if the charging authority allows, to apply. I therefore have no estimate of the number likely to receive extra relief.

Water Infrastructure Charge

42. **Mr. French:** To ask the Secretary of State for the Environment when he next expects to meet the Director General of Water Services to discuss the workings of the water infrastructure charge.

Mr. Heathcoat-Amory: My right hon. Friend will be meeting the Director General of Water Services shortly. They will be discussing a number of matters of general interest.

Housing Associations

45. **Mr. Bowis:** To ask the Secretary of State for the Environment what proportion of housing association houses and flats is subject to equity sharing agreements; and what proportion carries the right to buy.

Mr. Michael Spicer: Since April 1979 there have been some 22,000 housing association sales in England under shared ownership arrangements. Information about those which have subsequently been fully purchased by the occupier, or reverted to housing association ownership, is not available centrally.

Housing associations owned an estimated 565,000 dwellings in England at the end of March 1990, and the right to buy is available to all tenants except *(a)* those with assured tenancies, *(b)* tenants of charitable housing associations, *(c)* those in housing associations which have not been publicly funded, and *(d)* those in associations which are fully mutual co-operatives. Estimates of the number of tenants excluded are not available.

Recreational Facilities

48. **Mr. Harry Greenway:** To ask the Secretary of State for the Environment what additional playing fields and games facilities, including leisure centres, are estimated to have been established since 1979; what were the figures for the previous five years; and if he will make a statement.

Mr. Atkins: It is estimated that during the period from 1980 to 1989 inclusive, 682 new sports facilities were built in England. This figure compares with the 478 that were estimated to have been built during the period 1975-79. No central record of playing fields provision exists.

Sewage Outlets

49. **Mr. Michael:** To ask the Secretary of State for the Environment what are the sewage outlets into seas and estuaries which were at a planning stage and will now incorporate full treatment, as a result of his North sea conference announcement; how much will be contributed from Government funds; and what proportion of the additional costs that contribution represents.

Mr. Heathcoat-Amory: Discussions are being held with the sewage undertakers, the National Rivers Authority and the Office of Water Services about the implications for individual schemes of the decision to treat all substantial sewage discharges.

The additional costs must be met by the water service companies, although these costs will be eligible for consideration for cost pass-through.

Council Tenants

50. **Mr. Wilshire:** To ask the Secretary of State for the Environment what measures his Department has introduced since 1979 to help council tenants to buy their own homes.

Mr. Michael Spicer: The right to buy was introduced in 1980 to enable council tenants to buy their homes, and has been regularly improved since: the qualifying period has been reduced from three years to two, discounts have been increased and tenants of disabled persons' housing, outside sheltered schemes, have been given the right to buy. Over 1·2 million tenants of local authorities, new towns and housing associations in England have bought their homes as sitting tenants since 1979 under the right to buy or on voluntary terms. Since 1989, local authorities have also had the power to pay grants to help their tenants buy homes of their own on the open market.

65. **Mr. Sumberg:** To ask the Secretary of State for the Environment what is the latest figure he has for the number of tenants in the north-west of England who have bought their homes under the Government's right-to-buy legislation.

Mr. Michael Spicer: It is estimated that, up to the end of March 1990, 111,000 dwellings had been sold by local authorities and new towns in the north-west of England under the right-to-buy legislation.

I have today placed in the Library a table giving available information on local authority sales up to March 1990. It shows year-by-year information for each authority since 1984-85 together with cumulative figures since April 1979 and the proportion of stock sold since April 1979.

Sewage Disposal, Fylde

51. **Mr. Jack:** To ask the Secretary of State for the Environment what proposals he has received from Lancashire county council for a workable solution to the problems of sewage disposal on the Fylde coast and in the River Ribble.

Mr. Heathcoat-Amory: North West Water plc is consulting interested parties, including local authorities, about proposals for disposing of sewage on the Flyde coast. It will then be for the National Rivers Authority to consider applications for discharge consents.

European Football Competitions

53. **Mr. Barry Porter:** To ask the Secretary of State for the Environment what discussions he has had concerning the re-entry into European football competitions of English football clubs.

Mr. Robert Atkins: I had meetings with both the president and vice-president of UEFA in May. I have also had discussions with the chairman of the Football Association and the chairmen of Manchester United and Aston Villa. On 10 June, I submitted a report to UEFA covering the behaviour of spectators during the 1989-90 domestic season and the World Cup finals in Italy.

I indicated to the president of UEFA that the Government had withdrawn their objections to the participation by English clubs in European competitions.

Taking into account our views, UEFA decided to admit Manchester United to the European cup winners cup and Aston Villa to the UEFA cup next season.

Drinking Water

57. **Mr. Kennedy:** To ask the Secretary of State for the Environment if he has made a recent assessment of the safety of drinking water.

Mr. Heathcoat-Amory: The quality of drinking water from public supplies in England and Wales is generally of a high quality. Most supplies already comply with the requirements of the Water Supply (Water Quality) Regulations 1989 which incorporate the standards of the EC drinking water directive. Programmes are under way to improve as quickly as practicable those supplies which do not yet comply.

The drinking water inspectorate has commenced inspection of the water companies and will report to my right hon. Friends the Secretary of State for the Environment and the Secretary of State for Wales in 1991 upon the quality of drinking water supplied during the current calendar year.

Mr. French: To ask the Secretary of State for the Environment if he will review the levels at which lead in drinking water is officially regarded as safe.

Mr. Heathcoat-Amory: Any exposure to lead should be considered potentially harmful. The Commitee on the Medical Aspects of the Contamination of Air, Soil and Water, an independent committee which advises the chief medical officer, reviewed the position in November 1988. Its conclusions are reproduced in annex 1 of "Guidance on Safeguarding the Quality of Public Water Supplies", which is in the Library. In accordance with the committee's recommendation a standard of 50 micrograms/litre is incorporated in the Water Supply (Water Quality) Regulations 1989, and applies to any sample rather than to the average level. This is more rigorous than the standard in the EC drinking water directive.

Mr. French: To ask the Secretary of State for the Environment what steps his Department is taking to reduce the danger of lead in drinking water.

Mr. Heathcoat-Amory: Much has already been done to reduce lead levels in those parts of the country where there was a particular problem.

As well as setting a standard of 50 micrograms/litre for lead in any sample of drinking water, the Water Supply (Water Quality) Regulations 1989 require water companies to carry out additional treatment of drinking water in certain circumstances where, in the company's opinion, this will eliminate, or reduce to a minimum, the risk that the lead level in the water will rise to more than 50 micrograms/litre after leaving the company's pipes; and, where there is such a risk, to co-operate with the owner of the premises in removing its part of any lead pipe which connects directly to a tap using drinking water. Water companies have given undertakings to the Secretary of State to identify by specified dates supply zones where additional treatment may be appropriate, and to install such treatment by specified dates.

The water byelaws prohibit the installation of any pipe or other water fitting made of lead and the use, in the construction or installation of any pipe or water fitting, of any material or substance which is likely to cause contamination of water. We are considering whether any further steps should be taken to increase the effectiveness of the byelaws in this respect.

88. **Mr. Wallace:** To ask the Secretary of State for the Environment if he will make a statement on the presence of pesticides in drinking water.

Mr. Heathcoat-Amory: The trace amounts of pesticide found in a small proportion of United Kingdom drinking water supplies are not regarded by the Government's medical advisers as posing a danger to health. Under the water quality regulations water companies are required to carry out regular monitoring for pesticides residues and, where appropriate, to develop the technology for their removal and to investigate with the National Rivers Authority the case for restricting their use within water catchment areas.

Voluntary Sports Clubs

58. **Mr. Pendry:** To ask the Secretary of State for the Environment if he will make it his policy to introduce mandatory rate relief for voluntary sports clubs.

Mr. Atkins: Present arrangements allow local authorities to award discretionary rate relief of up to 100 per cent. to non-profit making bodies—such as voluntary sports clubs. The Government have considered mandatory rate relief, but believe that local authorities are best placed to assess the benefits that local communities derive from sports clubs and should, therefore, be allowed to tailor rate relief accordingly.

Hedgerows

59. **Mr. Colvin:** To ask the Secretary of State for the Environment if he will review the legislation for the preservation of hedgerows.

Mr. Trippier: Our current review of tree preservation policies and legislation is also considering matters relating to hedgerows.

Sites of Special Scientific Interest

62. **Mr. Hardy:** To ask the Secretary of State for the Environment how many sites of special scientific interest have been damaged or destroyed during the last seven years.

Mr. Trippier: The information is not available in the form requested. Since 1 April 1984 information on the number of SSSIs damaged is set out in the NCC's annual reports, copies of which are in the Library.

Housebuilding

68. **Mr. John P. Smith:** To ask the Secretary of State for the Environment if he will make a statement about the current condition of private sector housebuilding.

Mr. Michael Spicer: The most recent housebuilding statistics were published by my Department in a press release on 5 July 1990, which is in the Library.

Although the housebuilding industry is currently suffering from the effects of anti-inflationary measures, the success of those measures will provide a sound basis for its long-term prospects for growth.

74. **Mr. Meale:** To ask the Secretary of State for the Environment if he has developed any proposals concerning public sector housebuilding.

Mr. Michael Spicer: The task of providing new subsidised homes for rent and sale is increasingly passing to housing associations, with local authorities fulfilling an enabling role. Local authorities decide their own priorities in using the capital resources available to them, although the Government have encouraged them to concentrate on the improvement of their own stock and on assistance to private owners with grants.

Newspapers (Recycled Newsprint)

69. **Mr. Flynn:** To ask the Secretary of State for the Environment what initiative he is taking to increase the use of recycled newsprint by national newspapers.

Mr. Heathcoat-Amory: I intend to have meetings with individual newspaper publishers, newsprint manufacturers and the Newspaper Publishers Association shortly to discuss further what measures can be taken to increase the proportion of recycled paper used in newsprint.

New Territories

76. **Mr. Corbyn:** To ask the Secretary of State for the Environment how many new tenancies he estimates will be created by private landlords *(a)* during 1990 and *(b)* in 1991.

109. **Mr. Livingstone:** To ask the Secretary of State for the Environment how many new tenancies have been created by private landlords under the Housing Act 1988.

Mr. Michael Spicer: We are about to commence a detailed evaluation of the impact of deregulation and that will include an assessment of the number of tenancies so far created. There are already clear signs of increased activity in the residential letting market. We estimate that £535 million has so far been invested in business expansion scheme companies letting on assured tenancies, which should provide some 9,500 additional homes for letting.

Chlorofluorocarbons

78. **Mr. Paice:** To ask the Secretary of State for the Environment what action the Government are taking in assisting developing countries to phase out the use of chlorofluorocarbons.

Mr. Trippier: I refer my hon. Friend to the answers given by my right hon. Friend the Minister for Overseas Development to the hon. Member for Berwick-upon-Tweed (Mr. Beith) on 18 June, column *392*, and to the hon. Member for Cynon Valley (Mrs. Clwyd) on 2 July, column *418*.

81. **Mr. Hague:** To ask the Secretary of State for the Environment by what date it is his policy that all non-essential use of chlorofluorocarbons in Britain should be phased out.

Mr. Trippier: Much of the non-essential use of chlorofluorocarbons (CFCs) has already gone. It is the Government's policy to phase out all CFC use by 1997 subject to an exemption if necessary for essential uses such as medical aerosols.

86. **Mr. Norris:** To ask the Secretary of State for the Environment what is the Government's target for reducing the use of chlorofluorocarbons and other ozone-depleting substances in the United Kingdom.

Mr. Trippier: We are negotiating within the European Community for the following targets: chlorofluorocarbons—50 per cent. cut by 1992, 85 per cent. by 1995, phase-out by 1997 subject to an exemption if necessary for essential uses such as medical aerosols; halons—50 per cent. by 1995, phase-out by 2000 except for agreed essential uses; carbon tetrachloride—an 85 per cent. cut by 1992, phase-out by 2000; and methyl chloroform—freeze by 1992, 30 per cent. cut by 1995, 70 per cent. by 2000, phase-out in 2005. These targets imply faster progress than the recently agreed changes to the Montreal protocol for all the substances except halons.

Mrs. Gorman: To ask the Secretary of State for the Environment if he will make a statement on his Department's current estimate of the ongoing effect of chlorofluorocarbons on the ozone layer.

Mr. Trippier: My Department has asked the stratospheric ozone review group to report as soon as possible on the likely impact on the ozone layer of the tightening of the Montreal protocol agreed at the second meeting of the parties held in London last month. Our preliminary estimate is that, if all significant users of ozone-depleting substances ratify the amended protocol, chlorine loading in the atmosphere will peak at about four parts per billion in 1997, and fall to about three parts per billion by 2040. This fall would be significantly greater if use of HCFCs is phased out between 2000 and 2040, as envisaged in the resolution agreed at the meeting.

105. **Mr. Bright:** To ask the Secretary of State for the Environment what representations he has received supporting the agreements reached at the London ozone conference in June on phasing out the use of chlorofluorocarbons and other ozone-depleting substances; and if he will make a statement.

Mr. Trippier: My right hon. Friend the Secretary of State has recieved a number of representations supporting the agreements reached in London. He has also received a number supporting our call for a phase-out, within the European Community, of chlorofluorocarbons by 1997, subject to an exemption if necessary for essential uses such as medical aerosols.

Rivers

82. **Mr. Pawsey:** To ask the Secretary of State for the Environment what percentage of United Kingdom rivers are of good or fair quality; and what are the comparable figures for the rest of the European Community.

Mr. Heathcoat-Amory: The river quality surveys carried out in 1985 throughout the United Kingdom showed that 95 per cent. of the United Kingdom's rivers were of good or fair quality. A review of river classification schemes across the European Community published in 1988 by the Water Research Centre showed that the average figure in the EC for rivers of comparable quality was 75 per cent.; the review also indicated that no other member state bettered the United Kingdom's position.

95. **Mr. Lyden:** To ask the Secretary of State for the Environment if he has any plans to meet the chairman of the National Rivers Authority to discuss progress on improving the quality of rivers.

Mr. Heathcoat-Amory: I refer the hon. Member to the reply given by my hon. Friend the Member for Rossendale and Darwen (Mr. Trippier) to the hon. Member for Workington (Mr. Campbell-Savours) on Wednesday 18 July, *Official Report*, Volume 176, column *564*.

Water Leakage

85. **Mr. Simon Hughes:** To ask the Secretary of State for the Environment if he will take powers to require water companies to reduce the levels of leakage within their areas.

Mr. Heathcoat-Amory: My right hon. Friend the Secretary of State and the Director General of Water Services already have adequate powers under part II of the Water Act 1989 for this purpose. I would also refer to the answer that I gave to the hon. Member for Gordon (Mr. Bruce) on 13 February 1990, *Official Report*, column *181*.

Acid Rain

89. **Mrs. Ray Michie:** To ask the Secretary of State for the Environment what recent research he has commissioned into the effects of acid rain on trees.

Mr. Trippier: The Department has commissioned extensive studies into the effects of acid deposition and gaseous pollutants on trees, with emphasis on establishing possible mechanisms for damage and methods for early diagnosis of damage. This is part of the ongoing air pollution research programme. Recent results from this programme and from work carried out elsewhere have significantly advanced our knowledge and my Department has therefore set up a sub-group of the United Kingdom terrestrial effects review group specifically to evaluate this new information. The sub-group will report in January 1991.

Documents

90. **Mr. Maclennan:** To ask the Secretary of State for the Environment, pursuant to the answer to the hon. Member for Southport (Mr. Fearn), *Official Report*, 2 July, what steps he takes to ensure that all documentary records are properly preserved.

Mr. Chris Patten: My Department complies fully with the requirements of the Public Records Act 1958, and responds to advice from the Public Records Office on the safekeeping of documentary records.

Irish Sea Conference

94. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for the Environment what representations he has received on the Irish sea conference to be held in the Isle of Man in October.

Mr. Heathcoat-Amory: I regularly receive correspondence from members of the public as well as parish and community councils about the Irish sea, but these have not focused particularly on the forthcoming Irish sea conference. This is being organised by the Irish sea study group which includes Government, industry, academic institutions and voluntary organisations and is supported by the Governments of both the United Kingdom and the Republic of Ireland.

Ozone Layer

97. **Mr. Jacques Arnold:** To ask the Secretary of State for the Environment if he will make a further statement outlining progress following the London international conference in June on the ozone layer.

Mr. Trippier: Discussions have started within the European Community on a new regulation to control ozone-depleting substances. For the chlorofluorocarbons, the Government are pressing for a phase-out date of 1997 subject to an exemption if necessary for essential uses such as medical aerosols.

Rural Housing

99. **Mr. Ron Davies:** To ask the Secretary of State for the Environment whether he has developed any new proposals for the creation of affordable rented housing in rural areas.

Mr. Michael Spicer: I refer the hon. Member to the answer given on 13 December 1989 to the hon. Member for Sheffield, Hillsborough (Mr. Flannery) by my hon. Friend the Parliamentary Under-Secretary of State, the Member for Southampton, Itchen (Mr. Chope), *Official Report*, column *711*.

Action for Cities

102. **Mr. Burt:** To ask the Secretary of State for the Environment if he will make a statement on the progress of the action for cities programme.

Mr. Portillo: Substantial progress is being made in the regeneration of our inner cities under the Government's action for cities programme. In partnership with the private sector, substantial investment is taking place in new factories, housing, shopping centres, roads and other infrastructure, and in treating derelict land; unemployment in the 57 inner city target areas has fallen by a third since March 1988. The Government, through the city action teams and inner city task forces, are working closely with business, local government, the voluntary sector and local people to build on the progress already made and to maintain the pace of inner city regeneration.

Capital Values

104. **Mr. Charles Wardle:** To ask the Secretary of State for the Environment whether he has received any representations in response to the capital value rating figures published by his Department on 4 April.

Mr. Portillo: Although I receive representations on many aspects of local government finance, not many have been on this aspect.

Homelessness

106. **Mr. Knapman:** To ask the Secretary of State for the Environment what progress is being made with his Department's initiative to provide direct access to subsidised accommodation for single homeless people sleeping rough on the streets of London and other cities.

Mr. Michael Spicer: Urgent consultations are currently taking place with voluntary groups, local authorities and housing associations about the provision of direct access accommodation in London. Consideration will be given in due course to the possibility of extending the initiative to other major cities.

Landfill Sites

108. **Mr. Illsley:** To ask the Secretary of State for the Environment what extra resources he will make available for the monitoring of methane gas from current and disused landfill sites.

Mr. Heathcoat-Amory: I refer the hon. Member to the answer given by my hon. Friend the Member for Rossendale and Darwen (Mr. Trippier) on Thursday 19 July 1990 to the hon. Member for Stoke-on-Trent, North (Ms. Walley), *Official Report*, Volume 176, column *726*.

Mortgage Repossession

110. **Mr. Buckley:** To ask the Secretary of State for the Environment if he has any plans to meet the chairman of the Building Societies Association to discuss mortgage repossession.

Mr. Michael Spicer: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State, the Member for Southampton, Itchen (Mr. Chope), to the hon. Member for Huddersfield (Mr. Sheerman) on 27 June, *Official Report*, Vol. 175, column *265*.

Beaches

Mrs. Wise: To ask the Secretary of State for the Environment who is responsible for deciding how many and which bathing beaches are tested each year for compliance with EEC standards.

Mr. Heathcoat-Amory: In England this is a matter for my right hon. Friend the Secretary of State for the Environment. In Scotland, Wales and Northern Ireland it is a matter for the respective Secretaries of State. Identifications were made in consultation with the competent authorities. Local authorities and the National Rivers Authority also measure the quality of other, non-identified, waters in their area.

Integrated Pollution Control

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many representations he has received from industry in respect of the introduction of integrated pollution control; what has been the nature of these representations; and if he will make a statement.

Mr. Trippier: I refer the hon. Member to the reply to my hon. Friend the Member for Bury, North (Mr. Burt), on 24 July.

Southampton Buildings

Mr. Campbell-Savours: To ask the Secretary of State for the Environment whether he will ask an inspector from English Heritage to reassess Southampton Buildings as regards the grade II listing for part of the site.

Mr. Trippier: I will write to the hon. Member.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment when the cladding removed in 1984 will be replaced on the east wing of Southampton buildings, London WC2.

Mr. Nicholls *[holding answer 24 July 1990]:* The cladding was removed in 1986 because of serious deterioration following storm damage in that year. Re-cladding was planned to start in December last year, but this had to be postponed because of funding difficulties and other maintenance priorities. It may, however, be possible to start next year.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment (1) what are the plans for Southampton buildings when the Patent Office and British library vacate the buildings;

(2) whether there are plans to redevelop the site formerly known as the great seal patent office and library.

Mr. Nicholls *[holding answer 24 July 1990]:* The last parts of the Patent Office vacated Southampton buildings in September last year. The building is expected to be occupied by British Library and others until the mid-1990s when the opportunity may occur for refurbishment or redevelopment. It is too early to say which option might be adopted.

Empty Properties

Mrs. Gorman: To ask the Secretary of State for the Environment if he will estimate the number of empty private properties which have been brought back into use since the provisions of the Housing Act 1988 came into force.

Mr. Michael Spicer: No such estimate has been made. I expect the 1990 private renters' survey, the results of which will be available next spring, to show that many landlords of all types of property have been encouraged to make them available by the 1988 Act.

Noise Pollution

Mr. Hayward: To ask the Secretary of State for the Environment if he has any intention to change the legislation in relation to noise pollution, in particular as it relates to noise created by parties and similar activities.

Mr. Rooker: To ask the Secretary of State for the Environment if he will bring forward proposals to strengthen noise pollution legislation; and if he will make a statement.

Mr. Heathcoat-Amory: An independently chaired working party has been meeting regularly since February to discuss noise pollution, including loud parties and neighbourhood noise. The working party's recommendations will be considered in drafting the environment White Paper and the working party's report will also be published in full. These will indicate the changes that may be needed in noise control legislation.

The Entertainments (Increased Penalties) Act received Royal Assent on 13 July. This substantially increases the penalties to fines of up to £20,000 or imprisonment for up to six months, or both, in all cases where an event is held without a licence or where a licence condition regarding the number of people who might be present is breached. In addition, my right hon. and learned Friend the Home

Secretary has proposed that magistrates should be given power under the Criminal Justice Act 1988 to confiscate profits in excess of £10,000 made by those organising illegal parties or allowing their land or premises to be used for them.

Waste Control

Ms. Walley: To ask the Secretary of State for the Environment (1) if he will make a statement concerning the role of waste regulation authorities in carrying out visits to industrial and chemical waste producers; and what plans he has to extend the advice set out in waste management paper No. 4 to include visits to industrial and commercial waste producers;

(2) what advice he has given and to whom concerning the frequency of site visits to producers of industrial and commercial waste;

(3) if he will make a statement about the financing of inspections of industrial and commercial waste producers in respect of duty of care provisions as currently outlined in the Environmental Protection Bill;

(4) what assessment he has made of the number of producers of *(a)* industrial and commercial waste in London and England which will be covered by duty of care provisions under the Environmental Protection Bill;

(5) what is his estimated cost for regulating producers of waste *(a)* in London and *(b)* in England.

Mr. Trippier: The Environmental Protection Bill places waste producers under a duty of care to take all reasonable steps to ensure that their waste will not be dealt with illegally. The duty will apply to all persons who produce or hold waste in the course of a business. There are around 800,000 registered companies in England and Wales, and considerably more non-registered businesses. The duty of care imposes no additional regulatory duties on local authorities, nor will it require them to visit waste producers routinely. We have no plans to include advice on visits to producers' premises in any revision of waste management paper 4, which deals with the licensing of waste management facilities, not the duty of care. General advice on the implications of the duty of care has been published in the form of a draft code of practice, to be issued under clause 33 of the Bill. It will be open to any authority or individual to prosecute any producer or holder of waste whose actions constitute a breach of the duty of care. Further advice on the steps to be taken by authorities to follow up a suspected breach of the duty will be issued in the form of a circular when the duty of care provisions are enacted. The effect of the duty of care on waste regulation authorities will be to provide, for the first time, an effective sanction against producers of waste who collaborate in the commission of existing offences. I do not foresee any need for significant extra resources to deal with this new provision.

Ms. Walley: To ask the Secretary of State for the Environment if he will give a revised timetable for the introduction of regulations necessary to bring into effect the powers of the Control of Pollution (Amendment) Act 1989.

Mr. Trippier: The regulations necessary to implement the Control of Pollution (Amendment) Act 1989 are being prepared with a view to their being issued for consultation later in the summer and coming into force early in 1991.

Ferro Alloys (Pollution)

Ms. Walley: To ask the Secretary of State for the Environment what progress Her Majesty's inspectorate of pollution has made in securing the co-operation of Ferro Alloys in Glossop in meeting the reduced target rate of 113 kg/hour by 31 August 1992; and if he will make a statement.

Mr. Trippier: No intermediate target has been set for the company. The inspectorate will continue to monitor the situation and as yet is unaware of any reasons why the target will not be met.

Ms. Walley: To ask the Secretary of State for the Environment what is the current hourly rate of sulphur dioxide emissions from the Ferro Alloys chimney stack in Glossop for the last six months, measured in metric terms.

Mr. Trippier: The estimated hourly rates of sulphur dioxide emissions from the Ferro Alloys chimney for the last six months are given in the table:

Month	*Kg/hr sulphur dioxide*
1990	
January	325
February	358
March	320
April	325
May	313
June	296

Average figures are based on monthly production figures and monthly sulphur dioxide results.

Ms. Walley: To ask the Secretary of State for the Environment if he will inform the Peak Park planning board of the current level of sulphur dioxide emissions from the Ferro Alloys chimney stack in Glossop: and if he will monitor the effect of sulphur dioxide emissions from that stack on the area covered by the Peak Park planning board.

Mr. Trippier: Information is available and the inspectorate will contact the Peak Park planning board to ensure that this information is made available to it on a regular basis.

HMIP does not normally carry out environmental monitoring. This is usually done by the relevant local authorities, in this case both High Peak borough council and Derbyshire Dales district council, both of which cover the Peak Park near to Glossop.

At any distance from the Glossop plant it is unlikely that any emissions from Ferro Alloys could be distinguished from other sources.

Nature Conservancy Council

Mrs. Ann Taylor: To ask the Secretary of State for the Environment what consideration has been given to establishing a consultation mechanism between the Nature Conservancy Council and interested parties, including sea fisheries committees and harbour authorities in relation to coastal and marine areas of high nature conservation interest.

Mr. Trippier: The Nature Conservancy Council is already consulted on a wide range of matters affecting

coastal and marine areas of nature conservation interest. Nevertheless, there are a large number of conflicting interests, which raise complex legal issues, and the Government are therefore actively considering the possibility of voluntary consultation arrangements for sensitive marine areas.

Mr. Morley: To ask the Secretary of State for the Environment if he will list the consultancy studies currently being carried out in relation to the proposed reorganisation of the Nature Conservancy Council and the Countryside Commission indicating where reports, or draft reports, are yet available; and if he will place copies in the Library.

Mr. Trippier: Three consultancies have been commissioned by the Government in relation to the proposed reorganisation of the Nature Conservancy Council:

(i) a review of the staffing and organisational needs of the scientific and secretarial support unit of the joint Nature Conservation Committee. This review was carried out by the consultancy and inspection services division of HM Treasury, and is now complete;

(ii) a review by PE—International (Inbucon) of the scope for certain non-scientific services to be provided by one of the new agencies on a common basis for two or all of the successor agencies and the JNCC, which is also complete;

(iii) a study by the Central Computer and Telecommunications Agency of the information systems requirements of the new agencies and the JNCC. This review is still in progress.

Although work by the consultants has finished on the two reviews at (i) and (ii) above, the reports have not yet been fully considered by the Government, existing agencies and the chairmen-designate of the new agencies and the JNCC. Copies of the reports for all three reviews will be placed in the Library of the House when the consultation procedures have been completed.

Mr. Morley: To ask the Secretary of State for the Environment whether he has any plans to contract out any of the functions of the Nature Conservancy Council on an agency basis following its proposed reorganisation.

Mr. Trippier: Following reorganisation it will be for the three new country councils and the joint nature conservation committee to decide in the first instance how their statutory duties and work programmes can be most efficiently discharged.

Mrs. Ann Taylor: To ask the Secretary of State for the Environment if he will indicate the number of additional staff posts which are likely to be required by the Nature Conservancy Council arising from the Government's reorganisation proposals and the number of additional posts identified by the consultants PE International plc.

Mr. Trippier: Detailed work on the staffing, structure and organisation of the three new country councils, including the joint nature conservation committee, is currently being undertaken by the Government and the existing agencies, in consultation with the chairmen-designate of the new councils and the JNCC. Final figures are not yet available for the number of staff likely to be employed after reorganisation. An announcement will be made shortly.

The consultants, PE-International, were employed by NCC to estimate total resource requirements for all the new bodies based on a range of different assumptions. They did not make any recommendations about what staffing levels should be.

Birds

Mr. Morley: To ask the Secretary of State for the Environment when his officials last met the Royal Society for the Protection of Birds to discuss the international movement of wild birds.

Mr. Trippier: Officials are in regular touch with the Royal Society for the Protection of Birds, and have met the society on several occasions during the past few years to discuss a number of matters relating to the conservation of and trade in birds.

County Hall

Mr. Tony Banks: To ask the Secretary of State for the Environment what representations he has received about the redevelopment proposals for the county hall, London SE1.

Mr. Atkins: I refer the hon. Member to reply given to my hon. Friend the Member for Battersea (Mr. Bowis) yesterday by my right hon. Friend the Secretary of State.

Ozone-depleting Chemicals

Dr. Thomas: To ask the Secretary of State for the Environment, pursuant to the reply to the hon. Member for Stoke on Trent, North (Ms. Walley), *Official Report*, 4 July, column *564*, if he will make a statement on the outcome of the Brussels meeting on safe substitutes for ozone-depleting chemicals, held on 4 and 5 July.

Mr. Trippier: The meeting held in Brussels on 4 and 5 July was attended by representatives of the member states of the European Community including officials from my Department, DTI, HSE, the European Commission; the United States Environmental Protection Agency and European industry. It afforded a valuable opportunity for an exchange of views on the introduction of safe substitutes for ozone-depleting chemicals and their testing requirements. There was general agreement between European and United States officials on how to proceed further in the development of testing strategies and requirements for these substances.

Isotopic Fingerprinting

Mr. Dalyell: To ask the Secretary of State for the Environment, further to his letter of 20 November 1989 B/PSO/35125/89 to the hon. Member for Linlithgow, what consideration he has given to isotopic fingerprinting as an aid to controlling trade in endangered species.

Mr. Trippier: No information about the progress of research into this technique has been forthcoming since the matter was first raised by the hon. Member, and we have thus not yet been able to make any evaluation of its potential.

Sea Outfalls

Ms. Walley: To ask the Secretary of State for the Environment if he will make a statement on the method, frequency and publication of analysis in monitoring the marine environment at the emission point of sea outfalls.

Mr. Heathcoat-Amory: The available information is held on the registers maintained by the National Rivers Authority under section 117 of the Water Act 1989.

Sewage Slick (East Anglia)

Ms. Walley: To ask the Secretary of State for the Environment what action has been taken to deal with the sewage slick off the coast of East Anglia; where this slick originates from; what specific dispersal attempts there have been; and if he will make a statement.

Mr. Heathcoat-Amory: I am not aware of any such slick.

Weston Shore, Southampton

Ms. Walley: To ask the Secretary of State for the Environment when he, or representatives from his Department, last met representatives of the National Rivers Authority and Southern Water with regard to Weston shore, Southampton; and if he will make a statement.

Mr. Heathcoat-Amory: My officials are in correspondence with representatives of the National Rivers Authority and of Southern Water Services Limited concerning Weston shore, Southampton. My officials are preparing a factual reply to a complaint from the Commission of the European Communities concerning water quality and use at Weston shore.

Ms. Walley: To ask the Secretary of State for the Environment what action he proposes to take to ensure the beach at Weston shore, Southampton, meets European Community standards.

Mr. Heathcoat-Amory: The water is not identified under directive 76/160/EEC, so there is no obligation for it to meet that directive's standards.

Waveney Beach

Ms. Walley: To ask the Secretary of State for the Environment what action he proposes to take to ensure the beach at Waveney, East Anglia, meets European Community standards.

Mr. Heathcoat-Amory: I am pleased to report that in 1989 both the identified bathing waters in Waveney met the standards for coliforms set in the bathing water directive and one, Lowestoft South, was awarded a blue flag. In addition, Southwold beach was also awarded a blue flag, although this bathing water is not at present identified under the directive.

Waveney Sewage Outfall

Ms. Walley: To ask the Secretary of State for the Environment what proposals there are to extend the sewage outfall at Waveney, East Anglia; what volume of raw sewage is currently emitted through the outfall; what volume is planned through the extended outfall; and if there are proposals for full treatment sewage works to service the Waveney area.

Mr. Heathcoat-Amory: There are no immediate plans to extend the existing outfall at Lowestoft, which has an average flow of 30,000 cubic metres a day. We are at present discussing with the water industry the level of treatment to be provided at Lowestoft. Sewage from Southwold is already given secondary treatment.

Housing Action Trusts

Mr. John Evans: To ask the Secretary of State for the Environment if he has any further plans for housing action trusts.

Mr. Michael Spicer: We are having discussions with tenants and councils on possible housing action trusts in Southwark and Waltham Forest. I am ready at any time to consider proposals from councils and tenants for the use of HAT powers in other areas.

Football Trust

Mr. Pendry: To ask the Secretary of State for the Environment on how many occasions an observer from his Department has attended meetings of the Football Trust 1990 since its commencement of operations; and what has been the number of meetings at which his observer has been entitled to attend over the same period.

Mr. Atkins: An observer from the Department of the Environment has attended all three meetings of the Football Trust 1990 held since its establishment on 5 April.

Mr. Pendry: To ask the Secretary of State for the Environment on how many occasions an observer from his Department attended meetings of the Football Trust after 1 July 1986 and before the establishing of the Football Trust 1990; and what was the number of meetings at which his observer was entitled to attend over the same period.

Mr. Atkins *[holding answer 23 July 1990]*: An observer from the Department of the Environment attended all 16 meetings of the Football Trust held between 1 July 1986 and the establishment of the Football Trust 1990 on 5 April.

Warrington and Runcorn Development Corporation

Mr. Hoyle: To ask the Secretary of State for the Environment (1) how much was paid by Warrington and Runcorn development corporation in redundancy payments to each senior officer, other than the head of department, in the marketing department;

(2) how Warrington and Runcorn development corporation assessed the appropriate fee reductions in respect of work for other clients carried out by business ventures using its property;

(3) whether Warrington and Runcorn development corporation had unrestricted access to information about what contracts the business ventures using its property had with other clients;

(4) how much was deducted from fees paid to each business venture by Warrington and Runcorn development corporation to take account of *(a)* the cost of gas and electricity, *(b)* rates and *(c)* the use of their property; and how these deductions were calculated;

(5) what fees were paid by Warrington and Runcorn development corporation to each business venture; and what would have been the cost of retaining these services in house in each case;

(6) if he will make it his policy for all future contracts to be awarded on the basis of competitive tendering.

Mr. Nicholls: I will write to the hon. Member.

Hazardous Waste

Ms. Walley: To ask the Secretary of State for the Environment if he will make a statement on part II of the Environmental Protection Bill concerning the division of responsibilities between Her Majesty's inspectorate of pollution and the waste regulatory authorities for the enforcement of *(a)* the special waste regulations and *(b)* the transfrontier shipment of hazardous waste regulations with regard to waste disposal facilities subject to integrated pollution control and those not subject to integrated pollution control.

Mr. Trippier: In January 1990 we published a consultation paper reviewing the Control of Pollution (Special Waste) Regulations 1980 and setting out the changes which we propose to make to the present arrangements. It is proposed that waste regulation authorities should continue to be responsible for the enforcemet of the revised special waste regulations which will be made in due course under part II of the Environmental Protection Bill, including those cases where special waste is consigned to a process authorised for control by HMIP under part I of the Bill. In such cases, it is proposed that waste regulation authorities should have access to and should be provided with the information necessary for them to discharge their responsibilities under the special waste regulations.

The Transfrontier Shipment of Hazardous Waste Regulations 1988 implement directive 84/631/EEC. This directive is at present being reviewed by the European Commission in the light of the Basel convention on transboundary movements of hazardous waste. It is anticipated that the Commission may propose a regulation to replace directive 84/631/EEC. A decision on the continuing responsibilities of waste regulation authorities under the 1988 regulations will be taken in the lightof the regulation adopted by the Community.

Merryhill Tower Block (Fire)

Mr. Faulds: To ask the Secretary of State for the Environment if he will make a statement about the fire on 13 July in the Merryhill tower block in Smethwick and the danger in other tower blocks of similar faulty contruction of fire spreading rapidly; and what remedial action he intends in similar such blocks.

Mr. Nicholls: The first step is to establish precisely what happened in the tower block at Merryhill, and to understand how the fire travelled. Sandwell council, the owner, is carrying out an urgent investigation, and experts from the fire brigade and my Department's Building Research Establishment are helping. If there are lessons to be learnt, we shall take immediate steps to see that other owners of similar buildings are informed.

Press Officers

Dr. Thomas: To ask the Secretary of State for the Environment how many press officers are employed by his Department.

Mr. Chris Patten: My Department's press office is currently staffed by 14 press officers.

Contaminated Land

Mr. Hayward: To ask the Secretary of State for the Environment when the Government response to the Environmental Select Committee's report on contaminated land will be published; and if he will make a statement.

Mr. Trippier: The Government's response is being published today and a copy has been placed in the Library. We welcome the report as a valuable contribution to the debate on contaminated land and confirm the need to safeguard against risks to human health or the environment.

In identifying areas for further assessment and action the Government have been able to accept or consider many of the Committee's recommendations. The Government response looks at the scale of the problem, analyses the need for more information on extent and location of contaminated sites and goes on to consider a suitable framework for protection and the opportunities for supporting clean-up action. This includes review of the scope for further research and evaluation.

The Government have already gone ahead with proposals in the Environmental Protection Bill for publicly accessible local authority registers of potentially contaminated land uses. A programme of work on a more comprehensive system of quality standards for dealing with contamination is now proposed; this will build upon current Government approaches to guidance, but at this stage stopping short of the statutory requirements recommended by the Committee. The Government already provide grant aid on some aspects of work on contamination and propose further to assess available technology including possible demonstration projects on the latest clean-up techniques.

Environmental Protection Bill

Mr. Roger King: To ask the Secretary of State for the Environment whether he will announce the results of the consultation on the draft code of practice on the duty of care under the Environmental Protection Bill.

Mr. Heathcoat-Amory: My Department together with the Welsh Office and the Scottish Office have considered the responses made to the consultation papers on the draft codes of practice for waste holders under the duty of care issued on 12 February in England and Wales and 22 March in Scotland.

A total of 108 responses were received in England and Wales and 41 in Scotland. Copies of those responses whose authors agreed to publication are in the libraries of the Department of the Environment, the Welsh Office and the Scottish Office for public inspection.

The overwhelming majority of comments supported the general substance of the duty of care and the draft code of practice. Points of detail and improvements to the presentation of the code will be attended to before a revised final text is issued to take effect. The Government also recognise a need for simplified explanatory material and publicity to accompany the final launch of the code.

A further consultation exercise will be launched on draft regulations governing documents to be kept under the duty. The duty of care and code of practice will then be brought into effect as soon as possible next year. It is intended to issue a single code for Great Britain.

Planning Applications

Mr. Leigh: To ask the Secretary of State for the Environment when he will next increase fees for planning applications; and if he will make a statement.

Mr. Michael Spicer: My right hon. Friends the Secretary of State and the Secretary of State for Wales intend to lay before the House after the summer recess regulations which would increase fees for planning applications by 20 per cent. The regulations would amend the Town and Country Planning (Fees for Planning Applications and Deemed Applications) Regulations 1989. If approved by the House and another place, they could come into effect by mid-November.

As proposed in the consultation paper "Efficient Planning" published last year, the Government also intend that planning application fees should cover 100 per cent. of local authorities' development control costs. My right hon. Friends intend to lay before the House further regulations over the next several years to raise fees progressively in order to achieve 100 per cent. recovery.

Deemed Planning Consent

Mr. David Porter: To ask the Secretary of State for the Environment (1) if he will make a statement about the future of local authority road schemes, where county councils have no deemed planning consent powers;

(2) if he will make a statement on arrangements for county councils to fulfil their statutory waste disposal functions where they have no deemed planning consent facility;

(3) if he will make a statement about the arrangements for the emergency provision of temporary classrooms, where county councils have no deemed planning consent powers;

(4) what plans he has for deemed planning consent powers for both district and county councils; and if he will make a statement.

Mr. Michael Spicer *[holding answer 16 July 1990]:* I announced on 7 February, in reply to a question from my hon. Friend the Member for South Hams (Mr. Steen) (*Official Report*, Vol. 166, column *638*) that I had issued a consultation paper seeking views on proposals to amend the Town and Country Planning General Regulations 1976. Among the proposed changes was that councils should in future be required to apply for planning permission like any other applicant, for any development where they were not the responsible development control authority. Under this proposal, county councils would, for example, have been required to seek planning permission from district councils for road schemes and to provide temporary classrooms, although not for waste disposal development because for that the county council is the responsible local planning authority.

The consultation paper, "Local Authorities' Deemed Planning Permission" provoked 275 responses of which 70 per cent. were broadly in favour of the Government's proposals. The proposal to require county councils to seek planning permission from district councils was criticised for its unfairness to county councils and the difficulties they would have fulfilling their statutory functions.

The Government have considered carefully these criticisms, and we have decided to implement modified proposals as follows. In the case of local authorities' own development, whether on their own land or elsewhere, the present arrangements for deemed permission will continue, subject to three specific safeguards. We shall require such a proposal to be fully advertised; to be determined in public by a committee not responsible for managing or disposing of land or buildings owned by the authority; and, if the development proposal conflicts with the development plan, we shall require it to be reported to my right hon. Friend or to my right hon. Friend the Secretary of State for Wales to enable them to consider calling in the proposal for their own decision.

These safeguards will also apply to development proposals by other parties on land owned by local authorities, but for these proposals we shall in future require planning permission to be sought from the responsible local planning authority; we shall make appropriate similar arrangements for national park special boards and planning committees.

Only the last of these proposals requires primary legislation, for which an early opportunity will be sought. We intend to achieve the remaining proposals by means of secondary legislation .

The Government believe that these modified proposals represent a useful reform that will increase the accountability of local authorities when deeming themselves planning permission and will enable their probity to be publicly demonstrated.

Pollution

Mr. Simon Hughes: To ask the Secretary of State for the Environment what steps he is taking to ensure that the guidance notes being prepared by Her Majesty's inspectorate of pollution for part A and B processes of the Environmental Protection Bill are comprehensive in respect of what constitutes excessive cost; and if he will make a statement.

Mr. Trippier *[pursuant to his reply, 18 July, column 569]:* The notes for the part B processes, which it is intended will come under local authority air pollution control, will contain detailed guidance for local authorities on the standards of control which constitute the best available techniques not entailing excessive cost, including time scales for the upgrading of existing processes. The notes will be issued by my right hon. Friend the Secretary of State; under clause 7(11) of the Bill, local authorities will be required to have regard to this guidance.

Written Answers to Questions

Thursday 26 July 1990

ATTORNEY-GENERAL

City Fraud

Mr. Skinner: To ask the Attorney-General what discussions he has held recently with the Director of Public Prosecutions about City fraud; and if he will make a statement.

The Attorney-General: I frequently meet the Director of Public Prosecutions to discuss matters of departmental interest. However, as I said in my answer to the hon. Member on 9 July 1990, primary responsibility for the prosecution of commercial fraud rests with the Serious Fraud Office. I met the director of the Serious Fraud Office on Monday 16 July to discuss matters of departmental interest.

"Statutes in Force"

Mr. Spearing: To ask the Attorney-General if he will state the dates to which Her Majesty's Stationery Office's publication "Statutes in Force" applies *(a)* in respect of new statutes and *(b)* in respect of repeals and amendments.

The Attorney-General: As to new statutes, all relevant Acts which received Royal Assent before 24 May 1990 have been duly published in "Statutes in Force". Information on the repeal of whole Acts is up to date to 29 June 1990, and amended Acts in "Statutes in Force" are up to date to various extents ranging from 1 January 1983 to 1 May 1990.

Political Advisers

Mr. Cryer: To ask the Attorney-General if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

The Attorney-General: No political advisers or public relations advisers are currently employed to advise Ministers in any of the Departments for which I am responsible.

THE ARTS

Natural History Museum

Mr. Fisher: To ask the Minister for the Arts whether he intends to publish the corporate plan of the natural history museum.

Mr. Mellor: I am pleased to say that the museum published its corporate plan in April and copies are available from the museum on request.

ENVIRONMENT

Local Government Finance

Mr. French: To ask the Secretary of State for the Environment if he will list the names of those local authorities known to him that have set their standard community charge multiplier at less than twice the personal community charge in respect of properties unoccupied for more than *(a)* three months, *(b)* six months and *(c)* 12 months.

Mr. Nicholls: I am arranging for this information to be placed in the Library of the House.

Krypton 85

Mr. Redmond: To ask the Secretary of State for the Environment what research his Department has carried out into Krypton 85 before authorising its release into the atmosphere in 1992; what regulations apply to Krypton 85; and if he will make a statement.

Mr. Trippier: Discharges of radioactive gas into the atmosphere are regulated by authorisations issued under the Radioactive Substances Act 1960. My Department has supported research into immobilisation of Krypton 85 for purposes of disposal. Applicants for an authorisation are required to justify their proposals with reference to their own research results where appropriate. No application for such an authorisation to be granted in 1992 has been received. All applications are carefully assessed by Her Majesty's inspectorate of pollution before authorisations are granted.

BISF Houses

Mr. Allen: To ask the Secretary of State for the Environment what representations the Minister for Housing has received from the hon. Member for Nottingham, North requesting a meeting regarding BISF houses; and when he will reply.

Mr. Michael Spicer: My hon. Friend the then Parliamentary Under-Secretary of State replied to the hon. Member's request in his letter of 29 March 1990.

Mr. Allen: To ask the Secretary of State for the Environment if he will make a statement on the implications of the Parnham report "BISF Houses: An Assessment of Condition", for the policies of his Department.

Mr. Michael Spicer: My Department has not seen this report, which we understand has been commissioned privately.

European Environment Agency

Dr. Thomas: To ask the Secretary of State for the Environment when he last met his European Community counterparts to discuss the issue of the development of a European environment agency; and if he will make a statement.

Mr. Trippier: I discussed the European environment agency with EC Environment Ministers and their counterparts in eastern Europe in Dublin on 16 June 1990. The progress made in adopting the regulation on the agency was welcomed. The regulation takes actual effect when a decision on the siting of the agency is made.

Radioactive Waste

Dr. Thomas: To ask the Secretary of State for the Environment whether his Department has reviewed its policy on radioactive waste management and storage following the publication of the European Commission's proposals for radioactive waste management and storage.

Mr. Trippier: The 19th report of the House of Lords Select Committee on the European Communities broadly endorsed the Government's policy on radioactive waste management and storage. No further review was therefore required.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what controls govern the disposal of radioactive waste to the dustbin by local authority collection; and if he will make a statement.

Mr. Trippier: The disposal of radioactive waste with domestic refuse system is controlled by the Radioactive Substances Act 1960 (RSA 60). Unless exempted by way of an order issued under RSA 60 any such disposal requires authorisation.

House Renovation Grants

Mr. David Nicholson: To ask the Secretary of State for the Environment what were the reasons for the delay in publishing the regulations on the house renovation grants scheme; what is the average interlude between the publication of regulations and the starting of a scheme; and what representations he has had from *(a)* local authorities and *(b)* others on this matter.

Mr. Nicholls: The Housing Renovation etc. Grants (Reduction of Grant) Regulations 1990 (S.I. No. 1189) were not laid before Parliament until 8 June as they had been the subject of an extensive consultation exercise. It was necessary to take account of comments received from consultees before the regulations could be finalised. Information is not available on the average time taken between the publication of regulations and the start of a scheme and it could be collected only at disproportionate cost. Since the regulations were laid my Department has received two representations from local authorities and 13 from hon. Members.

Water Charges

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the water companies that have had complaints sent to the Monopolies and Mergers Commission over the cost of water pipes to new homes since privatisation; and if he will list the complaints received, by company.

Mr. Heathcoat-Amory: Complaints about the actions of, and charges imposed by, water and sewage undertakers fall to be dealt with in the first instance by the customer service committees established by the Director General of Water Services. Reference of any individual complaint to the Monopolies and Mergers Commission is a matter for decision by the director general.

Mr. Redmond: To ask the Secretary of State for the Environment what information he has on the amount charged by individual water companies for connection to the water system for *(a)* new homes and *(b)* new businesses; and if he will make a statement.

Mr. Heathcoat-Amory: Section 79 of the Water Act 1989 enables water and sewage undertakers to levy charges to cover the cost of additional infrastructure required to meet the demands of new customers. The initial limits, which were set by my right hon. Friend the Secretary of State, are listed in the table. These charges are payable on the provision of new supplies or sewerage services for domestic purposes and are in addition to the longstanding arrangements for the provision of local infrastructure through requisitioning payments and connection charges.

Water service companies:
Water and sewerage infrastructure charge limits (at 1990-91 prices)

	Water £	*Sewerage* £
Anglian Water Services Limited	479	597
Southern Water Services Limited	365	485
Thames Water Utilities Limited	403	337
Yorkshire Water Services Limited	529	626
Northumbrian Water Limited	111	240
North West Water Limited	198	338
Severn Trent Water Limited	498	356
Dwr Cymru Cyfyngedig	259	332
South West Water Services Limited	654	557
Wessex Water Services Limited	551	983

Statutory water companies: water infrastructure charge limits (at 1990-91 prices)

	£
Bournemouth	1,000
Bristol	439
Cambridge	1,000
Cholderton	201
Colne Valley	435
East Anglian	1,000
Eastbourne	1,000
East Surrey	251
East Worcestershire	576
Essex	404
Folkestone	998
Hartlepool	252
Lee Valley	808
Mid Kent	1,000
Mid Sussex	392
Mid Southern	700
Newcastle	216
North Surrey	392
Portsmouth	358
Rickmansworth	395
South Staffs	606
Sunderland	485
Sutton	254
Tendring Hundred	1,000
West Hampshire	868
West Kent	834
York	222
Chester	758
Wrexham	390

Fire Regulations

Mr. Faulds: To ask the Secretary of State for the Environment what representations he has received about the implications of the report by Bickerdike Allen Partners on fire and building regulations on the changes recommended in building requirements affecting fire safety regulations.

Mr. Nicholls: A consultation paper containing proposals for amendments to part B, "Safety in Fire", of the Building Regulations 1985 was issued in March. Responses are now being considered. A number of those who have responded, including the Royal Institute of

British Architects, the British Institute of Architectural Technicians, the Association of Structural Fire Protection Contractors and Manufacturers, the Gypsum Products Development Association, and Cape Building Products Ltd., have referred to the recommendations made in the review of fire and building regulations undertaken by Bickerdike Allen Partners. These recommendations have already been accepted by the Government, and are in the course of being implemented. The part B proposals take account of them, and the two documents are intended to form a complementary approach to the improvement of fire safety in buildings.

Planning Policy Guidance

Mr. Soley: To ask the Secretary of State for the Environment when the planning policy guidance note, "The Countryside and the Environment", is to be published.

Mr. Spicer: The publication date has not yet been set. More than 400 responses were received to the consultation draft.

Agricultural Dwellings

Mr. Soley: To ask the Secretary of State for the Environment what measures he intends to take to ensure that agricultural dwellings erected in accordance with the advice given in the annex to circular 24/73 are occupied by farmers or farm workers engaged in a financially viable agricultural practice.

Mr. Michael Spicer: Local planning authorities have extensive enforcement powers if an agricultural dwelling is occupied in breach of an agricultural occupancy condition.

Mr. Soley: To ask the Secretary of State for the Environment whether he will consider publishing new guidance encouraging local planning authorities to restrict the occupation of agricultural dwellings to persons working on the land identified in the planning permission.

Mr. Michael Spicer: This, and other suggestions, are under consideration with a view to publishing new guidance in the final version of the planning policy guidance note on the countryside and the rural economy.

Mr. Soley: To ask the Secretary of State for the Environment what evidence he has received concerning abuse of the special privilege given to agricultural workers' dwellings in the annex to circular 24/73.

Mr. Michael Spicer: A number of responses to the consultation draft of the planning policy guidance note on the countryside and the rural economy commented on this point, and the Council for the Protection of Rural England has sent me a copy of its recent report, "A Place in the Country".

Housing Associations

Mr. Soley: To ask the Secretary of State for the Environment if he will give details for each local housing authority for 1989-90 of *(a)* the estimated expenditure by housing associations, *(b)* the actual expenditure by housing associations, *(c)* the estimated number of completed housing units by housing associations, *(d)* the actual number of completed housing units by housing associations and *(e)* the extent of overspending by housing associations.

Mr. Michael Spicer: This matter is for the Housing Corporation. I have asked the corporation to respond to the hon. Member direct.

Capital Receipts

Mr. Corbyn: To ask the Secretary of State for the Environment if he will lift restrictions preventing local authorities from diverting money from capital receipts into the building of homes.

Mr. Portillo: The rules under which local authorities set aside a reserved part of their capital receipts as provision for credit liabilities enable resources to be targeted more effectively on need. Local authorities are free to use all the usable part of their capital receipts for capital expenditure on any service.

Women's Temporary Accommodation

Mr. Corbyn: To ask the Secretary of State for the Environment if he will take steps to ensure that women going into temporary accommodation will have the choice of accommodation with high security and women only if that is what they wish.

Mr. Michael Spicer: The choice of temporary accommodation made available to any household accepted as homeless under the homelessness legislation is a matter for each local authority. Local authorities should seek to ensure that the type of accommodation offered is appropriate to the circumstances of each individual household.

Homelessness

Mr. Corbyn: To ask the Secretary of State for the Environment what research has been undertaken into the relationship between the breakup of family relationships and homelessness, temporary accommodation and bed-and-breakfast accommodation.

Mr. Michael Spicer: The results of a major national study of homelessness and temporary accommodation carried out for the Department by the university of Birmingham's centre for urban and regional studies was published last year. My Department has also commissioned the university of York to carry out a study of the housing effects of relationship breakdown; this will be completed in 1992. Results of the first stage have already been published.

Bed-and-Breakfast Accommodation

Mr. Corbyn: To ask the Secretary of State for the Environment how the community charge will be collected from homeless families, eligible for an 80 per cent. rebate, who have been placed in temporary accommodation in another borough; and if he will estimate the administrative cost of the housing benefit being assessed by the placing authority and the community charge being collected by the receiving authority.

Mr. Portillo: Generally the sole or main residence of such families would be expected to move to the receiving authority and the community charge would be paid at the new address. If the accommodation was designated for the collective charge, payments would be made to the receiving authority through the landlord, otherwise,

payments would be made directly to the authority. Information is not available in the detail requested on cost of housing benefit administration or collection of the community charge.

Mr. Corbyn: To ask the Secretary of State for the Environment what measures will be taken to ensure that families in bed-and-breakfast or temporary accommodation receive adequate information regarding the collection of the community charge and advising them of rebates available; and what safeguards there will be to ensure the confidentiality of financial information for those people and families whose tax is collected under a collective charge.

Mr. Portillo: Advice has been given to local authorities in community charge practice notes 14 and 21. The landlord of a collective charge property will not need to hold information other than the names of qualifying individuals, the periods during which they are resident and the amounts payable by way of contribution for each day by the individuals, These records may be inspected by the local authority. A community charge benefit claimant will have his or her benefit paid by the authority either directly or by way of a voucher. There is no need for the landlord of a collective charge property to hold separate information about an individual's financial status.

Caravan Sites

Mr. Beith: To ask the Secretary of State for the Environment what guidance he has given to local authorities as to whether they should send out community charge bills or uniform business rate bills in respect of those caravans on protected sites whose status he has announced his intention to clarify by means of further legislation.

Mr. Nicholls: The Department wrote to all charging authorities in England on 30 March informing them of the reply given that day to my hon. Friend the Member for the Isle of Wight (Mr. Field) by my hon. Friend the Member for Southampton, Itchen (Mr. Chope) (*Official Report*, columns 346-47). In view of the proposed requirement on charging authorities to refund any payments of the standard charge in respect of caravans on protected sites, the letter drew to authorities' attention the need to consider to what extent they wished to take steps to collect the standard charge. It is my impression that most authorities have chosen not to levy a standard charge in these cases.

Pollution, London

Mr. Tony Banks: To ask the Secretary of State for the Environment how many monitoring points for assessing the levels and effects of automobile exhaust pollution exist in the Greater London area; and if he will make a statement.

Mr. Trippier: Warren Spring laboratory operates, under contract to my Department, three Greater London sites monitoring the levels of air pollution, the majority of which is caused by road transport.

Mr. Tony Banks: To ask the Secretary of State for the Environment (1) on how many occasions in the current year the concentrations of gases produced from the photochemical decomposition of exhaust emissions in London have exceeded safety levels as designated by the EEC and other international standards;

(2) what information he has about the measured concentrations of ground level ozone and benzene in the Greater London area during the current spell of hot weather; and if he will make a statement;

(3) if he will make a statement about the level of photochemical smog in London during July.

Mr. Trippier: The Government release data from the United Kingdom national ozone monitoring network should any two sites measure an exceedance of a 60ppb (parts per billion) hourly average, which is considerably more stringent than the World Health Organisation guide value for ozone of 76-100 ppb. There are currently no comparable EC guide values. Data from the network covering the London area are given below.

Date	*Number of hours over 60ppb*	*Maximum levels*
5 May 1990	6	88
6 May 1990	6	79
17 June 1990	4	67
15 July 1990	1	64
20 July 1990	3	74
21 July 1990	6	88

Modelling studies suggest that peak kerbside and urban background benzene concentrations are in the order of 60ppb and 6ppb respectively. There are no international guide values for benzene.

By the end of 1992, and to comply with EC legislation, new cars will be fitted with catalytic converters, cutting the emissions of the ozone precursors nitrogen oxides and hydrocarbons, including benzene, by more than 80 per cent. Since road transport is the major source of these pollutants in urban areas, these measures will lead to substantial improvements in all aspects of urban air quality.

Public Inquiries

Mr. Snape: To ask the Secretary of State for the Environment if he will list those members of the panel of independent inspectors who are currently available to hold public inquiries in England and Wales into road schemes, with their ages, qualifications, and last two previous professional appointments.

Mr. Michael Spicer: I will write to the hon. Member.

Shire Counties (Expenditure)

Mr. Mans: To ask the Secretary of State for the Environment what is the total estimated expenditure per head for each shire county for 1990.

Mr. Nicholls: The information is as follows:

	Net revenue expenditure per head of relevant population 1990-91
Avon	750
Bedfordshire	778
Berkshire	732
Buckinghamshire	741

	Net revenue expenditure per head of relevant population 1990-91
Cambridgeshire	702
Cheshire	744
Cleveland	905
Cornwall	713
Cumbria	729
Derbyshire	785
Devon	679
Dorset	606
Durham	714
East Sussex	624
Essex	681
Gloucestershire	688
Hampshire	653
Hereford and Worcester	634
Hertfordshire	691
Humberside	797
Isle of Wight	702
Kent	663
Lancashire	777
Leicestershire	760
Lincolnshire	667
Norfolk	644
Northamptonshire	743
Northumberland	722
North Yorkshire	663
Nottinghamshire	769
Oxfordshire	714
Shropshire	726
Somerset	715
Staffordshire	668
Suffolk	678
Surrey	615
Warwickshire	694
West Sussex	585
Wiltshire	679

Local Government Reform

Mr. David Martin: To ask the Secretary of State for the Environment what reductions in expenditure *(a)* in central Goverment and *(b)* in local government have been achieved arising from the abolition of the Greater London council and the metropolitan county councils.

Mr. Heathcoat-Amory: The projected long-term annual saving resulting from staff savings following abolition of the GLC and metropolitan county councils is estimated at £100 million.

Pollution Inspectors

Mrs. Ann Taylor: To ask the Secretary of State for the Environment when he will publish the annual report of Her Majesty's inspectorate of pollution district inspectors for 1988 and 1989.

Mr. Trippier: My right hon. Friend the Secretary of State expects to publish HMIP's annual report for 1988-89 next month.

Mrs. Ann Taylor: To ask the Secretary of State for the Environment which of the district offices of Her Majesty's inspectorate of pollution he intends to run down, close or relocate; where he intends to maintain existing staffing levels at Her Majesty's inspectorate of pollution district offices; and whether staff who leave district offices or are transferred will be replaced with staff of equal grade.

Mr. Trippier: Staff in Her Majesty's inspectorate of pollution have been informed that regional offices in Bedford, Bristol and Leeds will be the focus of the development of its regional structure. Sub-offices in Cardiff, Lancaster and London will be retained. Staff leaving or transferring from present offices in Lincoln, Luton, Chelmsford, East Grinstead, Sheffield, Darlington, Preston, Chester and Birmingham will not be replaced at those offices. The need for, and location of, further sub-offices will be considered carefully when regional offices are staffed up to complement.

Shire Counties (Manpower)

Mr. Mans: To ask the Secretary of State for the Environment what is the total number of people employed in *(a)* the fire services and *(b)* the library service in the shire counties in 1990.

Mr. Nicholls: The information requested is as follows:

Non-metropolitan counties in England

	Full-time	*Part-time*	*Total staff*
(a) Fire service (Regulars and Others)	20,032	1,296	21,328
(b) Public Libraries and Museums	10,344	11,648	21,992

Source: Joint staffing watch for England, March 1990 survey.

Political Advisers

Mr. Cryer: To ask the Secretary of State for the Environment if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Chris Patten: Professor D. Pearce is my special (economic) adviser on environmental matters and Mr. P. J. Rock is my special (political) adviser. Mr. R. Marsh is special (political) adviser to the Minister for Local Government and Inner Cities, the Minister for Housing and Planning, and the Minister for the Environment and Countryside.

It is not the practice to give information about the salaries of individual advisers as they are negotiated in relation to previous outside earnings and are therefore confidential. The normal civil service rules apply to expenses and each adviser may be provided with secretarial assistance.

No public relations advisers are currently employed by my Department, nor are there any special advisers on secondment.

County Hall, London

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make a statement regarding the future of county hall, London SE1.

Mr. Atkins: I refer the hon. Member to the reply that my right hon. Friend the Secretary of State gave on 24 July to my hon. Friend the Member for Battersea (Mr. Bowis).

Council Houses (Defects)

Mr. Gorst: To ask the Secretary of State for the Environment what representations he has received from or on behalf of people who bought council houses and have

been unable to resell them since the Building Research Establishment issued a report in 1987 alleging defects in large panel system dwellings and building societies have refused to accept mortgage risks on such properties; what action he is taking to deal with the situation; and if he will make a statement.

Mr. Michael Spicer: My Department has received a number of representations about the mortgageability of dwellings built from large panels, and we commissioned our Building Research Establishment to carry out a major study to establish the facts about the structural adequacy and durability of such buildings. That study revealed no general problem of structural safety. We published the report in 1987, and drew it to the attention of major lending institutions, who have confirmed that it is their policy to grant mortgages on large panel system dwellings, judging each building on its merits, in the same way as they do dwellings of more traditional construction.

Local Authorities (Costs)

Mr. Maxwell-Hyslop: To ask the Secretary of State for the Environment whether, pursuant to his duty of monitoring all new costs imposed on local authorities by Ministers, he will publish, by Department, a list giving the estimate of all such costs in the financial years 1990-91 and 1991-92, subdivided pursuant to *(a)* Acts passed since 31 July 1989, *(b)* statutory instruments coming into force since 31 July 1989 and *(c)* departmental circulars issued since 31 July 1989.

Mr. Chris Patten: The information is not available in the form requested. However, the major new burdens falling to local government in 1990-91 include: community charge collection, the implementation of the Children Act, new initiatives in waste disposal management, and the structural maintenance of bridges after existing EC derogation in respect of lorry weights ends in 1999.

The major new burdens falling to local government in 1991-92 will include the first phase of community care, the expansion of responsibilities relating to mental illness, the code of practice on litter, and new responsibilities arising from the Environmental Protection Bill and the Food Safety Bill.

The best estimates of the costs of these burdens, plus savings resulting from improvements in efficiency or the removal of responsibilities, were taken into account, along with all other relevant factors, when we set the levels of total standard spending for the respective years.

Tanhouse Estate, Skelmersdale

Mr. Hind: To ask the Secretary of State for the Environment what grant he is proposing to make to the West Lancashire district council to upgrade the Tanhouse estate in Skelmersdale under the estate programme; and if he will make a statement.

Mr. Nicholls: Estate Action resources to improve the Tanhouse estate have been provisionally earmarked as follows:

	£ million
1990-91	1·150
1991-92	1·019
1992-93	1·00
Total	3·169

Final approval is subject to agreement on a detailed scheme.

Councillors (Allowances)

Mr. Blunkett: To ask the Secretary of State for the Environment if he will review the operation of the local authority members' allowance scheme introduced under the provisions of the Local Government and Housing Act 1989.

Mr. Portillo: Yes. We have already agreed with the local authority associations, in discussing the proposed new system, that there will be a review of its working after about a year.

Housing Act 1988

Mr. Soley: To ask the Secretary of State for the Environment (1) what information he has as to when Westminster council will complete the evaluation of the Walterton and Elgin estate in the matter of the application by the tenants of the estate to change their landlord under the tenants' choice provisions of the Housing Act 1988;

(2) if he will take action to ensure that Westminster council does not delay further in processing the applications by tenants of the Walterton and Elgin estates to change their landlord under the tenants' choice provisions of the Housing Act 1988;

(3) what information he has on the reasons for the delay by Westminster council in processing the application by tenants of the Walterton and Elgin estate to change their landlord under the tenants' choice provisions of the Housing Act 1988.

Mr. Michael Spicer: Under the tenants' choice provisions of the Housing Act 1988, the local authority has eight weeks to notify the applicant landlord of the price it considers should be paid for the property. Extensions to this period are a matter between the local authority and the applicant landlord, and the Secretary of State has no locus in the matter. I understand that in the case of the Walterton and Elgin estate in Westminster the reasons for the delay are being discussed by the parties concerned, and I hope that the outstanding issues can be speedily resolved.

Sewage Treatment

Dr. Thomas: To ask the Secretary of State for the Environment what assessment has been made by his Department of the Oxymaster sewage treatment system in regard to the implementation of technological improvements to meet European Community standards on sewage treatment; and if he will make a statement.

Mr. Heathcoat-Amory: My officials have discussed the Oxymaster system in detail with representatives of the manufacturers. However, it is not our practice to recommend one commercial product rather than other alternative products.

Nitrogen Oxides

Mr. Simon Hughes: To ask the Secretary of State for the Environment, pursuant to the answer to the hon. Member for Southwark and Bermondsey, on 17 July *Official Report*, column 499, when he expects to receive the final report into evaluation of nitrogen oxide abatement technologies for large combustion plant; and if he will place a copy in the Library on receipt.

Mr. Trippier: My Department expects to receive a final report on NOx abatement technologies for large combustion plant early in the autumn. Consideration will then be given to placing it in the Library.

Antarctica

Mr. Cash: To ask the Secretary of State for the Environment if Antarctic conservation is to be addressed by the environment White Paper.

Mr. Trippier: The White Paper will deal with a wide range of international environment issues, including the environment in the polar regions.

Disabled People (Housing)

Mr. Wigley: To ask the Secretary of State for the Environment if his Department has or plans to commission any independent research into the housing needs of disabled people and the extent to which those needs are currently being met; and if he will make a statement.

Mr. Nicholls: The Department has commissioned Ernst and Young management consultants to carry out an independent study of the housing needs of elderly and disabled people. They began work on the research this month and aim to complete it in the spring of 1992.

Solvent-free Paint

Dr. Thomas: To ask the Secretary of State for the Environment whether his Department or Her Majesty's inspectorate of pollution has evaluated the benefits to reduced pollution of the development of solvent-free paint; and if he will make a statement.

Mr. Trippier: The Harwell laboratory and the Warren Spring laboratory are making a study of volatile organic compounds and their effects under contract to my Department. These studies include the benefits from reducing solvent content of paints.

Mains Water (Connection)

Mr. Redmond: To ask the Secretary of State for the Environment if he will introduce a system of interim relief in respect of payments for connection to mains water supplies.

Mr. Heathcoat-Amory: We first announced proposals for the introduction of water and sewerage infrastructure charges in May 1989. Introduction was delayed until 1 April 1990. My right hon. Friend has no plans at present to introduce further transitional arrangements.

Hostel Deficit Grants

Mr. Simon Hughes: To ask the Secretary of State for the Environment whether it is his policy to increase the number of hostel deficit grants.

Mr. Nicholls: My right hon. Friend the Minister for Housing and Planning has been considering proposals put to him by the Housing Corporation for replacing hostel deficit grant by a flat-rate allowance. He wrote to the corporation and the National Federation of Housing Associations on 25 July announcing his decision that the allowance should be introduced for new schemes from next April and extended, or equivalent arrangements applied, to existing schemes as soon as practicable. The new grant system should be seen as transitional, since it will need to be kept under review in the light of the evolution of the care in the community policy.

Nature Conservancy Council

Mr. Macdonald: To ask the Secretary of State for the Environment how many staff are employed by the Nature Conservancy Council's Great Britain headquarters for the purposes of processing grant applications; and what number will be required to do this work following the Nature Conservancy Council's reorganisation.

Mr. Trippier: Seven people are currently employed to process grant applications at the Great Britain headquarters of the Nature Conservancy Council. I cannot yet say how many staff may be allocated to this work following reorganisation as staffing levels for the new conservation agencies are still under consideration.

Mr. Macdonald: To ask the Secretary of State for the Environment if he will list those persons or organisations that have been consulted over the future funding requirements of the Nature Conservancy Council or the Countryside Commission.

Mr. Trippier: Discussions about the future funding requirements of the successor bodies to the present Nature Conservancy Council and Countryside Commission are taking place between the relevant Government Departments, the existing agencies and the chairmen-designate of the new bodies.

Polychlorinated Biphenyls

Mr. Murphy: To ask the Secretary of State for the Environment (1) if he is liaising with the department of chemical engineering at Bath university over research into alternative methods of disposing of polychlorinated biphenyls;

(2) if he will fund research being carried out by the department of chemical engineering at Bath university into alternative methods of disposing of polychlorinated biphenyls.

Mr. Trippier: There are no formal liaison arrangements with the department of chemical engineering at Bath university on research into alternative methods of disposing of polychlorinated biphenyls. Officials in my Department are aware of the work going on there and Professor Thomas is on the mailing list for the environmental protection technology scheme which the Department funds. I am not aware of any recent approach by the university to fund the research being carried out there, but I am happy to consider, in the usual way, any research proposals which the university cares to make.

Air Pollution

Dr. Thomas: To ask the Secretary of State for the Environment what studies have been undertaken by his Department into the use of lichen to assess the extent of air pollution.

Mr. Trippier: My Department is currently commissioning a review of the use of lichens as one possible method

of assessing the extent of air pollution in the United Kingdom. The results of this research will be published in due course.

Ms. Walley: To ask the Secretary of State for the Environment if he will give the deadline for compliance set by the European Community's directive on sulphur dioxide emissions from large construction plants; and if he will make a statement.

Mr. Trippier: The deadline for achieving a 60 per cent. reduction on 1980 levels of sulphur dioxide emission levels from existing large combustion plants in the United Kingdom is 2003.

Dr. Thomas: To ask the Secretary of State for the Environment what projects are currently funded by his Department to study air pollution.

Mr. Trippier: My Department's research programme on air pollution currently funds over 40 projects. This programme is reviewed in the Department of the Environment report on research and development 1986-88. A copy has been placed in the Library of the House. This review contains a full list of research reports and papers produced and is currently being updated.

Environmental Management

Dr. Thomas: To ask the Secretary of State for the Environment when he last met his United States counterpart to discuss issues of environmental management.

Mr. Trippier: During the London meeting of the parties to the Montreal protocol in June I was able to discuss a wide range of international environmental issues with Willian Reilly, administrator of the United States Environmental Protection Agency.

Radioactive Discharges (Sellafield)

Dr. Thomas: To ask the Secretary of State for the Environment what representations his Department has received from the Governments of the Republic of Ireland, Norway, the Faroe Islands, Sweden and Denmark, regarding radioactive discharges from the Sellafield nuclear installation.

Mr. Trippier: I will write to the hon. Member.

Sports Council

Mr. Andrew Hargreaves: To ask the Secretary of State for the Environment what budget his Department has set for allocation to the Sports Council for use in the prevention and detection of drugs in sport.

Mr. Atkins: Government grant in aid to the Sports Council for 1990-91 is £43·747 million. The Sports Council allocates this according to its priorities. I understand that it has allocated £600,000 for its drugs testing programme in 1990-91.

Water Pollution

Mr. Fatchett: To ask the Secretary of State for the Environment whether he has had any discussions with Yorkshire Water about pollution of the River Aire in Leeds; and if he will make a statement.

Mr. Heathcoat-Amory: It is for the National Rivers Authority, as the body primarily responsible for the control of water pollution, to pursue local issues with dischargers, including, where appropriate, water and sewerage undertakers.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what requirements exist in respect of the fitting of non-return valves to household equipment so as to prevent pollution from water syphoning back into the mains supply.

Mr. Heathcoat-Amory: Water byelaws are in force throughout the United Kingdom that require household equipment to be fitted with non-return valves or other no less effective devices to prevent the pollution of water from water syphoning back into mains supply.

Mr. David Marshall: To ask the Secretary of State for the Environment when he intends to fully implement the recommendations of the 1981 Commission on Energy and the Environment regarding ferruginous discharges into rivers and streams.

Mr. Heathcoat-Amory: Following the commission's recommendations, discharges of waste water from active mine workings—including ferruginous discharges—were brought within the pollution control system for the first time upon implementation by this Goverment of part II of the Control of Pollution Act 1974. The relevant provisions have been substantially re-enacted in the Water Act 1989.

Discharges from abandoned mine workings do however present particular difficulties, as the commission recognised. The ownership of many such workings is unknown and cannot be traced. The National Rivers Authority has been considering the extent of these problems in England and Wales and we shall be discussing further with the authority how they might best be tackled.

Mr. Simon Hughes: To ask the Secretary of State for the Environment, pursuant to the answer to the hon. Member for Southwark and Bermondsey, on 19 July *Official Report*, column *725*, how many authorisations *(a)* were granted and *(b)* were in force for discharges of radioactive waste to the public sewer in 1989 in (i) England, (ii) Wales, (iii) Greater London and (iv) East Sussex.

Mr. Trippier: I refer the hon. Member to the Department's "List of Premises in England and Wales currently authorised under the Radioactive Substances Act 1960", a copy of which is in the Library of the House. This lists the authorisations in force at April 1988. The detailed information requested by the hon. Member can be provided only at disproportionate cost.

Mr. Michael Morris: To ask the Secretary of State for the Environment when the results of the National Rivers Authority's review of discharge consents and compliance assessment will be made public.

Mr. Trippier: The National Rivers Authority has today published its review of the discharge consent system. The aim of the review is to ensure that the system serves to protect water quality and is effective in enabling pollution control standards to be enforced. I therefore welcome the review as a major and important contribution in this difficult and technical area. It will help to provide a sound basis for the authority's future work in securing lasting improvements in the water environment.

The National Rivers Authority has published its review in order that interested parties should have the opportunity to comment on the proposals, before decisions are taken about implementation. I look forward to hearing from the authority what conclusions it draws in the light of the comments it receives.

Urban Development Corporations

Mr. Cabom: To ask the Secretary of State for the Environment if he will place in the Library the guidelines given to chairmen and members of urban development corporations where a conflict of interests may arise.

Mr. Portillo: The guidelines are designed to ensure that the duties of urban development corporation chairmen and board members do not conflict with their private interests.

Chairmen are required to sign undertakings which reflect their particular circumstances. If they are involved with companies that might otherwise operate in the urban development area they will normally be required to confirm that the companies will not so operate during the term of their appointment.

Other board members must declare to the board their private interests which might give rise to a conflict. If a particular case gives rise to a possible conflict of interest, the member is required to write in advance to the chairman and it is for the other board members to decide what action to take. Unless the interest is trivial, the member would normally withdraw from the discussion and not vote on it.

Specialised Housing

Mr. Robin Cook: To ask the Secretary of State for the Environment if he will list, for each local authority in England, the number of *(a)* sheltered housing units, *(b)* wheelchair housing units and *(c)* mobility housing units provided, together with the number of units in each category started in each year from 1981 to 1988-89.

Mr. Michael Spicer: Local authorities report the numbers of sheltered dwellings and wheelchair dwellings in their areas in their annual housing investment programme returns (HIP1). The latest figures are for April 1989 and appear in columns A2a1 and A2c1 (local authority owned sheltered and wheelchair dwellings respectively), A2a2 and A2c2 (housing association), A2a3 and A2c3 (other public sector) and A2a4 and A2c4 (private sector) of HIP1 all items print (1989), a copy of which is in the Library. Mobility dwellings are not identified separately from the general housing stock.

The publication "Local Housing Statistics—England and Wales" gives information for individual local authorities in England about the numbers of sheltered dwellings for the elderly started each year and about the numbers of wheelchair and of mobility dwellings for the chronically sick and disabled started each year.

The issue and table numbers that show these data for calendar years from 1981 to 1988 are as follows:

Tables numbers for :	*Issue number of "Local Housing Statistics*	*Sheltered dwellings*	*Wheelchair and mobility dwellings*
[1][2]1981	62	11	11
[1]1982	66	7(a)	7(b)
[1]1983	70	9	10
[1]1984	74	9	10
[1]1985	78	10	11
1986	82	10	11
1987	86	10	11
1988	90	12	13

[1] Tables in issues 62 to 78 show dwellings for the elderly: with warden; and dwellings for chronically sick and disabled: specially designed and mobility.

[2] Figures for dwellings for the elderly: with warden, for period July 1980 to December 1981 are shown in table 7(a) issue number 66.

Shire Counties (Education)

Mr. Mans: To ask the Secretary of State for the Environment what is the total estimated expenditure on tertiary education in all shire counties for 1990; and what was the total actual expenditure on tertiary education in all shire counties in 1985.

Mr. Nicholls: The available information is as follows. The figures are not on a comparable basis because of changes in the definition of local authority expenditure in 1990-91 and because polytechnics were transferred from the local authority sector in 1989-90.

	Actual spending on education 1985-86 £ million	*Estimated spending on education 1990-91 £ million*
Avon	213·2	n/a
Bedfordshire	122·2	176·8
Berkshire	155·5	219·2
Buckinghamshire	136·2	192·0
Cambridgeshire	133·2	193·9
Cheshire	217·8	295·8
Cleveland	152·2	203·8
Cornwall	87·3	133·2
Cumbria	108·7	n/a
Derbyshire	209·1	315·0
Devon	197·2	280·5
Dorset	112·2	163·6
Durham	130·3	189·0
East Sussex	124·8	164·7
Essex	314·3	442·1
Gloucestershire	106·5	153·4
Hampshire	320·1	439·3
Hereford and Worcester	133·1	190·9
Hertfordshire	223·9	315·2
Humberside	209·9	281·3
Isle of Wight	24·6	34·7
Kent	287·1	412·1
Lancashire	326·7	432·2
Leicestershire	216·5	290·8
Lincolnshire	111·4	160·1
Norfolk	136·7	202·2
Northamptonshire	128·2	179·0
Northumberland	65·9	96·3
North Yorkshire	143·6	202·9
Nottinghamshire	250·8	323·7
Oxfordshire	119·7	162·7
Shropshire	87·2	130·6
Somerset	87·4	138·3
Staffordshire	238·4	316·2
Suffolk	119·7	176·1
Surrey	181·9	252·4
Warwickshire	101·4	150·3
West Sussex	114·1	174·1
Wiltshire	110·3	n/a

n/a = not available

Radioactive Waste Management

Dr. Thomas: To ask the Secretary of State for the Environment if he will make a statement on the participation of the United Kingdom in the International Atomic Energy Agency's radioactive waste management advisory programme.

Mr. Trippier: The United Kingdom participates fully in the radioactive waste management advisory programme of the International Atomic Energy Agency.

Dr. Thomas: To ask the Secretary of State for the Environment how many meetings have taken place between officials of his Department, and other United Kingdom experts, and members of the International Atomic Energy Agency in furthering its radioactive waste management advisory programme in each year since 1987, and if he will make a statement.

Mr. Trippier: My Department is represented on the international radioactive waste management advisory committee of the International Atomic Energy Agency which meets at least every two years. In addition, my officials and United Kingdom experts attend many advisory groups and other ad hoc meetings of the agency each year.

Common Land

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment when he will bring forward detailed proposals on common land.

Mr. Trippier: On 29 January 1987 the then Minister for the Environment, my right hon. Friend the Member for Bristol, West (Mr. Waldegrave) made a statement accepting the case for legislation on common land, at a suitable opportunity when parliamentary time permitted, based broadly on the recommendations of the Countryside Commission's common land forum.

The common lands of England and Wales represent one of our most valuable environmental assets. They include some of our most scenically attractive areas. They are often of great importance for nature conservation. Much common land comprises vital habitat for birds and other wildlife, particularly ground nesting birds protected by the EC birds directive. Although usually in private ownership, common land is often used by the general public as a way of enjoying the countryside.

The aim of our policy is to safeguard the status of common land and to strengthen the ways in which we protect and use it. There are three main requirements.

First, while we welcome the recent House of Lords judgment in the Hazeley Heath case, there remain weaknesses in the legislation governing the registration of common land. As well as ensuring that land correctly registered as common retains that status, we need to be able to remove land that was registered in error.

Secondly, we need new arrangements to ensure that common land is properly managed, in the interests of those who own the land and those who have commoners' rights over it, and to preserve its conservation value.

Thirdly, there is scope to improve public access to common land. The arrangements for this must take account of the particular characteristics of individual commons. The forum recommended that there should be a general right of access to all common land, except where an agreed management scheme provides otherwise. In most cases there will be no reason why the public should not have free access, as already applies in urban areas. In some cases, however, particularly where commons are important for conservation or where increased access would adversely affect other existing uses, the arrangements for access will need to safeguard those interests. In these cases this could best be achieved by extensions of the public rights of way system.

We believe that in the great majority of cases it should be possible for all interests concerned to reach agreement locally on arrangements that will provide for better management and improved public access. In any case where a management association is unable to reach agreement, we propose that the matter should be referred to the Secretary of State for the Environment for decision; in such cases existing arrangements would remain in force pending this decision.

I believe that these proposals, prepared after extensive consultations, will command widespread acceptance. I will now be embarking on detailed discussions with those most directly involved to work out how to deal with the practical problems that remain.

Minerals and Waste Disposal

Mr. Madel: To ask the secretary of State for the Environment if he will make a statement about decisions by county councils on minerals and waste disposal planning applications.

Mr. Atkins: Following a study which the Department undertook jointly in 1988 with the Association of County Councils, statistics have been collected quarterly on the decisions taken by county planning authorities on minerals and waste disposal applications. In future, these statistics will be published alongside those reporting decisions taken by district councils, to provide a comprehensive picture on local authorities' development control performance. County matter decisions will also be published annually with other development control statistics.

I am concerned that there are increasing delays in giving decisions on county matter planning applications. My Department will consult on possible improvements to the system, notably the introduction of a standard planning application form for minerals proposals, and possible legislation to enable county matter applications to be made direct to county councils rather than via district councils. It will also commission research into the use made of section 52 agreements generally, including ways in which the conclusion of such agreements might be speeded up.

Both industry and county planning authorities can help in a number of ways. Industry should ensure that applications are accompanied at the outset by sufficient supporting information to enable the application to be determined. Also, operators are strongly urged to discuss their proposals informally with the planning authority at the earliest possible stage before the application is submitted. Similarly, early discussion with the appropriate statutory bodies is recommended to resolve any conflicts of interest and establish what information should accompany the full application.

I look to county councils to make every effort to improve their performance. In particular, they should target applications for consideration at an early meeting of

the planning committee. They should also seek prompt responses to the consultations that they are obliged to carry out with other bodies.

Pollution Control Appeals

Mr. Bellingham: To ask the Secretary of State for the Environment if he will list in the *Official Report* the appeals under section 10 of the Control of Pollution Act 1976 currently under consideration, showing the dates when they were first lodged; how many decisions have been issued since 3 January; and if he will make a statement on the time taken for these appeals to be determined.

Mr. Trippier: I will write to my hon. Friend.

Councillors

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment if he will make a statement on the implementation of sections 9, 13, and 15 to 18 of the Local Government and Housing Act 1989.

Mr. Portillo: My right hon. Friend the Secretary of State will be making an order commencing from 1 August 1990 for England and Wales, the provisions of sections 9, 13, and 15 to 17 of, and schedule 1 to, the 1989 Act. These deal with assistants to political groups, the voting rights of co-opted members of local authority committees, and the requirements for pro rata representation on committees and other bodies. He, together with my right hon. Friend the Secretary of State for Wales, will be laying the necessary regulations before Parliament, to come into effect on the same day. The necessary order under section 9 is also being made to come into force in due course. Separate regulations dealing with pro rata representation on sub-committees of county police committees will be laid in due course.

The Government are, however, still taking advice on certain aspects of the regulations to introduce the new system of councillors' allowances in England and Wales, and more time is needed to resolve these. A further announcement will be made as soon as possible.

Rented Housing (Code of Practice)

Mr. Simon Coombs: To ask the Secretary of State for the Environment whether he has approved the draft code of practice in rented housing submitted to him by the Commission for Racial Equality.

Mr. Chris Patten: I have approved the draft code of practice and I am laying it before both Houses today.

Housing (Conservation Areas)

Mr. Hanley: To ask the Secretary of State for the Environment how many houses fall within (a) the designated conservation areas and (b) the designated areas of outstanding natural beauty.

Mr. Heathcoat-Amory: I will write to my hon. Friend.

Satellite Television

Mr. Hanley: To ask the Secretary of State for the Environment how many responses he has had to date to the consultation paper "Permitted Development Rights for Satellite Television Antennae"; and if he will make a statement.

Mr. Atkins: I will write to my Friend.

Bottle Banks

Mr. Chris Smith: To ask the Secretary of State for the Environment if he will list the proportion of bottle banks per head of population in each London borough.

Mr. Heathcoat-Amory *[holding answer 25 July 1990]*: Information supplied by the British Glass Manufacturers Confederation shows the following situation at the end of March 1990 for bottle bank sites that are accessible to the public:

Borough	*Population per bottle bank site*
Barking	16,400
Barnet	60,280
Bexley	18,370
Brent	42,870
Bromley	29,820
Camden	12,170
City of Westminster	5,660
Croydon	19,830
Ealing	21,240
Enfield	10,870
Greenwich	16,500
Hackney	26,990
Hammersmith and Fulham	9,350
Haringey	8,010
Harrow	12,320
Havering	14,730
Hillingdon	21,080
Hounslow	19,080
Islington	10,580
Kensington and Chelsea	13,960
Kingston upon Thames	16,810
Lambeth	18,420
Lewisham	9,540
Merton	11,720
Newham	20,700
Redbridge	14,430
Richmond upon Thames	8,460
Southwark	27,130
Sutton	10,510
Tower Hamlets	23,110
Waltham Forest	26,660
Wandsworth	32,140

There are no bottle banks in the City of London.

Motorway Service Areas

Mr. Snape: To ask the Secretary of State for the Environment, when he consults about proposed motorway service area applications made under circular 18/84 after he has received the inspector's report on an inquiry into a Department of Transport motorway service area proposal.

Mr. Atkins: The timing and extent of any consultations will depend on the circumstances of the case, but it is customary to notify the developing Department of the proposed decision.

Community Charge

Mr. Cohen: To ask the Secretary of State for the Environment if he will introduce regulations to remove the need for chargepayers to inform community charge registration offices of their new home address or a forwarding address whenever they move to a new charging authority area; and whether he will make a statement.

Mr. Nicholls: There is no intention to remove the requirement for chargepayers to inform the CCRO for the

area concerned of their new address. Individuals may volunteer a forwarding address to the CCRO for an area in which they no longer reside, so that they can receive confirmation that their original register entry in that area has been deleted, but they are under no obligation to do so.

Mr. Corbyn: To ask the Secretary of State for the Environment what guidance is issued to local authorities about the collection of outstanding community charge from a deceased's estate; and what guidance is issued with regard to the rating of a property rendered empty by the death of the occupier or owner.

Mr. Portillo: Guidance on the collection of outstanding community charge where the person who was subject to the charge has died is contained in community charge practice note No. 24.

A standard community charge may arise in respect of a property which was the sole or main residence of the owner and which becomes vacant on his or her death. The Government have provided that no charge is payable until three months after the grant of probate or letters of administration are made. Charging authorities have discretion to extend this period and to set a standard charge which is less than the maximum if they wish. Guidance on this is contained in practice note No. 13 and practice note No. 24. Copies have already been placed in the Library of the House.

We propose for next year an extension to six months after the grant of probate, or letters of administration are made, of the period before an unoccupied property can be charged at a multiplier of more than 0 on the death of the occupier. Details are contained in a consultation paper, "The Standard Community Charge and other Matters", published on 19 July, copies of which have been placed in the Library.

Sheltered Housing

Mr. Beith: To ask the Secretary of State for the Environment whether residents of Anchor housing and other sheltered housing schemes will be eligible for the further transitional relief under the provisions announced last week; and whether he will make a statement.

Mr. Portillo: We estimate that more than 4 million additional people will receive transitional relief next year as a result of our proposals. Whether an individual qualifies and by how much will depend on the assumed rates bill, the assumed for actual community charges and the number of chargepayers who were resident in the property on 31 March 1990. Those relatively few people in sheltered housing schemes who do not qualify for transitional relief may of course be entitled to community charge benefit.

TRANSPORT

Veteran Aircraft

Mr. Onslow: To ask the Secretary of State for Transport if he will list the flying accidents involving veteran service aircraft in private ownership which have occurred during the past 15 years.

Mr. McLoughlin: The following information is for the period 1 January 1976 to date and refers to notifiable accidents to United Kingdom-registered aircraft worldwide and foreign-registered aircraft in the United Kingdom. Types such as the Auster, Chipmunk, and Argosy, which have both civil and military certification, have been excluded.

Date	*Accident*
11 December 1977	Heinkel 111, Madrid, struck high ground
6 February 1978	Spitfire, Coventry, wheels up landing
27 August 1978	Avro 19, Andrewsfield, wheels collapsed on landing
24 June 1979	Sea Fury, Munster, ran out of fuel
25 May 1980	Invader, Manston, axle broke while taxying
21 September 1980	Invader, Biggin Hill, crashed during display
2 August 1981	Sea Fury, Waddington, engine failure
15 May 1982	Me 109, Biggin Hill, swung on landing
22 June 1982	Harvard, Malta, crashed during air race
18 September 1982	Sopwith Pup, Hucknall, hard landing
21 August 1983	Lysander, Chipping Norton, engine failure in flight
19 August 1984	Varsity, Marchington, engine failure on take off
7 September 1985	Harvard, Bourne, crashed during aerobatics
5 March 1986	Spitfire, Southampton, wheels collapsed on landing
31 May 1986	Catalina, Plymouth, float struck buoy
2 July 1986	Sopwith Pup, Biggleswade, engine failure in flight
2 July 1986	Sopwith Pup, Middle Wallop, wheels collapsed landing
10 August 1986	Vampire, Cranfield, canopy separated on take off
21 June 1987	Blenheim, Denham, crashed on golf course
28 July 1987	Provost, Englefield, engine failure in flight
7 July 1988	Mosquito, Hawarden, swung off runway on landing
2 November 1988	Catalina, North Weald, wheel retracted on landing
15 June 1989	Harvard, Gransden, swung off runway on landing
24 June 1989	Argus, Lydd, engine failure in flight
25 June 1989	Avro 504, Old Warden, engine failure in flight
1 July 1989	Spitfire, Hartley Whitney, engine failure in flight
18 July 1989	F100, Hurn, overran runway on landing
25 July 1989	B17, Binbrook, crashed on take off

Empty Properties

Mr. Soley: To ask the Secretary of State for Transport what is the percentage of properties suitable for residential use and owned or administered by his Department (i) empty for more than six months, (ii) empty for more than one year (iii) the regional distribution of these properties, (iv) the number of these properties located in inner London boroughs and (v) the number of these properties located in outer London boroughs.

Mr. Freeman: The information is not available in the form requested. At 31 March 1990 the Department owned 2,241 residential properties acquired in advance of requirements for the trunk road programme. The Department's policy is not to leave properties empty if they are to be retained for six months or more and a tenant can be found. The table sets out the information that is available.

Analysis of empty property total

	Total stock	Empty	Being sold	Repair/relet in progress	Awaiting demolition	Awaiting decision
South Eastern	218	74	26	33	0	15
South West	104	27	19	6	2	0
West Midlands	127	49	9	30	4	6
North Western	353	49	10	15	10	14
Northern	29	2	0	2	0	0
Yorkshire and Humberside	53	15	9	4	0	2
East Midlands	47	21	19	2	0	0
Eastern	348	40	10	0	28	2
London	962	81	41	20	12	8
Total	2,241	358	143	112	56	47

M3

Mr. Simon Hughes: To ask the Secretary of State for Transport on what date the report from Mott Macdonald and Kelsey Associates into the widening of the M3 between Bar End and Bassett was commissioned.

Mr. Chope: On 13 June and 27 June 1989 respectively.

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will list the alternative tunnel schemes for the proposed route of the M3 around Winchester which he has at any time considered.

Mr. Chope: Since the announcement in September 1981 of the fresh study into the Bar End to Compton section of the proposed M3, the following alternative tunnel schemes have been considered. References in brackets identify options discussed at inquiries.

1982 Consultation
Various tunnel options under St. Catherine's Hill.

1985 Inquiry
Tunnel under Compton between Poles Lane and Place Lane (C1).
Five tunnel alternatives under Twyford Down (L1, L2, J3, K3 and INVPS).
One tunnel option under Plague Pits Valley (K2).

1987-88 Inquiry
Eleven tunnel or part tunnel options under Twyford Downs (JAG 2, 3 and 3A, TPC1, AL1 and 2, JK1, CC2, EJV1, a land bridge and Base Case option).
Two tunnels at Compton (AEB1 and 2).

Post 1987 Inquiry
Dual four lane tunnel under Twyford Down.

Egremont Bypass

Dr. Cunningham: To ask the Secretary of State for Transport what is his latest estimate of the start date of the Egremont bypass; what slippage has occurred in the commencement of the work; and if he will make a statement.

Mr. Chope: Work is expected to start in the spring next year. We have had to postpone the planned start to prepare a compulsory purchase order on a factory which has been built recently, without planning permission, on the line of the road.

Dr. Cunningham: To ask the Secretary of State for Transport what errors have occurred concerning compulsory purchase orders issued in connection with the Egremont bypass; and what delays have resulted.

Mr. Chope: No delays have resulted from errors in the compulsory purchase orders.

Greater Manchester Relief Road

Mr. Lewis: To ask the Secretary of State for Transport (1) with which organisations his Department has had consultations regarding the Greater Manchester western and northern relief road sections M56 to M62 and M62 to M66;

(2) when the consultant's report on the Greater Manchester western and northern relief road between *(a)* the M56 and the M62 and *(b)* the M62 and the M66 will be published;

(3) when he will seek the views of the public on possible routes for the Greater Manchester western and northern relief road between *(a)* the M56 and the M62 and *(b)* the M62 and M66;

(4) if he will arrange for the hon. Member for Worsley to be given copies of the consultant's reports on the Greater Manchester western and northern relief road which are currently being considered by interested local authorities and others.

Mr. Chope: The Department has consulted 33 organisations on an informal and in confidence basis. I am sending a list to the hon. Member. This consultation is part of the fact-finding process leading to the preparation of a technical appraisal report by our consultants. The consultants' report will not be released to those organisations and it is not our policy to publish such reports. Publication could lead to widespread and unnecessary blight on routes which, after consideration of the report, the Department decides are not viable. We shall, however, after consideration of the consultants' report publish our conclusions in the form of a document for public consultation. This will present information and seek comments on routes which we believe are viable and explain why we have rejected other options. Our current programme envisages a public consultation early next year. I shall ensure that the hon. Member receives the public consultation documents.

Road System Management

Mr. Snape: To ask the Secretary of State for Transport if he will list in the *Official Report* the new units, regional offices and divisions created for the management of the road system; and if he will list their addresses, telephone numbers, directors, and deputy directors where appointed, and the last prior professional appointments of those directors.

Mr. Chope: Management of the national road system of motorways and trunk roads in England is the

responsibility of the Department of Transport. I have today written to the hon. Member with the information he has requested.

Airports (Review)

Mr. Foulkes: To ask the Secretary of State for Transport if he will set out the procedure for the Monopolies and Mergers Commission quinquennial reviews of airports in Britain; which airport companies are to be reviewed; what is the time scale for the review; and if he will make a statement on competition in airport services.

Mr. McLoughlin: Airports designated under section 40 of the Airports Act 1986 have imposed on their permissions to levy airport charges conditions regulating the maximum amounts which may be levied during a five-year period. At the end of that period the Civil Aviation Authority may modify those conditions, having first made a reference to the Monopolies and Mergers Commission. The Airports Act lays down that provisions of the Fair Trading Act 1973 and Competition Act 1980 shall apply in relation to such references. The commission's report on the reference must be completed within six months of the reference being made.

Heathrow, Gatwick and Stansted airports have been designated under section 40, as has Manchester airport. The conditions imposed in respect of the BAA plc airports expire at the end of March 1992, and the CAA proposes to make a reference to the MMC towards the end of this year. The conditions imposed in respect of Manchester airport expire at the end of March 1993.

Designation under section 40 is only one element of the machinery for the economic regulation of airports established under the 1986 Act, which elsewhere empowers the CAA to act against exploitative, discriminatory or predatory pricing by any sizeable airport, including the four owned by BAA in Scotland. I am satisfied that the Act provides a properly rigorous regulatory regime.

Road Schemes (Reports)

Mr. Snape: To ask the Secretary of State for Transport at what stage inspectors' reports on road schemes promoted by his Department are seen by the road programme management division or any regional office responsible to it.

Mr. Chope: Inspectors' reports are first sent to the planning inspectorate, which passes on the report to the regional office and the headquarter organisation of the road programme directorate.

Bus Companies

Mr. Dover: To ask the Secretary of State for Transport if he will make a statement on the early privatisation of Merseybus and GM Buses together with the current financial support provided to these organisations by the passenger transport authorities.

Mr. Freeman: We support the early privatisation of all local authority bus companies. I therefore welcome the progress made towards a sale of Merseyside Transport Ltd. to its employees, and have made it clear to the Greater Manchester passenger transport authority that we would also consider sympathetically a sale of Greater Manchester Buses Ltd. Passenger transport authorities have no powers to provide financial assistance to their bus companies, except in exceptional cicumstances and with the Secretary of State's consent. No applications for such consent have been received in respect of these companies.

Mr. Ken Hargreaves: To ask the Secretary of State for Transport if he has yet decided whether to use his powers under section 61 of the Transport Act 1985 to require the division of Greater Manchester Buses into smaller units; and if he will make a statement.

Mr. Freeman: I am asking independent consultants to advise on the implications which different forms of splitting would have both for the financial position of the company and for competition in the area. I shall take a further decision in the light of their report.

Mr. Roger King: To ask the Secretary of State for Transport if he will make available the prices paid for individual subsidiaries of the National Bus Company; and if he will make a statement.

Mr. Freeman: Individual sale prices will be published in the forthcoming report by the Comptroller and Auditor General to the Public Accounts Committee.

Driving Tests

Mr. Nellist: To ask the Secretary of State for Transport what is the minimum period required to elapse between successive driving examinations; and if he will make a statement.

Mr. Chope: For the "L" test the minimum period prescribed in regulations is one month. There is no corresponding minimum period for HGV or PSV tests.

M40

Mr. Andrew Hargreaves: To ask the Secretary of State for Transport whether his Department had given approval for the northbound carriageway of the M40 motorway, south of junction 5, to be reduced to one lane on 20 July, without prior publicity or warning being given to traffic before entering sliproads to join the motorway; and whether his Department will publish details of any future roadworks on the M40 over the holiday period.

Mr. Chope: The lane reductions on the westbound carriageway of the M40 near junction 5 between 18 and 22 June were to enable the Department's agents—Buckinghamshire county council—to carry out safety fence maintenance.

The restrictions were during the off-peak period only, and setting up advance signing would not have been practicable. It is not the Department's policy to divert or encourage motorway traffic on to unsuitable local roads.

The M40 is presently being widened between junctions 4 and 5. This work will continue until autumn 1991. Extensive publicity has been given to this contract. The motorway may be restricted to single-lane running in each direction from 10.00 to 16.00 and 20.00 to 06.00 Monday to Thursday and 10.00 to 15.00 on Fridays. Two-lane running is maintained between 10.00 and 15.00 on Saturdays and Sundays.

I am sending my hon. Friend a copy of the publicity leaflet.

Aviation

Mr. Tony Lloyd: To ask the Secretary of State for Transport when he will formalise the agreement with the United States Government giving additional flights between the United Kingdom and the United States of Amercia; when he expects to announce the two new routes between United Kingdom regional airports and United States airports arising from this agreement; and how many routes now exist between the United States and United Kingdom airports, broken down by United Kingdom airports.

Mr. McLoughlin: Administrative arrangements are expected to be completed within the next few days to bring the new agreement into immediate effect. Formal processes will be concluded at a convenient time thereafter. One of the new route opportunities created for the United States will be used to provide cover for the existing service by American Airlines between Chicago and Manchester, which at present operates informally. The two other new route opportunities available to the United States and the two new opportunities for the United Kingdom will be allocated by the authorities of the two countries following applications by interested carriers. This process depends upon decisions initially to be made by carriers according to their commercial judgment. No timetable therefore applies.

Existing routes between the United Kingdom and the continental United States are as follows. Services are not operated on all routes.

Between London and Prestwick/Glasgow and Anchorage, Atlanta, Baltimore, Boston, Chicago, Dallas/Fort Worth, Denver, Detroit, Houston, Los Angeles, Miami, Minneapolis/St. Paul, Newark, New York, Philadelphia, Pittsburgh, St. Louis, San Francisco, Seattle, Cincinnati, Washington/Baltimore, Charlotte, Tampa, San Diego and Orlando.

Between Manchester and Atlanta, Boston, Chicago, Dallas/Fort Worth, Detroit, Houston, Los Angeles, Miami, Pittsburgh, New York, Philadelphia, Denver, San Francisco, Seattle, Washington/Baltimore, Tampa, San Diego, Newark and Orlando.

The new agreement will allow two services by the United States, in addition to the existing Chicago—Manchester service, and two by the United Kingdom using any regional airport, including Manchester.

Mr. Steen: To ask the Secretary of State for Transport what reports he has received from the embassy in Washington concerning the anti-competitive nature of hub and spoke operations by airlines in the United States of America.

Mr. McLoughlin: My Department regularly receives from the British embassy in Washington material concerning airline operations in the United States.

Mr. Steen: To ask the Secretary of State for Transport what contacts his officials have had with United States Department of Justice officials investigating hub and spoke operations by airlines in the United States of America.

Mr. McLoughlin: None.

Road Closures

Mr. Andrew Hargreaves: To ask the Secretary of State for Transport whether his Department will publish a list of all major motorway and trunk road lane closures in England, Scotland and Wales expected over the coming seven-week holiday period; and what measures his Department is taking to publish these closures and to ensure that holiday traffic is suitably directed towards other routes.

Mr. Chope: The Department issues a fortnightly bulletin listing lane closures on motorways which also includes certain all-purpose trunk roads. This information is disseminated by national and local media, including Ceefax and Oracle, and the motoring associations. It is also displayed on TV monitors at some motorway service areas. I am sending my hon. Friend a copy of the latest bulletin.

Every effort is made to avoid maintenance work on routes used by holiday traffic in peak periods. Where this is unavoidable, suitable diversions are signed when available. Where practicable, closures are lifted during bank holidays.

I understand that similar procedures are operated in Scotland and Wales.

Radioactive Waste

Dr. Thomas: To ask the Secretary of State for Transport what is the volume of radioactive waste of *(a)* high, *(b)* intermediate and *(c)* low level transported by sea transport to and from the United Kingdom in each year since 1983.

Mr. McLoughlin: The Department does not collect data of the kind requested.

Road Construction

Dr. Thomas: To ask the Secretary of State for Transport whether his Department has any plans to undertake an environmental impact assessment of all current and planned road construction programmes.

Mr. Chope: Protecting and enhancing the environment is a major consideration in planning roads. My Department carries out a full environmental assessment for all schemes in the national trunk road programme costing over £1 million.

British Rail (Fire Incident)

Ms. Walley: To ask the Secretary of State for Transport if he will set up a full public inquiry into the response by British Rail to an incident involving an alleged fire in a carriage attached to the 13.44 Haywards Heath to Manchester train, No. IC 5845 on 15 July; and if he will make a statement.

Mr. Freeman: There is no through train between Haywards Heath and Manchester on Sundays. On 15 July, coach No. IC 5845 was used on two services, the 18.00 Manchester to Birmingham New Street and the 21.37 Birmingham New Street to Manchester Piccadilly. There is no trace of a fire occurring on that coach. I understand that BR London midland and southern regions have no record of any fires occurring on InterCity trains on Sunday 15 July. If the hon. Member can provide any further details, I will make further inquiries.

Bypasses

Mr. Hind: To ask the Secretary of State for Transport if he will announce the appointment of consultants for the Scarisbrick, Penfold, Ormskirk and Rufford bypasses.

Mr. Chope: I expect to announce the appointment in the autumn and I shall write to my hon. Friend with the information.

Merchant Shipping

Sir John Farr: To ask the Secretary of State for Transport what was the decrease in United Kingdom merchant shipping for 1989; and what were the comparable figures for West Germany, Sweden and Norway.

Mr. McLoughlin: The figures requested are shown in the table:

Gross tonnage of trading vessels over 100 gross registered tonnes
million

	1 January 1989	*1 January 1990*	*[3]Difference*
United Kingdom	4·7	4·3	−0·4
British fleet[1]	20·7	19·3	−1·4
West Germany	3·6	3·7	+0·1
Sweden	2·0	2·3	+0·3
Norway[2]	12·8	16·5	+3·7

[1] Includes the Crown Dependencies and Dependent Territories.
[2] Includes Norway's international register.
[3] Change in definition of "trading" means the figures are not strictly comparable between years.

Oil Tankers

Mr. Macdonald: To ask the Secretary of State for Transport whether he will consider introducing restrictions on oil tanker movements in the Minch in order to reduce damage caused to the marine environment by oil spillages.

Mr. McLoughlin: Tankers cannot be banned from the Minch: their captains must always have the option of using the Minch route in adverse weather conditions, rather than the rougher deep water route (DWR) to the west of the Outer Hebrides.

We have considered the possibility of mandatory restrictions very carefully. The only restriction that could be imposed under international law is a traffic separation scheme. There is no evidence that this is needed, as tankers appear to use the existing recommended routes. All vessels would be obliged to use it in accordance with the collision regulations, and this would seriously inhibit the activities of fishing vessels. A scheme might also encourage tankers to use the Minch route. We have therefore concluded that restrictions are impracticable. My Department already urges shipowners and masters to use the outer routes when practicable, and will raise the use of the DWR at the International Maritime Organisation.

British Rail (Finance)

Mr. Michael: To ask the Secretary of State for Transport (1) if he will list for the last 10 years the total figure provided in public service obligation grant to British Rail by the Government, the amount and proportion of that figure spent in Wales each year, and the amount and proportion of that figure spent in South Glamorgan and Mid Glamorgan each year;

(2) how much money is to be made available to British Rail in respect of *(a)* Wales and *(b)* South Glamorgan and Mid Glamorgan during 1990-91, 1991-92 and 1992-93; what percentage of the United Kingdom total each figure represents; and what assessment he has made of the expected economic, social and environmental impact of this expenditure.

Mr. Freeman: The public service obligation grant (PSO) is paid in order to ensure the provision of essential local British Rail passenger services. It currently covers the gap between costs and revenues for BR's provincial and network SouthEast sectors. InterCity has not received grants since 1987-88. PSO grant is paid as a global sum and is not allocated to particular areas. Figures for PSO grant in respect of each of the years are given in the table.

Year	*Cash £ million*	*1990-91 Prices £ million*
1980	576	1,039
1981	749	1,230
1982	817	1,258
1983	854	1,250
1984-85[1]	853	1,190
1985-86	820	1,085
1986-87	690	883
1987-88	775	942
1988-89[2]	456	517
1989-90[2]	488	520
1990-91[3]	474	474
1991-92[4]	401	383
1992-93[4]	382	352

Notes:
[1] 1984-85 was a 15-month year. The figure given is the 12-month equivalent.
[2] The 1988-89 nd 1989-90 figures have yet to be finalised.
[3] Estimate, subject to review.
[4] Estimates.

Mr. Bevan: To ask the Secretary of State for Transport if he will make a statement about British Rail's external financing limit for 1990-91.

Mr. Parkinson: I am pleased to announce a revised external financing limit (EFL) of £700 million for British Rail for 1990-91. This represents an increase of just over £100 million, after adjustments for the 1989-90 outturn and for other external receipts. The revised EFL includes full provision for the expenditure that BR plans to incur in the current year on safety measures, particularly those arising from the Hidden report on the Clapham Junction accident, and will also help BR to maintain its large investment programme. The net increase of £54 million above the original EFL published in the 1989 autumn statement will be charged to the reserve and will not therefore add to the planned total of public expenditure.

TRADE AND INDUSTRY

CCAB Limited

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether, further to the reply to the hon. Member for Great Grimsby, of 24 April, *Official Report*, column *115*, he will make a statement on the details and conclusions of his Department's review of the accounts of CCAB Ltd.

Mr. Redwood: Having reviewed the accounts of CCAB Ltd. for the year ended 31 December 1988 in the light of the hon. Member's query in his letter of 16 November 1989, we saw no grounds for challenging the directors' judgment that the accounts gave a true and fair view.

Cassettes (Imports)

Mr. Steinberg: To ask the Secretary of State for Trade and Industry if he will list, by country of manufacture, the amount of video and audio cassettes imported into the United Kingdom for each year since 1979; and if he will list the amount of video and audio cassettes manufactured in the United Kingdom for the same period.

Mr. Sainsbury: Information is not available in the form requested.

Import Restrictions

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 6 July, if he will list the 11 complaints made by Her Majesty's Government during 1989, indicating in each case the nature of the complaint and the country against which it was made.

Mr. Redwood: It is not the Government's practice to give details of particular complaints referred to the Commission. It could be damaging to the interests of the United Kingdom if allegations against other member states that were as yet unproven were made public. United Kingdom companies might be discouraged from pursuing complaints if they know that they were not to be treated in confidence. Should a complaint lead to the initiation of formal proceedings by the Commission, these are made public.

Of the 11 complaints made in 1989, one has resulted in such formal proceedings; in relation to Denmark's revision of social security contributions discriminating against imports the Commission has issued a "reasoned opinion".

Two further cases have been the subject of letters requesting the member state's observations under article 169. Four cases have resulted in positive action by member states, without formal procedures being required. Four cases are still being considered by the Commission.

Political Donations

Mr. Anderson: To ask the Secretary of State for Trade and Industry if he will ask the Official Receiver to investigate allegations of political donations by British and Commonwealth prior to its declaring that it had within the provisions of the Insolvency Acts.

Mr. Redwood: The Official Receiver can investigate only companies that are in compulsory liquidation. The affairs of British and Commonwealth are a matter for its administrators appointed under the Insolvency Act 1986.

Telephone Chat Lines

Mr. Allen: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 27 November 1989, *Official Report*, column *109*, to the hon. Member for Cardiff, South and Penarth (Mr. Michael), whether he has any plans to take action to reduce the use of telephone chat lines; and if he will make a statement.

Mr. Douglas Hogg: This is a matter for the Director General of Telecommunications. He has taken firm action to control telephone chat lines and other premium-rate telephone services. In December 1989, he introduced separate codes of practice governing the operation of multiline chatline services and one-to-one services. He has also recently announced that from 1 August he is to withdraw recognition of the code of practice that governs one-to-one services. Such services will not be able to operate from that date unless the director general recognises a new code of practice.

Regulations

Mrs. Gorman: To ask the Secretary of State for Trade and Industry, pursuant to his reply to the hon. Member for Billericay on 3 July, *Official Report*, column *360*, what was *(a)* the estimated cost to business, for each year, of complying with the regulations and *(b)* the number of entirely new regulations introduced in 1987, 1988 and 1989.

Mr. Redwood: In line with published arrangements, not all regulations made over the three years in question were the subject of compliance cost assessments. I am therefore unable to provide the comprehensive estimates requested.

The numbers of entirely new regulations—excluding amending, revoking and consolidating instruments and commencement orders for Acts—introduced in each of the years 1987-89 were as follows:

	Number
1987	33
1988	45
1989	86

Mrs. Gorman: To ask the Secretary of State for Trade and Industry how many regulations have been abolished in the last three years *(a)* in the normal course of events and *(b)* in response to his Department's deregulation units recommendations.

Mr. Redwood: In 1987, 682 statutory instruments, including regulations, rules and orders, were abolished. Information for 1988 and 1989 is not yet available. During the three-year period, the deregulation unit played a part in the abolition of a number of regulations, but where its recommendation was the determining factor cannot readily be established.

Ministerial Meetings

Mr. Corbyn: To ask the Secretary of State for Trade and Industry when he next expects to meet his federal German counterpart; and what matters will be discussed.

Mr. Lilley: I plan to meet my federal German counterpart in September in Berlin to discuss a number of matters including the possibility of co-operation between British and West German firms in the GDR and other eastern European markets.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry when he next expects to meet the President of the European Commission; and what matters he intends to discuss.

Mr. Lilley: I intend to make early contact with those European Commissioners whose portfolios are relevant to my Department.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry when he next expects to meet his Japanese counterpart; and what matters he expects to discuss.

Mr. Lilley: I expect to meet Mr. Muto, the Japanese Minister of International Trade and Industry, in London on 3 September and to discuss with him a range of current bilateral and multilateral trade issues.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry when he next expects to meet the European Commissioner for trade matters; and what he expects to discuss.

Mr. Lilley: I plan to make early contact with Commissioner Adriessen to discuss a range of issues.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry when he next expects to meet his counterpart from the German Democratic Republic; and what matters he intends to discuss.

Mr. Lilley: I have no immediate plans to meet my East German counterpart. The Under-Secretary of State for Corporate Affairs, my hon. Friend the Member for Wokingham (Mr. Redwood), visited the German Democratic Republic last month with a group of British business men. He had extensive discussions with GDR Ministers, including those for Economy and Trade, about the effects of unification and the opportunities for British companies.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry when he next expects to meet his French counterpart; and what matters will be discussed.

Mr. Lilley: I hope to meet my French opposite number at an early opportunity to discuss a broad range of issues.

US Competition Policy

Mr. Steen: To ask the Secretary of State for Trade and Industry what arrangements exist to keep his Department informed of regulatory and competition policy developments in the United States of America.

Mr. Redwood: My Department maintains frequent formal and informal bilateral contacts with United States regulators. In the financial services area these contacts, together with participation in the International Organisation of Securities Commissions—of which both the United Kingdom and the United States are members—provide regular access to information on regulatory developments in the United States. My Department is informed of developments in the competition policy regimes of the United States through participation in the OECD committee on competition law and policy and through regular diplomatic contact with the United States Administration.

Post Office (External Financing Limit)

Mr. Dykes: To ask the Secretary of State for Trade and Industry whether he intends to make any change in the Post Office's external financing limit for 1990-91.

Mr. Lilley: The Post Office's external financing limit for 1990-91 currently stands at £38 million, as set out in the public expenditure White Paper. I am now setting a revised limit of zero to reflect the final outcome of the Girobank sale.

ECGD Insurance Services

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry, further to the replies of 18 December 1989, *Official Report*, columns *23-24*, and 19 July, *Official Report*, column *677*, what progress has been made on privatising the Export Credits Guarantee Department's insurance services.

Mr. Lilley: I have decided that the short-term business of ECGD should be sold by means of a competition among prospective trade purchasers and consortia.

Subject to securing the necessary legislative authority, the Government's intention remains to vest the business of insurance services in a Government-owned company in April 1991 and to complete the sale as soon as possible thereafter.

Samuel Montagu and Co. Limited are issuing by the end of this month, on my behalf, a preliminary information memorandum and prequalification questionnaire to bona fide investors who have indicated an interest in purchasing the company. Copies of the information memorandum and questionnaire will be sent to other interested bona fide investors on application to Samuel Montagu. Responses to the questionnaire must be submitted to Samuel Montagu by midday on 28 September 1990. In the light of responses received, the next stage in the process will be to dispatch an invitation to tender to shortlisted bidders in due course. Normal competition legislation and procedures will apply to the sale process.

Insurance Companies

Mr. Vaz: To ask the Secretary of State for Trade and Industry (1) how many representations he has received concerning commissions paid by insurance companies to other consultants;

(2) what plans the Government have to review laws governing the payment of commissions to consultants by insurance companies; and if he will make a statement.

Mr. Redwood: I have received 31 letters commenting on the report by the Director General of Fair Trading on disclosure of information about life insurance products and commissions paid to independent financial advisers. This report was published on 11 April this year and concluded that certain of the existing rules regarding disclosure of commission payments by insurance intermediaries were anti-competitive. The Department circulated a letter on 21 June seeking views of all interested parties by the end of September. The Secretary of State will take account of the responses to this letter, and of the other representations which have been made to him, before reaching a decision.

Trade Balance

Mr. Sillars: To ask the Secretary of State for Trade and Industry what is his latest estimate of the United Kingdom trade balance with South Africa, the Philippines and South Korea, respectively.

Mr. Sainsbury: Information on the value of United Kingdom visible imports from and exports to individual countries is summarised in table Ib of Business Monitor MM20, "Overseas Trade Statistics of the United Kingdom", a copy of which is kept in the Library.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Trade and Industry if he will list the political advisers and public relations advisers currently employed to advise Ministers

in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Lilley: The terms of appointment of my predecessor's special advisers came to an end automatically on his resignation. No new appointments have yet been made. No public relations advisers are employed in this Department.

Shareholders' Rights

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will bring forward an amendment to the Companies Acts to allow shareholders to speak against a resolution at an annual general meeting or extraordinary general meeting asked to approve a rights issue.

Mr. Redwood: No. Such an amendment is unnecessary, as a shareholder appearing on the register of members already has the right to speak at a general meeting against a resolution proposing a rights issue, subject to the provisions of the normal rules governing the conduct of meetings.

Manufacturing Industry

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what has been the percentage increase to date in *(a)* the volume of United Kingdom imports of (i) semi-manufactures less erratics and (ii) finished intermediates and *(b)* in the volume of United Kingdom manufacturing less food, drink and tobacco since 1970 and 1979.

Mr. Sainsbury: The information on manufacturing output cannot be provided without incurring disproportionate cost. The other information can be found on the CSO database, which is accessible through the House of Commons Library.

Film Industry

Mr. Fisher: To ask the Secretary of State for Trade and Industry what decisions he has come to on *(a)* the size, *(b)* the composition, *(c)* the terms of reference and *(d)* date of completion of the film production working parties established after the Prime Minister's film seminar.

Mr. Redwood: We are consulting with the industry on these matters and we hope to be able to make an announcement shortly.

Consumer Goods

Mr. Simon Coombs: To ask the Secretary of State for Trade and Industry what is the current estimate of direct and indirect European Community content of manufactured consumer goods sold through the retail trade in England and Wales.

Mr. Sainsbury: Information on which to base an estimate is not available.

British Telecom

Mr. Allen: To ask the Secretary of State for Trade and Industry how many shares Her Majesty's Government hold in British Telecom; what was the last departmental valuation of that holding; and what plans he has to sell all or part of the holding.

Mr. Douglas Hogg *[holding answer 25 July 1990]:* Her Majesty's Government currently hold one special rights redeemable preference share and 2,941 million ordinary shares in British Telecommunications plc. The ordinary shareholding has a value of some £8,600 million at current market prices.

It is Her Majesty's Government's policy to sell residual shareholdings in privatised companies as the circumstances of the companies and market conditions permit.

British Telecom Agreement (Vietnam)

Mr. Mullin: To ask the Secretary of State for Trade and Industry (1) what part his Department played in the cancellation of the recent £42 million British Telecom agreement with Vietnam;

(2) what representations were received from the American Government regarding British Telecom's £42 million agreement with Vietnam which was recently cancelled; and if he will make a statement.

Mr. Douglas Hogg *[holding answer 23 July 1990]:* It has been the practice of successive Governments not to comment on individual licensing matters.

Environment Exhibition, Czechoslovakia

Ms. Quinn: To ask the Secretary of State for Trade and Industry if he intends to meet representatives of British industry to discuss participation in the international environmental exhibition and conference to be held at Brno, Czechoslovakia in October.

Mr. Redwood *[holding answer 24 July 1990]:* I have no plans for such a meeting.

The existence of the exhibition has been widely publicised and it is up to the companies in the industry to decide on participation in the light of their own commercial judgment.

Textiles and Clothing

Mr. Madden: To ask the Secretary of State for Trade and Industry what was the level of production in the textiles and clothing industries in the most recent three months for which figures are available, and for the same three months one year previously.

Mr. Douglas Hogg *[holding answer 24 July 1990]:* The latest available figure, in terms of United Kingdom manufacturers' sales by value, is £3,334 million in the second quarter of 1989, compared with £3,171 million in the same period of 1988.

Mr. Madden: To ask the Secretary of State for Trade and Industry what recent contacts he has had with the textiles and clothing industries.

Mr. Sainsbury *[holding answer 24 July 1990]:* My right hon. Friend's predecessor met representatives of the textiles and clothing industries on 12 June and my right

hon. and noble Friend Lord Trefgarne then Minister for Trade visited Edinburgh on 29 June to meet hon. Members and representatives of the Scottish knitwear and woollen industry. He also visited textile and clothing businesses in Yorkshire on 27 April and Lancashire on 4 May. Progress in the Uruguay round of the GATT multilateral trade negotiations was discussed on all these occasions.

Small Businesses

Mr. David Shaw: To ask the Secretary of State for Trade and Industry if he will make a statement on the achievements of *(a)* his policies and *(b)* his Department in helping small businesses over the last 12 months as against the previous 12 months; and if he will publish the performance indicators by which his Department monitors those achievements and the statistical results of such monitoring.

Mr. Douglas Hogg *[holding answer 24 July 1990]:* My Department continues to contribute to the Government's policy of creating a climate in which smaller businesses flourish.

The enterprise initiative was launched in January 1988 to encourage the process of wealth creation through individual initiative and enterprise. It brings together a range of services provided by DTI for industry and commerce, many of which are concerned with improving the competitiveness of smaller firms. The six consultancy initiatives, for example, offer financial support to small and medium-sized firms for between five and 15 days of consultancy in the following key management areas: design; marketing; manufacturing systems; quality; business planning; and financial and information systems. By 30 June 1990, 54,700 applications had been received, 49,000 initial business reviews undertaken and 23,700 assisted consultancy projects completed or under way.

Regional enterprise grants are aimed specifically at small businesses in the development areas and South Yorkshire employing fewer than 25 people and are designed to support their investment and innovation projects. In 1989-90, 2,123 applications were received and 1,540 offers were made with a total value of £12·0 million.

The small firms merit award for research and technology is an annual competition which provides cash awards to firms with fewer than 50 employees in order to bring forward innovative technological projects of particular promise. In 1989, 150 awards came from 828 applications.

Refinements over the last year of the services offered to exporters will assist smaller companies realise their export potential. The active exporting scheme operated by chambers of commerce with DTI pump-priming funding is aimed at companies with a turnover of £1 million to £10 million per annum. In their first full-year, the 32 export development advisers gave advice to more than 2,600 small and medium-sized companies, of which about 1,000 are now exporting, or seriously considering exporting.

In addition, help with smaller firms is a high priority of my Department's single market campaign. The range of single market material includes an action guide specifically designed for smaller firms, to whom over 286,000 copies of the action guide have been dispatched direct, in addition to the more than 400,000 copies originally mailed or included in publications covering the small firms sector. The current phase of the campaign draws attention to the many sources of expertise, such as trade associations and chambers of commerce, that can provide relevant information and advice to help smaller firms prepare for the single market.

It is also worth noting that, in 1989-90, the inner cities initiative task forces supported projects that are expected to give support to 3,584 new and existing businesses, the majority of which are small ones.

The Government's deregulation initiative, co-ordinated by the DTI, takes particular account of the problems with regulation faced by small firms.

It would be prohibitively expensive to set out all the performance measures that are collected as part of the Department's wide-ranging and professional evaluation programme, which is designed to ensure that the Department's programmes secure good value for money.

Rainham Marshes

Mr. Dalyell: To ask the Secretary of State for Trade and Industry if he will make a statement on the composition and terms of reference of the Hogg committee on Rainham Marshes.

Mr. Douglas Hogg *[holding answer 25 July 1990]:* There is no formal ministerial "committee" chaired by me in relation to this project. Officials in a number of Departments have been in consultation with MCA Inc. These discussions have been co-ordinated by DTI officials, reporting to me.

Monopolies and Mergers Commission

Mr. Nigel Griffiths: To ask the Secretary of State for Trade and Industry if he will publish a list of all Monopolies and Mergers Commission reports into nationalised and privatised enterprises, indicating also subsequent Government decisions.

Mr. Redwood: I will write to the hon. Gentleman as soon as possible.

Sports Footwear

Mr. Steinberg: To ask the Secretary of State for Trade and Industry if he will list, by country of manufacture, the amount of sports footwear, imported into the United Kingdom for each year since 1979; and if he will list the amount of sports footwear manufactured in the United Kingdom over the same period.

Mr. Sainsbury: Figures for total United Kingdom imports and manufacturers' sales are contained in the table. United Kingdom imports by country are available only at disproportionate cost.

Total sports footwear

Year	Manufacturers' sales		Imports	
	Million pairs	Million £	Million pairs	Million £
1979	6·9	29·3	22·2	47·7
1980	5·9	28·1	20·7	46·7
1981	6·2	29·1	30·1	71·3
1982	6·2	28·8	30·9	82·2
1983	5·9	28·7	30·8	100·0
1984	4·5	26·0	36·5	126·8
1985	5·1	31·4	38·3	156·3
1986	4·8	31·7	37·6	151·5
1987	5·2	32·2	47·0	185·8
1988	9·1	50·2	38·4	153·8
1989	8·6	48·9	33·9	159·0

Source:
Business Statistics Office (BSO) and Customs and Excise, as published in the Footwear Industry Statistical Review by the British Footwear Manufacturers Federation (BFMF).
Note:
Manufacturers' sales relate to establishments with a minimum employment of 25, for 1979-83 data; and a minimum employment of 50, for 1984 onwards.

Military Equipment (Exports)

Mr. O'Neill: To ask the Secretary of State for Trade and Industry what assessment is made by his Department of the legislation of European and north American Governments that regulates the export of lethal and non-lethal military equipment.

Mr. Sainsbury: This is a matter for the Governments of the countries concerned. Our assessment indicates that NATO allies have comparable legislation to control exports for strategic reasons.

Mr. O'Neill: To ask the Secretary of State for Trade and Industry what legislation regulates the provision of military training by British companies to foreign military forces.

Mr. Sainsbury: This is a matter for my right hon. Friend the Secretary of State for Defence.

Mr. O'Neill: To ask the Secretary of State for Trade and Industry what assessment has been made by his Department of alleged breaches of legislation that regulates the export of lethal and non-lethal military equipment by European and north American companies.

Mr. Sainsbury: This is a matter for the Governments of the countries concerned.

Crops (Alternative Uses)

Mr. Malcolm Bruce: To ask the Secretary of State for Trade and Industry (1) if he will consider introducing incentives for industries who will seek to develop processes for using home-grown crops for industrial purposes as substitutes for imported wood pulp and similar materials;

(2) what steps have been taken to encourage industry to make use of crops for purposes other than food.

Mr. Douglas Hogg: Within the Link initiative a new programme entitled "Crops for Industrial Use" has recently been announced. It involves five sponsors—the agricultural and food research council, the Ministry of Agriculture, Fisheries and Food, the Department of Agriculture and Fisheries for Scotland, the science and engineering research council and the Department of Trade and Industry—with the agricultural and food research council taking the lead. It is timely to encourage industry to examine the potential for the such use of crops and the programme is an opportunity to participate in the underpinning research necessary, to inform commercial judgments on exploitation.

Recycling

Dr. Thomas: To ask the Secretary of State for Trade and Industry when he last met representatives of retail and distributive industries to discuss recycling of materials through the establishment of bottle, can and paper banks.

Mr. Redwood: My right hon. Friend the Secretary of State has not yet had the opportunity to meet those concerned with the recycling of material collected through bank schemes. My Department maintains regular contact with those involved. I met representatives of the recycling industries in the House of Commons on 11 July.

Competition Policy

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry if he will make a statement on competition policy.

Mr. Lilley: In deciding whether to refer merger situations to the Monopolies and Mergers Commission, I shall in future pay particularly close attention to the degree of state control, if any, of the acquiring company.

One of the Government's fundamental policy objectives has been to allow market forces to determine the most efficient allocation of resources in the interests of industry, commerce and the consumer. We have taken many important steps towards this objective over the last decade including an extensive programme of privatisation, deregulation, and the vigorous application of competition policy. This objective could be undermined by nationalisation by the back door. State-controlled companies are not subject to the same disciplines as those in the private sector. They tend to have the assurance of Government backing for their business activities and consequently do not compete on even terms with private sector companies which operate under the threat of financial failure. Their managements may be motivated to make non-commercial decisions. They may not deploy resources efficiently; and an increase in the resources they manage may well reduce competitive forces. It is important that the MMC should have the chance to consider in detail mergers involving state-controlled companies.

All bids by state-controlled companies, whether United Kingdom or foreign, will be treated evenhandedly. I shall of course continue to exercise my discretion in deciding whether to refer any particular case to the Monopolies and Mergers Commission, after receiving advice from the Director General of Fair Trading. But among the factors to which I shall give particularly close attention will be the degree of state control, if any, of the acquiring company.

The Monopolies and Mergers Commission will, of course, continue to weigh up each case on its merits. Referring a merger to the Monopolies and Mergers Commission does not prejudge whether it may be expected to operate against the public interest.

Microwave Television

Mr. Hanley: To ask the Secretary of State for Trade and Industry what conclusions he has reached on the allocation of frequencies for single-point to multipoint microwave television services; and whether his announcement of 18 June of a review of spectrum usage calls into question the allocation of frequencies above 40 GHz to the multipoint video distribution system.

Mr. Douglas Hogg: I will write to my hon. Friend as soon as possible.

British Companies (Overseas Regulation)

Mr. Fearn: To ask the Secretary of State for Trade and Industry to what extent the activities abroad of British companies are regulated by his Department.

Mr. Salisbury: I will write to the hon. Gentleman as soon as possible.

Exports to Iraq

Mr. Robertson: To ask the Secretary of State for Trade and Industry what changes in the procedure of his Department were instituted as a consequence of the Iraq supergun incident at Easter.

Mr. Salisbury: The administration of export licensing by my Department was thoroughly reviewed in 1988 and the need to ensure that the controls remain effective, and are efficiently administered, is kept under continuous study.

Mr. Robertson: To ask the Secretary of State for Trade and Industry (1) what information he received from the United States authorities regarding the nature of exports to Iraq from Consarc Engineering of Bellshill, Lanarkshire; and if he will make a statement;

(2) if Consarc Engineering of Bellshill, Lanarkshire had fully complied with the procedure of his Department in regard to the export of vacuum furnaces to Iraq; and if he will make a statement.

Mr. Salisbury: It is not the practice to disclose information concerning individual export licensing matters.

Import Penetration

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry further to his answer of 18 July, *Official Report*, column *645*, concerning import penetration from the European Economic Community, if he will provide a breakdown of the figures given into the categories used to provide the information given in his answer of 29 July 1988, *Official Report*, column *646*.

Mr. Salisbury: Estimates for 1979 and 1988 are given in the table. Figures for 1970 are not readily available.

Imports from the European Community as a percentage of United Kingdom home demand

		1979	*1988*
Divisions 2-4	Manufacturing industries	13	20
Division 2	Ores, metals, chemicals and non-fuel minerals	12	22
Class 21	Extraction and preparation of mealliferous ores	10	n/a
Class 22	Metal manufacturing	12	16
Class 23	Extradition of minerals nes	5	20
Class 24	Non-metallic mineral products	6	12
Class 25	Chemical industry	19	30
Class 26	Production of man-made fibres	29	54
Division 3	Metal goods, engineering and vehicles	18	25
Class 31	Metal goods nes	6	10
Class 32	Mechanical engineering	19	26
Class 33	Office machinery and data processing equipment	46	40
Class 34	Electrical and electronic engineering	14	21
Class 35	Motor vehicles and parts	32	36
Class 36	Other transport equipment	12	13
Class 37	Instrument engineering	25	29
Division 4	Other manufacturing industries	10	13
Classes 41/42	Food, drink and tobacco	11	12
Class 43	Textile industry	15	27
Class 44	Leather and leather goods	12	18
Class 45	Footwear and clothing industries	11	14
Class 46	Timber and wooden furniture	6	9
Class 47	Paper, printing and publishing	4	9
Class 48	Processing of rubber and plastics	12	18
Class 49	Other manufacturing industries	13	16

n/a = not available.

Association of British Chambers of Commerce

Mr. Allen: To ask the Secretary of State for Trade and Industry when he expects to arrange the meeting with Mr. Miles Middleton of the Association of British Chambers of Commerce planned by his predecessor.

Mr. Salisbury: My right hon. Friend intends to rearrange the meeting planned by his predecessor, but a convenient date has not yet been found.

Postal Orders

Sir John Stradling Thomas: To ask the Secretary of State for Trade and Industry if he will issue a directive to the Post Office to reduce the charges made for postal orders.

Mr. Douglas Hogg: The level of charges levied for postal orders is an operational matter for the Post Office. I have no plans to take powers to reduce such charges.

Export Credits Guarantee Department

Mr. Cash: To ask the Secretary of State for Trade and Industry (1) in assessing the public sector costs of maintaining the Export Credits Guarantee Department's project group operations, what account is taken of spin-off benefits derived from overseas projects, employment and contributions to tax revenues;

(2) what provision will be made in Export Credits Guarantee Department credit cover in the future for high-risk markets; and at what rates of premium.

Mr. Salisbury *[holding answer 20 July 1990]:* The cost and availability of ECGD cover for project exports will be

determined under the new portfolio management system. The PMS is intended to inform decisions on project exports so that the national interest reasons for giving support including spin-off benefits are properly weighed against the financial risks to ECGD and the taxpayer. The Government still have a number of decisions to take before PMS is operational.

Leather Industry

Mr. Frank Field: To ask the Secretary of State for Trade and Industry what action he will take in order to protect the United Kingdom leather industry from unfair trading practices in the form of *(a)* export embargoes of raw hides and skins and *(b)* cash compensation schemes to promote exports.

Mr. Sainsbury *[holding answer 24 July 1990]:* Export embargoes and export subsidies affecting the United Kingdom leather industry were among the non-tariff trade measures that the Government notified to the EC Commission as priority United Kingdom targets for elimination or reduction in the GATT Uruguay round negotiations on non-tariff measures. The Commission, which negotiates on behalf of the Community, recently informed the GATT secretariat and the countries concerned of the Community's desire to see these measures removed. In the autumn the EC will be holding a series of bilateral negotiations on market access problems.

EC Regulations

Mr. Teddy Taylor: To ask the Secretary of State for Trade and Industry, pursuant to his reply of 16 July, *Official Report*, column *385*, to the hon. Member for Hastings and Rye (Mr. Warren), if he will publish a table indicating the date on which the various Council regulations that cover the circumstances in which EEC inspectors are permitted to enter the premises of United Kingdom companies, referred to in that answer, were considered by the House.

Mr. Redwood *[holding answer 19 July 1990]:* Regulations 17(1962) and (EEC) 1017/68 were both adopted before we joined the Community. Following the recommendation of the Select Committee on European Legislation, the other regulations were debated in the House as follows:

Regulation (EEC) 4056/86 on 11 March 1986
Regulation (EEC) 3975/87 on 9 December 1986
Regulation (EEC) 4253/88 on 21 December 1988
Regulation (EEC) 4064/89 on 17 May 1989

Inward Investment

Mr. Alan W. Williams: To ask the Secretary of State for Trade and Industry what was the total amount of all inward investment into Britain in the years 1987-88 and 1988-89; and if he will provide a breakdown of these figures, region by region.

Mr. Douglas Hogg *[holding answer 25 July 1990]:* These figures are not readily available on a financial year basis. However, the table gives details of the number of inward investments decisions known to the Invest in Britain Bureau for the calendar years 1987 to 1989 and the associated jobs for the United Kingdom by region. Comparable information on the total level of financial investment by inward investors is not available.

The decision recorded include the establishment of a new business, expansion or acquisition of an existing business and involvement in joint venture. The figures are based on information provided by the companies themselves at the time of the investment and do not take into account subsequent developments.

Region	*Number of projects*	*Created jobs*	*Safeguarded jobs*	*Total jobs*
1987				
Scotland	31	3,704	2,061	5,765
Wales	58	4,054	877	4,931
Northern Ireland	17	1,135	1,341	2,486
North East	31	3,491	852	4,343
North West	28	1,323	4,896	6,219
Yorkshire and Humberside	23	1,147	961	2,108
West Midlands	59	3,079	2,271	5,350
East Midlands	11	456	398	854
South East	55	2,698	599	3,297
South West	11	564	328	892
Other United Kingdom	1	0	5,700	5,700
Total	325	21,651	20,284	41,935
1988				
Scotland	58	5,429	1,978	7,407
Wales	56	6,006	2,085	8,091
Northern Ireland	22	2,610	916	3,526
North East	22	2,041	31	2,072
North West	30	1,763	3,844	5,607
Yorkshire and Humberside	23	1,790	380	2,170
West Midlands	69	3,671	7,840	11,511
East Midlands	18	1,139	880	2,019
South East	55	2,698	599	3,297
South West	5	479	0	479
Other United Kingdom	3	325	0	325
Total	352	27,653	18,937	46,590
1989				
Scotland	29	4,275	642	4,917

Region	Number of projects	Created jobs	Safeguarded jobs	Total jobs
Wales	38	3,664	302	3,966
Northern Ireland	17	1,187	8,558	9,745
North East	46	4,495	1,438	5,933
North West	52	2,646	4,538	7,148
Yorkshire and Humberside	10	600	200	800
West Midlands	85	5,558	7,035	12,593
East Midlands	10	4,349	2,420	6,769
South East	20	2,063	610	2,673
South West	8	1,848	40	1,888
Other United Kingdom	0	0	0	0
Total	315	30,685	25,783	56,468

HEALTH

Nurses' Pay (London)

Mr. Tony Banks: To ask the Secretary of State for Health what is the average pay of a newly qualified nurse in London at the present time.

Mrs. Virginia Bottomley: The gross pay of a newly qualified nurse appointed to a position on the minimum of salary scale grade D and working in the centre of London, is £11,173 in respect of basic salary and London allowance. On average, a nurse on grade D will receive in addition approximately 18 per cent. in respect of leads and allowances.

NHS Costs

Ms. Harman: To ask the Secretary of State for Health if he will give for each regional and district health authority for the most recent year for which information is available (i) the average cost per patient per day and (ii) the average cost per consultant/general practitioner episode for women using *(a)* consultant obstetric beds and *(b)* general practitioner maternity beds.

Mr. Dorrell: Tables, showing preliminary 1988-89 district health authority data for the specialties requested, have been placed in the Library. Regional health authorities as such do not directly provide these services.

Nuclear Test Veterans

Mrs. Wise: To ask the Secretary of State for Health if he will monitor the health of the children of service men who were involved in the nuclear weapons testing at Christmas Island.

Mr. Dorrell: Following recommendations from the independent expert Committee on Medical Aspects of Radiation in the Environment (COMARE), the Government are currently considering a number of proposals for further studies of the children of individuals who have received radiation doses from occupational exposure. In particular, urgent consideration is being given to a proposal to link the data held on the national registry of radiation workers at the National Radiological Protection Board with those on the national registry of childhood tumours. A study involving test veterans' children would be considered only if it proves possible to proceed with the main worker-study proposal. In addition, any such research proposal would need to be considered first by the research co-ordinating committee established following a recent recommendation from COMARE.

Medway Health District

242. **Mr. Moate:** To ask the Secretary of State for Health if he will list the figures for expenditure by the South East Thames regional health authority for 1989-90 and 1979-80, indicating what this represents after allowing for inflation; and if he will publish similar figures for the Medway health district.

Mr. Dorrell: The annual accounts of the South East Thames regional health authority together with those of the district (formerly area) health authorities comprising the South East Thames health region record total revenue expenditure of £471·2 million (cash) for 1979-80 and £1,039·3 million (cash) for 1988-89 (the latest year available). These figures represent an increase in real terms of 17·2 per cent. measured at 1988-89 prices.

Prior to 1 April 1982 the Medway district formed part of a larger area health authority and in such cases district-based figures were not collected centrally. However, the separate annual accounts of the Medway health authority show total revenue expenditure of £36·4 million (cash) for 1982-83 and £61·1 million (cash) for 1988-89 representing an increase in real terms of 24 per cent. (measured at 1988-89 prices) compared with 9·8 per cent. for the region as a whole over the same period.

Nursing Staff

Mr. Lofthouse: To ask the Secretary of State for Health when he last met representatives of the Royal College of Nursing to discuss recruitment and levels of nursing staff.

Mrs. Virginia Bottomley: We attach great importance to the need to recruit and retain sufficient numbers of nursing staff. A wide range of issues relating to this objective are discussed in the various meetings which Ministers and officials regularly hold with representatives of the Royal College of Nursing.

Among the many initiatives currently under way in this area are the national nurse recruitment advertising campaign, which has so far resulted in over 175,000 requests for information on nursing careers, and the Open college "Return to Nursing" initiative to be launched next month, for which the Department has provided funding of £100,000.

District Health Services

Mr. Sims: To ask the Secretary of State for Health which authorities will be responsible for the recruitment, administration and payment of the district nurse, health visitor and community midwifery services when the National Health Service and Community Care Act is fully implemented; and if he will make a statement.

Mrs. Virginia Bottomley: A working party is being set up under Catherine McLoughlin, the director of nursing on the national health service management executive, to produce guidance on the principles for future management arrangements for community nursing.

The working party will look at examples where effective and efficient services are being provided. It will be looking to find the best way of sharing examples of good practice more widely as managers and staff seek to meet the needs of their local populations.

NHS Trusts

Mr. Kirkwood: To ask the Secretary of State for Health what representations he has received on the need for balloting to occur before hospitals become national health service self-governing trusts.

Mrs. Virginia Bottomley: We have received a number of letters from representative bodies and individuals on this subject. We have consistently made clear our view that ballots are not sensible. Applications for NHS trust status include complex and detailed proposals on service, management and personnel matters which cannot be reduced to a form which could be used as the basis for ballot when a unit applies for trust status. Regional health authorities will seek the views of all those with an interest as part of the statutory public consultation process.

Perioperative Deaths

Sir Eldon Griffiths: To ask the Secretary of State for Health (1) if he will publish a list of those hospitals that have not yet met in full the requirements of his circular containing the recommendations of the confidential report on perioperative deaths;

(2) if he is satisfied that all general hospitals have now met the standard required by his Department's recommendations contained in "Achieving A Balance" and the confidential report on perioperative deaths;

(3) if he will publish a list of those hospitals that have not yet met in full the requirements of his circular "Achieving A Balance."

Mrs. Virginia Bottomley: "Achieving A Balance" is a 10-year plan for action which is monitored annually by a technical sub-group consisting of members of the profession, NHS management and the Department.

The most recent reports for the year 1988-89 show that regional health authorities are making steady progress in the implementation of the plan. Individual hospitals are not required to report directly to the Department on their progress.

Information is not held centrally on which hospitals have not yet met the recommendations made in the independent professional report "National Confidential Enquiry into Perioperative Deaths 1989," published June 1990.

Accident and Emergency Units

Ms. Richardson: To ask the Secretary of State for Health what is the total number of accident and emergency units in England and Wales; how many accident and emergency units have closed in the last three years; and how many accident and emergency units are scheduled for closure by the end of 1990.

Mr. Dorrell: On 31 March 1989, the latest date for which figures are available, there were 511 national health service hospitals with accident and emergency departments in England. Information on the number of closures and proposed closures is not collected centrally.

Figures for Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Condoms

Mr. Redmond: To ask the Secretary of State for Health if he will list the *(a)* airports and *(b)* seaports in the United Kingdom which are issuing free condoms and leaflets on holiday health hazards; and if he will make a statement.

Mr. Dorrell: On 1 July 1990 the Health Education Authority began a campaign to alert young holidaymakers to the risks from casual sex while away from home and advocating the use of condoms as a means of reducing the risk of HIV infection. The campaign, which will run until 30 September 1990, consists of radio advertising, posters and supporting promotional material. Posters have been sited at all main airports in the United Kingdom—Heathrow, Gatwick, Stansted, Manchester, Glasgow, Luton, Belfast International, Edinburgh, Prestwick, Birmingham, Cardiff, East Midlands and Newcastle)—ferryports—(Dover and Folkestone)—holiday resorts in England and Wales and mainline stations serving the south coast. Tube advertising cards have also been placed on the Piccadilly Line, which serves Heathrow airport. The poster has been offered to regional and district health authorities and local health education units for use in local campaigns in support of the national initiative.

The booklet "The Travellers Guide to Health" a copy of which has been placed in the Library is also widely available.

Empty Properties

Mr. Soley: To ask the Secretary of State for Health (1) what are the annual management and maintenance costs of the empty residential properties owned by the national health service in (i) inner London and (ii) outer London for the latest period for which figures are available;

(2) what percentage of properties suitable for residential use and owned by the national health service in inner London is (i) currently empty awaiting sale, (ii) empty for more than six months and (iii) empty for more than one year;

(3) what percentage of empty properties owned by the national health service and suitable for residential use in outer London is (i) currently empty awaiting sale, (ii) empty for more than six months and (iii) empty for more than one year.

Mr. Dorrell: This information is not collected centrally.

School Health Service

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health when he intends to publish *(a)* the study carried out by his Department into the school health service and *(b)* a manual of good practice guidance on the role of the school health service.

Mr. Dorrell: The work carried out by the Department was designed to identify current issues in the school health

service in England as a first step in deciding whether national health service authorities needed any guidance on good practice and the role of the service. We are now discussing the findings with national health service general managers in England to determine the need for, and nature of, such a good practice guide, which would draw on the work done so far and take account of the changes introduced by the National Health Service and Community Care Act 1990. We aim to complete these discussions during the autumn and will consult on any draft guidance.

Islington Health Authority

Mr. Corbyn: To ask the Secretary of State for Health what is the basis of his calculation that between 1982 and 1989 real-term spending by Islington health authority rose by 9·5 per cent. and that the initial cash allocation year is up by 9 per cent. on last year—*Official Report*, 6 July, column 1319.

Mr. Dorrell: The estimate of a 9·5 per cent. increase in real-term spending between 1982 and 1989 by Islington health authority is based on the increase in gross revenue expenditure between 1982-83 and 1988-89, as reported in the health authority's annual accounts, adjusted for the increase in gross domestic product for the same period.

The 9 per cent. initial cash increase represents the difference between initial cash allocations in 1989-90 and 1990-91.

Pollution, London

Mr. Tony Banks: To ask the Secretary of State for Health what information he has about the number of admissions in Greater London arising from respiratory problems caused by the recent hot weather.

Mr. Dorrell: This information is not collected centrally.

Maternity Services

Mrs. Margaret Ewing: To ask the Secretary of State for Health (1) if he intends developing an integrated information system for maternity care data; and if he will meet the Royal College of Midwives to discuss the subject;

(2) if he will make a statement about the collecting of information about the maternity services with regard to working paper 11, "Framework For Information Systems: The Next Steps".

Mrs. Virginia Bottomley: Working paper 11, and "Framework For Information Systems: The Next Steps", a copy of which is available in the Library, dealt with the process of preparing information systems within the national health service, to support the changes described in the White Paper "Working for Patients". This involved wide consultation with health authorities and professional and other organisations, including the royal colleges, about information systems for services, including maternity, which will be the subject of contracts after April 1991.

"The Next Steps" identified the need to develop patient-based information systems to allow the linkage of community, in-patient and out-patient episodes. This is particularly relevant for maternity services. The service is now addressing the need for integrated systems, with the support of the Department. The views of the Royal College of Midwives will be considered with others.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Health if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Dorrell: The Department of Health employs one special adviser, Mrs. Tessa Keswick. We do not employ any outside public relations advisers. Mrs. Keswick's salary is paid from departmental running costs and she is entitled to claim expenses at normal civil service rates. It is not our practice to publicise the salaries of individual advisers as they are individually negotiated and are therefore confidential.

Elderly People

Mr. Alfred Morris: To ask the Secretary of State for Health if he will make a statement on which statutory authorities, including the national health service, and to what extent, the responsibility for institutional care of elderly people who are heavily dependent on nursing care now lies.

Mrs. Virginia Bottomley: Until the relevant sections of the National Health Service and Community Care Act 1990 are brought into force, responsibility for continuing nursing care either in hospital or nursing homes rests with district health authorities. Income support is also available to help with the cost of care for people who have made their own arrangements with private and voluntary homes.

Prescribing Costs

Mr. Michael: To ask the Secretary of State for Health what is his policy in relation to the transfer of prescribing costs from hospitals to general practitioners in those circumstances where patients attend out-patient clinics *(a)* on a continuing basis and *(b)* following treatment.

Mrs. Virginia Bottomley: Prescribing responsibility for an aspect of an out-patient's care lies with the doctor who has clinical responsibility for that aspect. If the hospital clinician is responsible for the particular element of a patient's care, it is his responsibility to prescribe; similarly if a GP has the clinical responsibility, he has the prescribing responsibility. The decision as to which doctor has clinical responsibility for any particular aspect of a patient's treatment at any given time is for the doctors concerned to take.

The question of costs for any particular drug should not be a factor in deciding where clinical and hence prescribing responsibility lies. There are no plans to change this policy.

Dangerous Drugs (Labelling)

Mr. Flynn: To ask the Secretary of State for Health whether he is planning any new initiative to improve the labelling of dangerous drugs.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply I gave him on 12 December 1989, at column *601*.

The EC Commission submitted its proposal for a directive on the labelling of drugs and on package leaflets to the Council of Ministers in January. Negotiations at official level are now in progress.

Conceptions

Ms. Richardson: To ask the Secretary of State for Health how many conceptions in 1988 *(a)* led to maternities and *(b)* were terminated under the terms of the Abortion Act 1967, among residents of England and Wales aged under 16 years, 16 to 19 years, under 20 years, 20 to 24 years, 25 to 29 years, 30 to 34 years, 35 to 39 years, and 40 years and over; and in each case, what was the rate per 1,000 population in each age group.

Mr. Dorrell: The information requested is given in the table. All pregnancies of women usually resident in England and Wales which led to a maternity or terminated by abortion under the 1967 Act are included and those that led to a spontaneous abortion are excluded.

Numbers and rates of conceptions leading to maternities and abortions, 1988
England and Wales

Age of woman at conception	*Number of conceptions leading to maternities and abortions*			*Conception rates per 1,000 women in age-group*		
	Total	*Conceptions leading to maternities*	*Conceptions terminated by abortion*	*Total*	*Conceptions leading to maternities*	*Conceptions terminated by abortion*
Total	849,549	681,831	167,718	77·2	61·9	15·2
Under 16[1]	8,782	4,110	4,672	9·4	4·4	5·0
16-19	111,927	73,346	38,581	75·5	49·5	26·0
Under 20	120,709	77,456	43,253	66·6	42·8	23·9
20-24	256,041	202,781	53,260	125·4	99·3	26·1
25-29	267,085	233,042	34,043	135·8	118·5	17·3
30-34	143,142	123,367	19,775	84·0	72·4	11·6
35-39	51,242	38,964	12,278	30·0	22·8	7·2
40 and over	11,330	6,221	5,109	6·4	3·5	2·9

[1] Rate per 1,000 women aged 13-15.

Ms. Richardson: To ask the Secretary of State for Health how many conceptions in 1988 *(a)* led to maternities and *(b)* were terminated under the terms of the Abortion Act 1967, among residents of England and Wales aged under 14 years, 14 years, 15 years, 16 years, 17 years, 18 years and 19 years; and in each case, what was the rate per 1,000 population in each age group.

Mr. Dorrell: The information requested is given in the table. All pregnancies of women usually resident in England and Wales which led to a maternity or terminated by abortion under the 1967 Act are included and those that led to a spontaneous abortion are excluded.

Numbers and rates of conceptions leading to maternities and abortions, 1988,
England and Wales

Age of woman at conception	*Number of conceptions leading to maternities and abortions*			*Conception rates per 1,000 women in age-group*		
	Total	*Conceptions leading to maternities*	*Conceptions terminated by abortion*	*Total*	*Conceptions leading to maternities*	*Conceptions terminated by abortion*
Under 14[1]	305	138	167	1·0	0·5	0·6
14	1,761	711	1,050	5·7	2·3	3·4
15	6,716	3,261	3,455	20·4	9·9	10·5
16	15,821	8,924	6,897	45·1	25·4	19·7
17	25,423	15,872	9,551	67·6	42·2	25·4
18	32,208	21,672	10,536	86·9	58·5	28·4
19	38,475	26,878	11,597	100·0	69·8	30·1

[1] Rate per 1,000 women aged 13.

Births

Ms. Richardson: To ask the Secretary of State for Health how many live births and stillbirths in 1989, were *(a)* born within marriage, *(b)* jointly registered births outside marriage and *(c)* solely registered births outside marriage.

Mr. Dorrell: The information requested is as follows:

England and Wales

Outcome	*Total*	*Within marriage*	*Outside marriage*	
			Jointly registered	*Solely registered*
Live births	687,725	501,921	132,267	53,537
Stillbirths	3,236	2,169	623	444
Live and stillbirths	690,961	504,090	132,890	53,981

Ms. Richardson: To ask the Secretary of State for Health how many live births and stillbirths in England and Wales in 1989 were jointly registered by parents who were not married to each other but lived at the same address.

Mr. Dorrell: The number of live births in England and Wales in 1989 jointly registered by parents who were not

married to each other but lived at the same address was 95,858. These data are not yet available for stillbirths but I will write to the hon. Member shortly.

Community Care

Mr. Wigley: To ask the Secretary of State for Health how joint finance arrangements will be affected by the delay in implementing the community care proposals.

Mrs. Virginia Bottomley: Not at all. Current joint finance arrangements remain in force. We welcome and encourage collaborative work between health and social care providers. Health authorities and local authorities should continue to make plans to make the best possible use of joint finance for community care services.

Mr. Robin Cook: To ask the Secretary of State for Health what is the number of *(a)* people discharged from long mental illness hospital, *(b)* mentally handicapped people discharged from hospital, *(c)* day care places for the mentally ill available, *(d)* places for the mentally ill in community care homes and hostels, *(e)* day care places for the mentally handicapped and *(f)* places in community homes and hostels for the mentally handicapped, for each year since 1979.

Mr. Dorrell: The table shows the number of patients discharged to the community from national health service mental illness and mental handicap hospitals and units after a stay of one year or more, for the period 1979 to 1986.

In 1987-88 there were 3,900 finished district spells, excluding deaths, after treatment of more than a year, under a consultant for a mental illness specialty. Similarly for mental handicap there were 2,500 finished district spells. Finished district spells include transfers to other hospitals outside the district of treatment.

Discharges[1] from mental illness and mental handicap hospitals and units England (1979 to 1986)

Year	Mental Illness	Mental Handicap
1979	3,460	1,178
1980	3,376	1,120
1981	3,516	1,246
1982	3,465	1,229
1983	3,563	1,457
1984	3,928	1,919
1985	3,441	2,052
1986	3,571	2,528

[1] Excludes death and transfers.

Comprehensive information on the number of day care places provided by national health service mental illness or mental handicap hospitals in England is not collected centrally.

Information on local authority day care places and places in homes and hostels for mentally ill and mentally handicapped people in England is published in two annual statistical series: "Adult Training Centres for Mentally Handicapped People and Day Centres for Mentally Ill, Mentally Handicapped, Elderly and Younger Physically Handicapped People" (References A/F 11A/87 to A/F 11A/88) and "Homes and Hostels for Mentally Ill and Mentally Handicapped People" (References A/F 11/79 to A/F 11/86 and A/F 11A/87 to A/F 11A/88. Figures for 1989 are not yet available. Copies of all publications are in the Library.

Mr. Meacher: To ask the Secretary of State for Health what is his estimate of expenditure already incurred by local authorities in preparation for the introduction of the Government's community care proposals, in terms of *(a)* staffing, *(b)* training, *(c)* planning and *(d)* in other ways.

Mrs. Virginia Bottomley: This information is not collected centrally.

Immunisation

Mr. Hannam: To ask the Secretary of State for Health what recent representations he has received from Action Research for the Crippled Child concerning immunisation uptake; and what response he has given.

Mr. Dorrell: The Department received in July 1989, a copy of the Peckham report "Factors Influencing Immunisation Uptake in Childhood" prepared on behalf of Action Research for the Crippled Child, from the group's director general, Colonel A. N. Brierley-Smith. My right hon. and learned Friend the Secretary of State has replied to Colonel Brierley-Smith and I have arranged for copies of this correspondence to be placed in the Library.

My hon. Friend has also recently written to the Department about the report, to which I shall reply shortly.

Mr. Hannam: To ask the Secretary of State for Health what consultations and discussions he is having concerning the introduction of parent-held child immunisation record cards, following completion of the pilot study; and if he will make a statement.

Mr. Dorrell: Officials are to meet members of the British Paediatric Association today.

Maternal Deaths

Ms. Richardson: To ask the Secretary of State for Health whether he will list the number of maternal deaths in 1989 from *(a)* all causes, *(b)* abortion, illegal, legal and spontaneous and *(c)* unknown methods of abortion; and what percentage of maternal deaths were due to abortions of all types.

Mr. Dorrell: The information is as follows:

Number of maternal deaths in England and Wales 1989

Cause	Number of deaths
(a) Spontaneous, legally induced, and illegally induced abortions[1]	—
(b) Unknown method of abortion[2]	—
(c) Ectopic pregnancy and other abortive outcome[3]	6
(d) Total maternal deaths[4]	56

Note:
8·9 per cent. of maternal deaths were due to abortions of ally types.

[1] Assigned to the International Classification of Diseases (ICD) codes 634-636.
[2] Assigned to ICD code 637.
[3] Assigned to ICD codes 630-633, 638-639.
[4] Assigned to ICD codes 630-676.

Abortion

Ms. Richardson: To ask the Secretary of State for Health how many legal abortions were carried out in England and Wales in 1970, 1975, 1980 and each year from 1985 onwards on women resident in *(a)* the Isle of Man, *(b)* Jersey and *(c)* the Bailiwick of Guernsey.

Mr. Dorrell: The information is as follows:

Number of abortions performed in England and Wales under the Abortion Act 1967 to residents of (a) Channel Islands and Isle of Man for 1970, 1975, 1980 and 1985 and (b) the Isle of Man, Jersey, Guernsey for 1986-89[1]

	[2]1970	[2]1975	[2]1980	[2]1985	1986	1987	1988	[1]1989
Isle of Man					148	158	182	221
Jersey	165	373	484	515	290	287	313	322
Guernsey[3]					128	139	132	166

[1] Provisional.
[2] Prior to 1986 number of abortions for Isle of Man, Jersey and Guernsey are not available separately.
[3] Includes other and unspecified Channel Islands.

Disability

Mr. Hannam: To ask the Secretary of State for Health whether he has visited any local authorities who participated in the pilot implementation of sections 1 to 3 of the 1986 Disabled Persons (Services, Consultation and Representation) Act; and if he will make a statement.

Mrs. Virginia Bottomley: I intend to do so. Officials are in contact with representatives of the consortium "Act Now" about the appropriate time and choice of authority for a visit.

Hampstead Health Authority

Sir Geoffrey Finsberg: To ask the Secretary of State for Health what the spending per resident by Hampstead health authority was for each of the years 1978 to 1989 inclusive; and what was the comparable national average spending over the same period.

Mr. Dorrell: Information for the Hampstead health authority and figures in aggregate for all district health authorities (DHAs) in England for the years since their establishment on 1 April 1982 are shown in the table. These figures relate expenditure on services managed by Hampstead health authority to numbers of residents. They do not show expenditure on services for Hampstead residents, since they do not take account of services provided by other districts for Hampstead residents, or services provided by Hampstead health authority for residents of other districts.

Total revenue expenditure on Hospital and Community Health Services (HCHS) per resident

	Hampstead Health Authority £ *(cash)*	*England average* £ *(cash)*
1982-83	551	166
1983-84	580	175
1984-85	610	185
1985-86	518	194
1986-87	546	208
1987-88	592	227
[1]1988-89	688	252

[1] latest available

Sources:
(a) Annual accounts of the Hampstead health authority and all other district health authorities in England for the financial years 1982-83 to 1988-89.
(b) Mid-year estimates of resident population—1982 to 1988 (Office of Population Censuses and Surveys).

Notes:
1. Hospital and Community health services (HCHS) covers the total expenditure by district health authorities including that on hospital, community health and where relevant patient transport (that is, ambulance), blood transfusion and other services.
2. District capital expenditure, all expenditure incurred by regional health authorities on behalf of their regions as a whole and by special health authorities, and so on, is excluded. Expenditure on family practitioner services, which is accounted for by family practitioner committees and cannot strictly be attributed to particular districts, is also excluded.
3. The figures for Hampstead and certain other districts within the North East Thames region were influenced by a change in the pattern of sub-regional resource allocations for long-stay patients in the period 1984-85/1985-86. Hampstead, in common with other districts within London, incurs the cost of London weighting allowances payable to staff. In addition, Hampstead incurs additional costs through the provision of service support for medical education and research.
4. Prior to 1 April 1982 the Hampstead health authority's predecessor health district formed part of a larger area health authority and in those cases district-based figures were not collected centrally.

Family Planning

Ms. Richardson: To ask the Secretary of State for Health if he will list for each district health authority in Greater London *(a)* the total number of family planning clinic sessions held in 1982 and 1988-89 and *(b)* the total number of family planning clinic premises in 1982 and 1988-89.

Mrs. Virginia Bottomley: The information requested for 1982 is shown in the tables. From 1988-89 the data are no longer collected centrally, following a recommendation of the steering group on health services information.

Number of family planning clinic sessions held

	1982
Barnet	1,882
Harrow	1,334
Hillingdon	1,662
Hounslow and Spelthorne	2,002
Ealing	87
Riverside	2,551
Parkside	3,932
Barking/Havering/Brentwood	1,874
Hampstead	908
Bloomsbury	3,886
Islington	2,023
City and Hackney	1,470
Newham	840
Tower Hamlets	964
Enfield	1,451
Haringey	1,247
Redbridge	1,119
Waltham Forest	1,022
Dartford and Gravesham	872
Bexley	1,246
Greenwich	1,186
Bromley	1,334
West Lambeth	841
Camberwell	1,219

	1982
Lewisham and North Southwark	4,425
Croydon	2,293
Kingston and Esher	1,016
Richmond, Twickenham and Roehampton	1,483
Wandsworth	2,197
Merton and Sutton	1,858
GREATER LONDON TOTAL	50,224

Number of family planning clinic premises

	1982
Barnet	15
Harrow	7
Hillingdon	13
Hounslow and Spelthorne	20
Ealing	11
Riverside	15
Parkside	21
Barking/Havering/Brentwood	22
Hampstead	6
Bloomsbury	7
Islington	10
City and Hackney	13
Newham	8
Tower Hamlets	12
Enfield	10
Haringey	11
Redbridge	6
Waltham Forest	8
Dartford and Gravesham	7
Bexley	11
Greenwich	12
Bromley	11
West Lambeth	[1]
Camberwell	9
Lewisham and North Southwark	24
Croydon	11
Kingston and Esher	8
Richmond, Twickenham and Roehampton	11
Wandsworth	11
Merton and Sutton	12
GREATER LONDON TOTAL	342

[1]Not available

Beverley Lewis

Mr. French: To ask the Secretary of State for Health whether his Department has completed its consideration of the reports from the health and social services authorities and the coroner's report on the death of Beverley Lewis; and what further action he intends to take.

Mr. Dorrell: Following the death of Beverley Lewis on 17 February 1989 the Gloucester health and social services authorities both launched internal inquiries into the circumstances surrounding Beverley's death. The two inquiries made joint recommendations which were submitted to the coroner at the inquest. The coroner delivered a verdict of death by natural causes. The health and social services authorities' reports identified three areas where improvement in procedure are necessary and they are acting upon them:

(a) An "at risk" procedure is being introduced for adults with a physical or mental handicap or who are suffering from mental illness.
(b) Management of the community mental health teams is being strengthened.
(c) Individual programme plans are being implemented for each individual with a mental handicap.

I have reviewed the reports of both the health and social services authorities as well as the coroner's findings. The social services inspectorate will work with the local health and social services and education authorities to learn, apply and disseminate the lessons of this tragic case and I have asked the Law Commission to consider and advise on the coroner's view that the relevant legislation needs to be clarified. In view of the extensive local inquiries, the coroner's verdict, the continuing involvement of the SSI, and the need for local management to concentrate on implementing the changes that have now been agreed, I have decided not to establish a further inquiry into the circumstances of Beverley Lewis's death.

Children Act 1989

Ms. Armstrong: To ask the Secretary of State for Health if he will make it his policy to take into account the deliberations of the committee set up in 1989 relating to services for the under-fives, in relationship to quality in preparing guidelines for part III of the Children Act 1989.

Mrs. Virginia Bottomley: Yes. The conclusions of the report of the Department of Education and Science, "Committee of Inquiry into the Quality of Educational Experience of Under Fives", will be taken into account in the Children Act guidelines on day care services for pre-school children.

Ms. Armstrong: To ask the Secretary of State for Health what consultations his Department has held in relationship to quality in the guidance relating to part III of the Children Act 1989.

Mrs. Virginia Bottomley: Guidance under part III of the Children Act 1989 will be the subject of a wide-ranging consultation exercise. This process has commenced and comments will be welcome on any aspects of the draft guidance within the next three months.

Social Services

Mr. Robin Cook: To ask the Secretary of State for Health what was the last year in which his Department produced local authority profiles containing indicators of key social services.

Mr. Dorrell: Key indicators of local authority social services 1987-88 were published on 19 July 1990. Local authority profiles covering 1981-82 to 1985-86 were published in April 1989; copies are available in the Library. The 1983-84 to 1987-88 versions are due to be released in autumn 1990.

Mr. Robin Cook: To ask the Secretary of State for Health what information he has for each social services authority in England of the number of *(a)* telephones installed, *(b)* people assisted with telephone rentals, *(c)* aids provided *(d)* housing adaptations provided and *(e)* holidays provided; and if he will express this both as a total figure and at a rate per 1,000 of the population for the years 1981-82 to 1988-89.

Mr. Dorrell: The information available is published in the statistical services' "Domiciliary Services, Meals, Aids and Adaptations" (reference A/F 18), copies of which are in the Library. Those data have not been collected centrally since the year ended 31 March 1987.

Mr. Robin Cook: To ask the Secretary of State for Health (1) what was the percentage increase in expenditure

on the personal social services since 1980, adjusted by the gross domestic product deflator, for each social services authority in England;

(2) if he will rank all social services authorities by their expenditure per 1,000 of the population on the personal social services for *(a)* 1978-79 at current prices and *(b)* the latest year for which figures are available.

Mr. Dorrell: I will write to the hon. Member.

Capital Funding

Mr. Michael: To ask the Secretary of State for Health (1) if he will outline the process following the implementation of the National Health Service and Community Care Act whereby a service procurer or purchasing body would apply to the regional health authority for capital funding,; what conditions will determine eligibility for capital funding; and what continuing conditions will attach to such funding should an allocation be made;

(2) if he will outline the process, following implementation of the National Health Service and Community Care Act, whereby a service provider within a district health authority would make application to the regional health authority for capital funding; what conditions will determine eligibility for capital funding; and what continuing conditions will attach to such funding should an allocation be made.

Mr. Dorrell: Implementation of the National Health Service and Community Care Act will not in itself change the means by which capital is allocated to units that remain under the management of district health authorities. Capital will be allocated by regional health authorities to the authority with management responsibility for the service or facility requiring capital investment. In assessing priorities for capital schemes, regions will take account of a range of factors including the needs and priorities of purchasing authorities, and the efficiency and effectiveness of alternative ways of meeting those needs. It will be a requirement of receiving funds that proposed schemes provide evidence that they will attract sufficient purchaser income to cover their revenue costs, including capital charges.

Mr. Michael: To ask the Secretary of State for Health if he will list the sources of capital funding that will be available to any hospital trust or any other self-governing trusts; what process of approval such trusts would have to go through following implementation of the National Health Service and Community Care Act in respect of such capital projects; what conditions will determine eligibility for any public contributions towards such projects; and what continuing conditions will attach to such funding should an allocation be made.

Mrs. Virginia Bottomley: Capital spending by national health service trusts will be funded from internally generated resources or by borrowing from the Government or private sector. Spending will need to be contained within external financing limits which will be set annually for each trust. Trusts will set out their proposals for capital spending in their annual business plans which will be discussed with the Department. In the case of major projects, they will be required to submit plans to the Department for approval in principle.

Private Residential Homes

Mr. Robin Cook: To ask the Secretary of State for Health what is the entitlement of residents in private residential homes to paramedical services from the national health service.

Mr. Dorrell: Residents in private residential care homes have the same entitlement to paramedical services from the national health service as people living in their own homes.

Voluntary Organisations

Mr. Wigley: To ask the Secretary of State for Health if, in the light of the delay in the implementation of the community care proposals, local authorities will be expected to begin to arrange contractual agreements with voluntary organisations as from April 1991.

Mrs. Virginia Bottomley: Many local authorities already have contractual agreements or service arrangements with voluntary organisations. There is nothing to prevent them from continuing or developing such arrangements. Contractual agreements will not be a requirement from April 1991, but encouragement to local authorities to move towards their enabler role will continue as part of taking forward our community care proposals.

Mental Hospitals

Mr. Robin Cook: To ask the Secretary of State for Health if he will list those mental handicap and mental illness hospitals that have firm dates for closure with the dates by which each is to be closed; and what was the number of in-patients at 31 December in each.

Mr. Dorrell: The information requested is not collected centrally.

Hospital Buildings

Mr. Nellist: To ask the Secretary of State for Health if he will update his Department's answer to the hon. Member for Coventry, South-East of 15 May 1987, *Official Report*, column *428*, concerning the average age of hospital buildings, showing appropriate percentage changes.

Mr. Dorrell: The information previously provided was taken from an exercise which has not been repeated.

General Practice

Mr. Michael: To ask the Secretary of State for Health if he will instruct family practitioner authorities to exclude from their consideration, when determining the indicative budget or prescribing amount for a particular practice or general practitioner, any sum likely to arise from the transfer of prescribing costs from hospital consultants to general practitioners in those circumstances where patients attend hospital out-patient clinics on a continuing basis and to make separate provision for such amounts.

Mrs. Virginia Bottomley: It is not necessary to introduce such a procedure.

It has been the policy of successive Governments that where a hospital doctor has clinical responsibility for a particular aspect of an out-patient's treatment, he should

prescribe, where a GP has that responsibility, he should prescribe, and where the two doctors share care they should decide between them who should prescribe, bearing in mind the patient's convenience.

As announced in working paper 4 of the national health service review series, regional health authorities will be expected to examine out-patient prescribing policies within their region, to take a view of what is properly hospital or GP prescribing, and to establish budgets for their district health authorities and family health services authorities on the basis of conformity with the Government's policy. The amount set for each practice under the indicative prescribing scheme will cover the needs of all its patients including prescriptions initiated by a hospital doctor where the GP has taken over or agreed to share care.

Waiting Lists

Mr. Nellist: To ask the Secretary of State for Health if he will update his Department's answer to the hon. Member for Coventry, South East of 18 January 1988, *Official Report*, columns *569-72*, concerning the breakdown, by specialty, of the waiting lists for operations at each of the Coventry hospitals.

Mrs. Virginia Bottomley: Information by individual hospitals is no longer collected centrally. The hon. Member may wish to contact the chairman of Coventry health authority for the relevant information.

District Health Authorities

Mr. Janman: To ask the Secretary of State for Health what percentage of annual revenue was spent on management, administrative and secretarial costs in each of the English district health authorities in 1985-86, 1988-89 and 1989-90.

Mr. Dorrell *[holding answer 2 July 1990]:* No accurate information on national health service NHS management costs is available. Tables recording expenditure on district health authority headquarters administration and expressing that figure as a percentage of total revenue expenditure for the years 1985-86 and 1988-89 have been placed in the Library. Equivalent information for 1989-90 will be available in the autumn.

Food Poisoning

Dr. David Clark: To ask the Secretary of State for Health (1) if he will list the number of cases notified to him for 1989 and 1990 until the latest date for which figures are available, of cases of *(a)* food poisoning in general, *(b)* salmonella, *(c)* salmonella enteriditis, *(d)* salmonella enteriditis P4, *(e)* salmonella typhimurium, *(f)* campylobacter and *(g)* listeriosis;

(2) if he will list the number of cases notified to him for each year since 1980 until the latest date for which figures are available by region for *(a)* food poisoning in general, *(b)* salmonella, *(c)* salmonella enteriditis, *(d)* salmonella enteriditis P4, *(e)* salmonella typhimurium, *(f)* campylobacter and *(g)* listeriosis.

Mr. Dorrell *[holding answer 19 July 1990]:* The information requested has been placed in the Library.

In-patients (West Midlands)

Mr. Corbett: To ask the Secretary of State for Health if he will list the extra money allocated specifically to reduce in-patient waiting lists, by specialty, to each of the Birmingham health districts and the West Midlands health region in each year in which allocations have been made; and what assessment he has made of its impact upon in-patient waiting lists by each Birmingham health district and the West Midlands health region.

Mrs. Virginia Bottomley *[holding answer 23 July 1990]:* Information on the allocations is given in the tables. The West Midlands regional health authority has assessed the impact of waiting list funds on targeted specialties in 1989-90. During that year the region achieved an overall 10·9 per cent. reduction in its long wait in-patient lists, largely due to the successful targeting of waiting list funds. An assessment for each of the Birmingham districts and for Birmingham as a whole is given in the tables.

West Midlands RHA and Birmingham DHAs' WLF allocations

District	*Specialty*	*Allocation £*
Waiting list fund 1987-88		
Central Birmingham	General Surgery	71,500
Central Birmingham	Urology	52,000
East Birmingham	T and O	350,000
East Birmingham	ENT	6,000
East Birmingham	Ophthalmology	70,000
South Birmingham	T and O	408,500
South Birmingham	ENT	80,000
West Birmingham	Ophthalmology	79,500
Sub total		1,117,000
West Midlands total WLF allocation		3,120,000
Waiting list fund 1988-89		
East Birmingham	T and O	318,000
East Birmingham	Ophthalmology	74,000
South Birmingham	T and O	236,000
South Birmingham	ENT	380,100
West Birmingham	Ophthalmology	90,100
Sub total		1,098,100
West Midlands total WLF allocation		3,354,000
Waiting list fund 1989-90		
Central Birmingham	Urology	37,000
Central Birmingham	Gynaecology	80,000
East Birmingham	Urology	142,000
North Birmingham	T and O	42,000
North Birmingham	General Surgery	100,000
South Birmingham	Urology	64,000
West Birmingham	Ophthalmology	100,000
Sub total		565,000
West Midlands total WLF allocation		2,743,000
Waiting list fund 1990-91		2,850,000
West Midlands total WLF allocation. Allocations to Birmingham districts yet to be confirmed.		

Effect of waiting list initiatives on targeted lists 1989/90 numbers waiting over a year (in-patients)

	Lists with initiative	*Lists without initiative*
Central Birmingham		
March 89	338	1,572
March 90	175	1,172
Difference	−163	−400

	Lists with initiative	Lists without initiative
percentage difference	−48·2	−25·4
East Birmingham		
March 89	115	600
March 90	51	409
Difference	−64	−191
percentage difference	−55·7	−31·8
North Birmingham		
March 89	498	179
March 90	281	178
Difference	−217	−1
percentage difference	−43·6	−0·6
South Birmingham		
March 89	255	326
March 90	86	782
Difference	−169	456
percentage difference	−66·3	139·9
West Birmingham		
March 89	150	399
March 90	22	103
Difference	−128	−296
percentage difference	−85·3	−74·3
Birmingham Districts as a whole		
March 1989	1,206	2,677
March 1990	593	2,541
Difference	−613	−136
percentage difference	−50·8	−5·1

	Lists with initiative	Lists without initiative	Total
West Midland Region			
March 89	9,053	10,942	19,995
March 90	5,783	12,024	17,807
Difference	−3,270	1,083	−2,188
percentage difference	−36·1	9·9	−10·9

Intensive Care Baby Units

Mr. Battle: To ask the Secretary of State for Health (1) what was, for the most recent year, the number of babies born alive in England with birthweights of *(a)* under 1,000 grammes, *(b)* 1,000 to 1,499 grammes, *(c)* 1,500 to 1,999 grammes, *(d)* 2,000 to 2,499 grammes, *(e)* 2,500 grammes and over and *(f)* with unstated birthweights; and what are the numbers of babies in each group who were admitted to special or intensive care baby units, the numbers discharged alive and their average lengths of stay;

(2) for the most recent year, the number of babies born alive in England at gestational ages of *(a)* under 28 weeks, *(b)* 28 to 31 weeks, *(c)* 32 to 36 weeks, *(d)* 37 to 41 weeks, *(e)* 42 or more weeks and *(f)* with unknown gestational ages; and what are the numbers of babies in each group who were admitted to special or intensive care baby units, the numbers discharged alive and their average length of stay.

Mr. Dorrell *[holding answer 25 July 1990]:* The information requested on live births by birthweight is as follows:

England 1989

	Birthweight
Under 1,000 grammes	2,325
1,000-1,499 grammes	3,891
1,500-1,999 grammes	8,283
2,000-2,499 grammes	28,127
2,500 grammes and over	586,749
unstated birthweight	19,982

Source: OPCS

Information on gestation, type of care received and outcome are not included in birth registration data, but are being collected from 1988-89 in the maternity hospital episode system. Complete data for 1988-89, the first year of the system, are not available and the extent to which the incomplete data can be used to make reliable estimates is currently under consideration. Preliminary indications are that the percentage of live births by gestation are as follows:

Babies born alive by gestation 1988-89 England

Number of weeks gestation	Per cent.
All	100
Under 28	1
28-32	1
33-36	5
37-40	70
41-42	19
Over 42	1
Unknown	4

More detailed analyses are available only at disproportionate cost.

Regional Health Authorities

Mr. Michael Morris: To ask the Secretary of State for Health when the new *(a)* membership and *(b)* chairpersons of the regional health authorities will be announced.

Mrs. Virginia Bottomley *[pursuant to her reply, 20 July 1990, c. 766]:* All the appointments of non-executive members of regional health authorities have now been confirmed and I have today placed a full list in the Library.

PRIME MINISTER

Official Meetings

Mr. Corbyn: To ask the Prime Minister when she next expects to meet the Federal German Chancellor Dr. Kohl; and what matters she expects to discuss.

The Prime Minister: I meet Chancellor Kohl several times during the year. We last met at the Houston economic summit on 9 to 11 July. I expect that there will be further contacts soon. Subjects for discussion include EC and NATO issues, east-west relations and German unification.

Mr. Corbyn: To ask the Prime Minister when she next expects to meet her counterpart from the German Democratic Republic; and what matters she expects to discuss.

The Prime Minister: I had interesting and valuable talks with Herr de Maiziere during his visit to London on 26 and 27 June. I hope that we shall meet again before long and continue our discussions about German unification, east-west relations and EC and NATO subjects.

Mr. Morgan: To ask the Prime Minister (1) when she last met Lord Hanson in an official capacity;

(2) when she last met Michael Richardson of NM Rothschild in an official capacity.

The Prime Minister: My normal practice is neither to confirm nor deny meetings with private individuals even when no such meeting has taken place.

Dairy Products

Mr. Alfred Morris: To ask the Prime Minister if the European Commission's decision on 19 July to raise export restitutions on dairy products is consistent with the agreement reached on 11 July at the economic summit in Houston; and if she will make a statement.

The Prime Minister: The Commission maintains that the action it has taken does not contravene agreements reached in the GATT international dairy arrangement on minimum export prices. The increase in export refunds is nevertheless likely to be unhelpful in the context of the current Uruguay round negotiations. The Commission took its decision without consulting member states. We had, however, made clear on earlier occasions that we were opposed to any increase in export refunds in the dairy sector at this time. We also opposed the 1 per cent. increase in milk quota agreed towards the end of last year, because, although it was helpful to many producers in the short term, it was bound to worsen the Community's existing problem of overproduction.

Political Advisers

Mr. Cryer: To ask the Prime Minister if she will list the political advisers and public relations advisers currently employed in her Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

The Prime Minister: There are no public relations advisers. The special advisers currently employed in my office are:

Professor B. Griffiths
Mr. A. Dunlop
Mr. G. Guise
Mr. R. Harris
Mr. H. M. Harris-Hughes
Mr. I. K. Whitehead

All are paid from public funds. It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential. Expenses may be paid within the normal civil service rules.

Nuclear Non-proliferation

Mr. Corbyn: To ask the Prime Minister if she discussed the prospects for the forthcoming nuclear non-proliferation treaty review conference with President Bush during her recent visit to Houston.

The Prime Minister: No, but the matter was part of the final conclusions of the economic summit in Houston.

Ministerial Responsibilities

Mr. Maxwell-Hyslop: To ask the Prime Minister when the Cabinet Office will publish an up-to-date issue of the list of ministerial responsibilities.

The Prime Minister: Copies of the list of ministerial responsibilities are expected to be available in approximately three weeks.

Correspondence

Mr. Maxwell-Hyslop: To ask the Prime Minister whether she will take steps to remind all Ministers of the duty to ensure that—while their regular private office staff are away on holiday—all letters from Ministers to hon. Members have a copy thereof attached, as usual.

The Prime Minister: I have asked my right hon. Friend the Parliamentary Secretary to the Treasury to do so.

Film Industry

Mr. Fisher: To ask the Prime Minister what is her policy on *(a)* the timing and *(b)* the mechanism of disbursement of the £5 million support she announced for British film production, following her seminar on film policy.

The Prime Minister: The fund will be provided over three financial years: £1 million in 1991-92 and £2 million in each of the two following years. The mechanism for disbursement has not yet been decided.

HOUSE OF COMMONS

Crown Immunity

Ms. Walley: To ask the Lord President of the Council what developments there have been in identifying the scope for removing Crown immunity from the Palace of Westminster.

Sir Geoffrey Howe: There are no developments to report. Consideration of the issues raised has disclosed no reason why the Palace of Westminster should not be subject to the same rules as Crown property generally.

Library Services

Mr. John Evans: To ask the Lord President of the Council whether he has any plans to change the use of the Textline facility in the branch Library by hon. Members and staff; and if he will make a statement.

Sir Geoffrey Howe: The providers of Textline have recently given notice of substantial price increases and of a new charging structure, the consequence of which would be a very heavy increase in the costs of this service to the House within three years. The Library Sub-Committee of the Services Committee therefore decided that the Textline service should be withdrawn from the Branch Library with effect from early August 1990. Notices were posted in the Branch Library on 23 July informing users of the withdrawal of the service.

Dining Rooms

Ms. Walley: To ask the Lord President of the Council if he will indicate the latest date for which a booking in the private dining rooms has been accepted.

Sir Geoffrey Howe: The latest date for which a private dining room has been booked is 18 December 1991.

Ms. Walley: To ask the Lord President of the Council if he will undertake a review of the current use of private

dining facilities in the House with a view to making provision in advance of the development of phase 2 for constituents and visitors to the line of route.

Sir Geoffrey Howe: It is understood that the Catering Sub-Committee will include the provision of refreshments for visitors as part of its review this autumn of observations received in response to the Services Committee's first report of this Session on the future development of refreshment facilities in the House (HC 234). No doubt all possible options will be considered at that time.

OVERSEAS DEVELOPMENT

Bilateral Aid

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the percentage of United Kingdom bilateral aid spent on procurement of United Kingdom goods and services for each year since 1979, using the same criteria as were used for the figure on page 13 of the "Government's Expenditure Plans 1990-91 to 1992-93", chapter 2.

Mrs. Chalker: Procurement of United Kingdom goods and services under bilateral aid programmes, including both technical cooperation and financial assistance, using the criteria requested, has been as follows:

Year	*Per cent.*
1979	77
1980	67
1981	67
1982	70
1983	66
1984	61
1985	63
1986	71
1987	70
1988	69
1989	Not yet available

Aid

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a table showing the amount of British aid in each of the last five years to Malawi, Namibia, Zimbabwe, Papua New Guinea, India, St. Lucia, Grenada and the Philippines.

Mrs. Chalker: The amount of gross bilateral aid, including new investments by Commonwealth Development Corporation, given by the United Kingdom in each of the last five years to Malawi, Namibia, Zimbabwe, Papua New Guinea, India, St. Lucia, Grenada and the Philippines is as follows:

£000's

	1985	*1986*	*1987*	*1988*	*1989*
Malawi	22,356	15,346	24,865	46,494	42,114
Namibia	605	733	969	2,033	1,543
Zimbabwe	23,636	12,503	12,498	24,127	21,385
Papua New Guinea	2,329	4,873	6,646	14,643	11,466
India	106,466	143,481	78,464	101,045	99,498
St. Lucia	530	1,018	3,174	2,848	8,872
Grenada	1,450	776	739	1,225	1,352
Philippines	1,840	205	262	1,042	11,913

Note: The 1989 figures are provisional.

Third World Debt

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the total interest payments on the external debts of the least developed countries as a percentage of all official development assistance to this category of countries.

Mrs. Chalker: According to recent OECD figures, total interest payments made in 1988 by countries classified by the United Nations as least developed were US$2·2 billion. Official development assistance to this group of countries on a net basis—that is, after subtracting principal payments on concessional loans was US$13·9 billion. Figures for previous years, and provisional figures for 1989, are similar.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries within the least developed country category that Britain has been able to assist to date through implementation of the Paris club Toronto terms; and if he will make a statement on the debt relief gained by these countries.

Mrs. Chalker: The countries within the United Nations least developed category which have so far rescheduled debt in the Paris club on concessional "Toronto Terms" are Benin, Central African Republic, Chad, Equatorial Guinea, Guinea Republic, Guinea-Bissau, Mali, Mauritania, Mozambique, Niger, Tanzania, Togo and Uganda. No debts to the United Kingdom were covered by the reschedulings for Equatorial Guinea, Guinea-Bissau and Chad. The deferral of all due payments, together with the reduction in interest payable on the deferred amounts, will substantially ease the financing constraints on these countries as they pursue programmes of economic reform designed to lay the basis for sustained growth.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the debt service ratios for each of the least-developed countries between 1980 and the latest available figures.

Mrs. Chalker: Figures for the ratio of debt service paid to export receipts are available for all the least-developed countries except Afghanistan, Djibouti, Kiribati and Tuvalu in the "World Debt Tables 1989-90", published by the World Bank, a copy of which is in the Library of the House. Figures are available in all cases for 1988; in some cases, figures to not extend as far back as 1980.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make it his

policy to support an early review of measures by multilateral institutions to ease the debt burden on the least developed countries.

Mrs. Chalker: The multilateral institutions have played their part in tackling the balance of payments problems faced by heavily indebted countries in the 1980s by providing financial support for programmes of economic reform. We have played a major part in ensuring that such support to the poorest countries is provided on highly concessional terms—especially through the IMF's enhanced structural adjustment facility and the World bank's International Development Association. It is important for the future functioning of the multilateral institutions that their preferred creditor status is maintained.

Power Stations

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all coal-fired power stations funded from the aid-trade provisions and from the regular aid programme, since 1979, indicating the size of the power stations; which power stations use flue-gas desulphurisation technology; which power stations use other technology to limit sulphur dioxide emissions; and the sulphur content of the coal used; and for which stations an environmental impact assessment was carried out before aid was approved.

Mrs. Chalker *[holding answer 24 July 1990]:* The following list gives information on all coal-fired power stations funded from the aid-trade provision and from the regular aid programme since 1979.

Date on which financing agreed	*Country*	*Site*	*Size*	*Sulphur content in coal percentage*
1982	Botswana	Morupule	3 x 30MW	1·5 (1·06+2·0 blend)
1982	Brazil	Jacui	350MW	0·54—1·06
1988	China	Yaouang	2 x 350MW	0·28—0·31
1984	India	Balco	4 x 67MW	0·3—0·5
1982	India	Rihand	2 x 500MW	0·3
1980	India	Titigarh	4 x 60MW	Not available

None of the power stations is fitted with flue gas desulphurisation equipment or uses other technology specifically to limit sulphur dioxide emissions, other than by generally maximising the overall efficiency of the plant. Sulphur contents are significantly lower than coal currently burned in United Kingdom power stations which has typically up to 3 per cent. sulphur content.

The ODA did not carry out formal environmental impact assessment on these projects but it examined, in the course of appraisal, environmental factors, including the results of environmental assessments carried out by the recipient Governments, in order to establish the likely impacts of the projects.

Since 1988 all projects have been subject to ODA's new environmental appraisal system.

EMPLOYMENT

Disabled People

Mr. Hannam: To ask the Secretary of State for Employment what information he has as to how many public sector organisations in Germany meet a *(a)* 6 per cent. quota, *(b)* 5 per cent. quota, *(c)* 4 per cent. quota and *(d)* 3 per cent. quota, for the employment of disabled people.

Mr. Jackson: I regret that information about the public sector organisations in Germany that meet their quota obligations is not available in the form requested.

Mr. Hannam: To ask the Secretary of State for Employment what information he has as to how many organisations and companies in France meet a *(a)* 6 per cent. quota, *(b)* 5 per cent. quota, *(c)* 4 per cent. quota and *(d)* 3 per cent. quota, for the employment of disabled people.

Mr. Jackson: The current quota system in France has only recently been introduced and compliance figures are not yet available.

Mr. Hannam: To ask the Secretary of State for Employment whether his Department has carried out any studies into the operation and effectiveness of the German quota/levy system for disabled people.

Mr. Jackson: No formal studies of the German system have been carried out by this Department. However, my officials are in regular contact with their European counterparts about all aspects of provision for people with disabilities, including the operation of quota/levy systems.

Mr. Wigley: To ask the Secretary of State for Employment what consultations he plans to hold with disability organisations on his Department's proposals for employment services for disabled people.

Mr. Jackson: All disability organisations known to the Department have been written to seeking their views on the proposals contained in "Employment and Training for People with Disabilities". We are looking forward to receiving their comments.

Mr. Ashley: To ask the Secretary of State for Employment which organisations are being formally consulted on his Department's review of employment services for disabled people.

Mr. Jackson *[holding answer 25 July 1990]:* The results of the review were published on 29 June in a consultative document "Employment and Training for People with Disabilities". Copies have been sent to a wide range of organisations and individuals; including the all-party disablement group, the Select Committee on Employment, the National Advisory Council on Employment of Disabled People, committees for the employment of disabled people, organisations of and for people with disabilities, providers of employment and training opportunities for people with disabilities, the CBI, the TUC, local authorities and professional bodies with an interest in the employment and training of people with disabilities. Copies of the document are available to anyone who wishes to comment.

Mr. Ashley: To ask the Secretary of State for Employment whether his Department has carried out any studies of the operation and effectiveness of the new 6 per cent. French quota system for disabled people.

Mr. Jackson *[holding answer 25 July 1990]:* No formal studies of the French system have been carried out by this Department. However, my officials are in regular contact with their European counterparts about all aspects of provision for people with disabilities, including the operation of quota/levy systems.

Mr. Ashley: To ask the Secretary of State for Employment whether his Department has evaluated and costed the feasibility of establishing a disablement commission to investigate cases of unjustifiable discrimination against disabled people.

Mr. Jackson *[holding answer 25 July 1990]:* No formal evaluation or costing studies have been conducted. Were such a commision to be established, the cost would undoubtedly be substantial.

Bed-and-Breakfast Accommodation

Mr. Corbyn: To ask the Secretary of State for Employment what action his Department is taking to ensure adequate health and safety standards in bed-and-breakfast hotels; what is being done to ensure that all hotels used for the accommodation of homeless families are upgraded to higher standards; and how often bed-and-breakfast hotels are visited and inspected by environmental health officers to ensure that they are upgraded to desirable standards.

Mr. Forth: Under the Health and Safety at Work etc. Act 1974 (HSWA) it is the employer's responsibility to do everything that is reasonably practicable to protect the health and safety of workers and others who may be affected by his work activity.

Local authorities are responsible for enforcing the HSWA in bed-and-breakfast hotels. The frequency of visits and inspections is at the enforcing authority's discretion. No information is available centrally on the frequency of such visits.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Employment if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Howard: Two special advisers are currently appointed to advise Ministers in the Department of Employment: Ms. C. Stratton and Mr. T. Collins. It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential. The normal civil service rules apply with regard to expenses for special advisers. There are no public relations advisers paid by other organisations and seconded to the Department.

Tourism

Mr. Fearn: To ask the Secretary of State for Employment what plans his Department has to aid the funding of the English tourist network automation system.

Mr. Forth: In the 1989-90 financial year, the English tourist board gave support amounting to £50,000 towards the development of the English tourist network automation system. In the 1990-91 financial year, a further £120,000 has been allocated to support the system.

Chipboard Manufacture

Dr. Thomas: To ask the Secretary of State for Employment whether his Department has made any assessment of the health and safety implications involved in the process of the manufacture of softwood chipboard; and if he will make a statement.

Mr. Forth: The Health and Safety Executive has not conducted any specific comprehensive assessment of health and safety aspects of softwood chipboard manufacture. However, standards applicable to chipboard manufacturing processes are contained in existing safety legislation enforced by HSE. It has no evidence to suggest that standards involving this manufacturing process are unsatisfactory.

National Council for Vocational Qualifications

Mr. Fatchett: To ask the Secretary of State for Employment if he will set out in 1990 prices, the 1989-90, 1990-91 and 1991-92 budgets for the National Council for Vocational Qualifications.

Mr. Jackson: A total of £5·4 million was provided for the National Council for Vocational Qualifications in 1989-90, and provision is currently estimated at some £5·2 million for this year. The plans for 1991-92 currently provide for a total of £5·7 million.

Mr. Fatchett: To ask the Secretary of State for Employment whether he has held any meetings with the National Council for Vocational Qualifications about its budget for 1990-91 and 1991-92; and if he will make a statement.

Mr. Jackson: Officials from my Department meet regularly with officers of the national council to discuss all aspects of the council's work. In addition, my hon. Friend the former Minister of State, Department of Employment met the council twice this year.

The House was informed on 17 May 1990 of a review of the council's progress, currently being undertaken by my Department, with the agreement of the Secretaries of State for Education and Science, for Wales and for Northern Ireland—*Official Report*, 17 May, column *540*. We shall be finalising the council's budget following completion of the review.

Work Permits

Mr. Macleman: To ask the Secretary of State for Employment how many work permits were issued to foreign nationals in June 1990 and each of the preceding 11 months.

Mr. Jackson: The information requested is as follows:

	Number
June 1990	3,376
May 1990	3,317
April 1990	2,460
March 1990	2,882
February 1990	2,452
January 1990	2,541
December 1989	1,399
November 1989	2,856
October 1989	2,923
September 1989	2,575
August 1989	3,181
July 1989	2,743

Bio-electro Magnetism

Dr. Thomas: To ask the Secretary of State for Employment whether his Department has assessed the health and safety aspects of bio-electro magnetism; and if he will make a statement.

Mr. Forth: The Health and Safety Executive regularly assesses the health and safety aspects of electromagnetic radiation and has published guidance, for example on the use of sun-tanning equipment and radio frequency dielectric heating equipment.

PSV Training, Coventry

Mr. Nellist: To ask the Secretary of State for Employment if he will now consider instructing the Training Agency to arrange for the provision in the Coventry area of public service vehicle training through the dual certificate to those individuals holding only a provisional driving licence; in what other regions these training courses are already provided; and if he will make a statement.

Mr. Jackson: No. The training provision in each locality is determined by local officials of the Training Agency, and training and enterprise councils in the light of the needs of trainees and local labour market requirements. The information on the training provision in other regions is not available.

Training Agencies

Mr. McLeish: To ask the Secretary of State for Employment what is the total number of *(a)* employment training training agents and *(b)* employment training training managers who have received approved training organisation status for the most recent date for which information is available.

Mr. Jackson *[holding answer 23 July 1990]:* As at 31 May 1990, 153 training agents and 881 training managers had received approval for stage one and one training agent and six training managers had received approval for stage two.

Mr. McLeish: To ask the Secretary of State for Employment if he will list the employment training agency managers and directors involved in community programmes, YTS and employment training who have been investigated by the fraud squad, prosecuted and convicted in the period since June 1986; and if he will make a statement.

Mr. Jackson *[holding answer 23 July 1990]:* No central record is kept by my Department on this type of information. Any information in respect of specific fraud allegations or investigations is held within the records of the Training Agency's 57 area offices and any such information must clearly be treated as confidential.

Mr. McLeish: To ask the Secretary of State for Employment what investigations were carried out by the Training Agency or Manpower Services Commission into the training experience of directors of the Mutual Aid Centre Managing Agency and the High Wycombe Brass Tacks Agency.

Mr. Jackson *[holding answer 23 July 1990]:* The Training Agency investigates the ability of all potential training providers to deliver Government programmes and initiatives by carrying out on-site investigations to ensure that adequate facilities and arrangements are in place. A system of risk analysis is applied to the company's financial viability and where appropriate by examining whether previous initiatives have been successfully delivered.

Written evidence of previous relevant experience is required for members of staff directly involved in the delivery of the training or assessment.

The local approval process was followed in this case including consideration and approval by the relevant local tripartite area manpower board.

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement on the implications for the provision of employment training of the conviction of two directors of Mutual Aid Centre Managing Agency.

Mr. Jackson *[holding answer 23 July 1990]:* There are no implications. The Mutual Aid Centre Managing Agency is not a provider of employment training. My Department continues to operate a system of financial appraisal and monitoring designed to protect public funds and to reduce the risk of fraud.

Technical and Vocational Education Initiative

Mr. John Evans: To ask the Secretary of State for Employment what representations he has received following his decision to reduce available funds for technical and vocational education initiative start-up in St. Helens.

Mr. Jackson *[holding answer 25 July 1990]:* My right hon. and learned Friend has received letters from the TVEI project director for St. Helens and from the headmaster of a special school.

EDUCATION AND SCIENCE

Class Sizes

Mr. Straw: To ask the Secretary of State for Education and Science what are the numbers and proportions of primary pupils in classes *(a)* over 30 and *(b)* over 34.

Mr. MacGregor: The numbers and proportions of primary pupils in classes *(a)* over 30 and *(b)* over 34 in England at January 1989 are:

	Number of pupils	Proportion of all pupils
In Classes over 30	803,882	23·2
In Classes over 34	137,885	4·0

The analyses relate to classes taught by one teacher during a selected period on the day of the school census.

School Holidays

Mr. Allen: To ask the Secretary of State for Education and Science what consideration he has given to adjusting the school terms and school holidays; and if he will make a statement.

Mr. Eggar: My right hon. Friend has no plans to alter existing arrangements for school terms and holidays which allow for their determination by LEAs and school governors. He is aware of current interest in some schools in the possibility of introducing a four term year. He recognises that this would have major implications for many beyond the schools which would require very careful consideration.

Women Teachers

Mr. Straw: To ask the Secretary of State for Education and Science what are the proportions of *(a)* head teachers posts in primary schools, *(b)* deputy head teacher posts in primary schools, *(c)* head teacher posts in secondary schools and deputy head teachers posts in secondary schools which are held by women.

Mr. MacGregor: On 31 March 1987, the latest date for which information is available, the proportions of head and deputy head teacher posts in primary schools in England which were held by women were 47 and 61 per cent. respectively and in secondary schools in England were 17 and 31 per cent. respectively.

Mr. Straw: To ask the Secretary of State for Education and Science what are the proportions of female teachers in *(a)* primary and *(b)* secondary schools.

Mr. MacGregor: On 31 March 1987, the latest date for which information is available, the percentages of full-time qualified teachers in *(a)* primary and *(b)* secondary schools in England who were female were 80 and 47 per cent. respectively.

16 to 18-year-olds

Mr. Straw: To ask the Secretary of State for Education and Science what were the proportions of *(a)* 16-year-olds, *(b)* 17-year-olds, *(c)* 18-year-olds and *(d)* 16 to 18-year-olds in full-time education for each year since 1979-80, as a percentage of the same age group.

Mr. MacGregor: The information requested is as follows:

Participation rates in full-time education for 16 to 18-year-olds in England 1979-80 to 1989-90

	1979-80 per cent.	1980-81 per cent.	1981-82 per cent.	1982-83 per cent.	1983-84 per cent.	1984-85 per cent.	1985-86 per cent.	1986-87 per cent.	1987-88 per cent.	1988-89 per cent.	[1]1989-90 per cent.
Aged 16	42	43	48	50	48	47	47	47	48	52	56
Aged 17	27	28	30	32	32	32	32	32	33	35	39
Aged 18	14	14	16	16	17	17	17	17	18	19	20
Aged 16-18	28	29	31	33	32	32	32	32	33	35	39

Note: Ages are at 31 August.
[1] Provisional.

Capitation Expenditure

Mr. Straw: To ask the Secretary of State for Education and Science what were the amounts of capitation spent by all local education authorities on schools in each year since 1979-80 at *(a)* 1979-80 prices and *(b)* current prices.

Mr. MacGregor: The items of expenditure covered by the term "capitation" can vary from LEA to LEA. Accordingly, the Department does not collect data on the size of the capitation allowances made by LEAs to the schools they maintain.

Literacy

Mr. David Nicholson: To ask the Secretary of State for Education and Science what guidance he gives to local education authorities on methods of teaching primary school pupils to read; and what representations he has received on this subject.

Mr. Eggar: My right hon. Friend has published attainment targets and programmes of study for English which cover the teaching of reading to primary schoolchildren. I do not, however, give guidance on the teaching methods to be used in this or any other subject. That is a matter for the schools, and the professional expertise of teachers.

Reading is naturally a subject of special interest and concern to parents and others, and one on which my right hon. Friend and I frequently receive representations.

Higher Education

Dr. Hampson: To ask the Secretary of State for Education and Science if he will make a statement on the Government's recent achievements in higher education.

Mr. Alan Howarth: The Government have continued to implement policies to improve aspects of higher education in England and Wales and have made important progress in carrying out the provisions of the Education Reform Act 1988.

There are now over 1 million students in higher education, 36 per cent. more than in 1979. By the end of the 1990s, the number is expected to increase to nearly 1·2 million.

Since the introduction of the Education Reform Act, polytechnics and colleges of higher education have been established as independent corporate bodies, funded by the Polytechnics and Colleges Funding Council. With the recent announcement of the new Bournemouth and Humberside polytechnics there are now 31 polytechnics and 54 other major providers of higher education in the new PCFC sector.

The shift in the balance of public funding between the block grant and the fee means that higher education institutions now have a financial incentive to admit additional students. In consequence, institutions are becoming increasingly responsive to the needs of students, employers and other interested "customers" of higher education.

Higher education is well placed to meet the challenges of the 1990s.

Science (International Co-operation)

Mr. Kirkwood: To ask the Secretary of State for Education and Science what steps he is taking to promote international co-operation in science.

Mr. Alan Howarth: A main objective for DES expenditure research is to increase international collaboration in science where this gives good value for money—for instance, where necessary concentration cannot be achieved at the national level—and having particular regard to possibilities for co-operation within the EC. To this end, the Department pays grant in aid annually to the five research councils, the Royal Society and the Fellowship of Engineering. In addition, resources are made available to the universities and polytechnics through the Universities Funding Council. It is for the scientific judgment of bodies in receipt of grant-in-aid and those they support, in discussion where appropriate with the Advisory Board for the Research Councils and the Department, to determine the particular scientific areas in which international co-operation should be promoted.

Assessment Tests

Mr. Jack: To ask the Secretary of State for Education and Science if he will make a statement on the provisions he is making to esure that children are regularly tested at the ages of seven and 11 years.

Mr. Eggar: Under the Education Reform Act 1988, my right hon. Friend is required to establish arrangements for assessing all pupils at ages seven, 11, 14 and 16 in the core and other foundation subjects of the national curriculum. the first national assessments of seven-year-olds in English, mathematics and science will take place in 1991. I refer my hon. Friend to the reply that my right hon. Friend gave on 25 July to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) about the arrangements for those assessments. National assessments of seven-year-olds in the other foundation subjects will be phased in over the years 1992-94. The first national assessment of 11-year-olds—in the core subjects and technology—will be in 1994, with assessments in the other foundation subjects phased in over the years 1995-96.

Ms. Armstrong: To ask the Secretary of State for Education and Science how many teachers attended the seminars to evaluate the standard assessment tests pilot studies.

Mr. Eggar: The detailed breakdown of those attending the recent seminars was as follows:

	Number
Teachers	82
Head teachers and deputy head teachers	32
Advisory teachers and co-ordinators	20
Local education authority inspectors and advisers	30

Ms. Armstrong: To ask the Secretary of State for Education and Science whether he has had discussions with the National Council for Vocational Qualifications about the under-sevens project and training for early years workers.

Mr. Eggar: I have not discussed the project with the council; the Department is represented on the project steering group.

Ms. Armstrong: To ask the Secretary of State for Education and Science what assessment his Department made of the resource implications of standard assessment tests at seven years.

Mr. Eggar: The pilot assessments of seven-year-olds in English, mathematics and science, which took place in a sample of primary schools in May, will yield evidence about the resource implications of the prototype standard assessment tasks (SATs) used in the pilot. Responsibility for evaluating the pilot assessments rests with the School Examinations and Assessment Council (SEAC) which will report to my right hon. Friend in October on the performance of the prototype SATs, including their resource implications. The specification for the SATs to be used in the first national assessment of seven-year-olds in 1991 will be settled by my right hon. Friend in the light of that report.

Ms. Armstrong: To ask the Secretary of State for Education and Science on what date he expects to report his decisions regarding standard assessment tests for seven-year-olds.

Mr. Eggar: My right hon. Friend expects to settle the specification for the standard assessment tasks (SATs) to be used in the first national assessments of seven-year-olds in 1991 by October of this year, in the light of the School Examinations and Assessment Council's evaluation of the recent pilot assessments of seven-year-olds.

Local Management of Schools

Mr. Hanley: To ask the Secretary of State for Education and Science what progress has been made under the new system of local management of schools.

Mr. Fallon: I refer my hon. Friend to the reply that my right hon. Friend gave to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 10 July 1990, at column 175.

Mr. Mans: To ask the Secretary of State for Education and Science what percentage of total education expenditure each shire county, under local management of schools, has held back from the schools themselves to cover the cost of administration and other facilities.

Mr. Fallon: I refer my hon. Friend to the reply that I have given today to my hon. Friend the Member for Epping Forest (Mr. Norris). The costs of central administration are included in the figures for unlimited discretionary exceptions.

Shire Counties

Mr. Mans: To ask the Secretary of State for Education and Science what is the number of teachers employed in schools in shire counties in 1990; and what was the number of teachers employed in schools in shire counties in 1985.

Mr. Fallon: The number of teachers—full-time equivalents—in nursery primary and secondary schools maintained by local education authorities in English shire counties were, in thousands:

	Number
January 1985	240·0
January 1989	237·8
January 1990	239·4

A further 340 teachers were employed in grant maintained schools in these counties in January 1990.

Mr. Mans: To ask the Secretary of State for Education and Science what is the total estimated expenditure on tertiary education in all shire counties for 1990; and what was the total actual expenditure on education in all shire counties in 1985.

Mr. Eggar: Local authority returns of expenditure to the Department of the Environment do not separately identify spending on tertiary education.

Mr. Mans: To ask the Secretary of State for Education and Science what was the number of *(a)* primary and *(b)* schoolchildren in shire counties in *(a)* 1990 and *(b)* 1985.

Mr. Fallon: The number of pupils in maintained primary schools and the number of pupils in all schools in non-metropolitan counties at January 1989 and January 1985 are given. Data for January 1990 are not yet available.

	1989	*1985*
Primary	2,366,986	2,275,847
All pupils[1]	4,259,134	4,493,522

[1] The number of all pupils relates to pupils in maintained nursery, primary, middle and secondary schools. Special and independent school pupils are not included.

School Budgets

Mr. Jopling: To ask the Secretary of State for Education and Science what factors underlie the proportion of the general schools budget allocated to schools under Cumbria's proposals for local management of schools budget; whether there are any elements in the calculation which are unique to Cumbria relative to other shire counties; and if he will make a statement.

Mr. Fallon: The Cumbria scheme for local management of schools adheres to the statutory and policy requirements in all respects. Cumbria local education authority is allocating 62·5 per cent. of the general schools budget in 1990-91 to schools through its approved formula. This compares with an average figure of 68·6 per cent. for those shire counties which have submitted budget information for 1990-91. A detailed breakdown of the factors which underlie this figure is given in the answer that I have given today to my hon. Friend the Member for Epping Forest (Mr. Norris).

Teachers

Ms. Armstrong: To ask the Secretary of State for Education and Science (1) when he last reviewed circular 1/88, "Physical and Mental Fitness to Teach of Teachers and of Entrants to Teacher Training";

(2) what consideration he has given to amending the guidelines in circular 1/88 to include clear guidance on *(a)* the entry of disabled people to teacher training courses and *(b)* the methods for retaining newly disabled teachers and thoe with severe disabilities such as diabetes or epilepsy; and if he will make a statement.

Mr. Fallon: My right hon. Friend is satisfied that circular 1/88, which was the subject of extensive consultation before it was issued, contains clear guidance on these matters. Appendix 2 of the circular explains that a candidate's disability or illness is not of itself a bar to entry to initial teacher training. A training institution's decision on whether a candidate with a disability is medically fit should take into account the nature and extent of the individual's condition and the age range and subject or subjects he or she intends to teach.

Section 3 of the circular, in conjunction with regulation 9 of the Education (Teachers) Regulations 1989, gives clear guidance to teachers' employers on the action to be taken if a teacher becomes medically unfit while in service. Specific advice is offered on the circumstances in which the employment of teachers with epilepsy should be suspended or terminated.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Education and Science if he will list the political advisers, and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Eggar: Mrs. E. Laing is employed as special adviser to the Secretary of State. It is not our practice to reveal the salaries of individual advisers, as they are individually negotiated in relation to previous outside earnings, and are therefore confidential. Expenses are paid in line with the normal civil service conditions, and may include secretarial support. All such costs are met from departmental running costs resources in the usual way. No public relations advisers are employed by Ministers.

School Buildings

Mr. Nellist: To ask the Secretary of State for Education and Science what information he has as to the average age of school buildings.

Mr. Fallon: The Department does not maintain a regular record of the age of school buildings.

Ministerial Speeches

Ms. Armstrong: To ask the Secretary of State for Education and Science what was the cost of printing and circulating the booklets containing his speeches on the national curriculum and testing.

Mr. Terry Davis: To ask the Secretary of State for Education and Science, pursuant to his answer of 23 July, what the cost was of printing and distributing to schools the copies of the summary from his recent speeches to teacher associations.

Mr. Eggar: The cost of printing and circulating copies of the summary of recent speeches by the Secretary of State on national curriculum and assessment delivered to teacher associations was £26,250.

Grant-maintained Schools

Ms. Armstrong: To ask the Secretary of State for Education and Science how many copies of the booklet "Grant-Maintained Schools: Questions Parents Ask", setting out the case for grant-maintained schools, have been issued.

Mr. Eggar: In an initial distribution about 80,000 copies of the Department's booklet "Grant-Maintained Schools: Questions Parents Ask" were issued to schools that are eligible to apply for grant-maintained status and major organisations with an interest in the subject. To date, a further 75,000 copies have been sent on request to schools and others interested in the policy.

Pre-school Education

Ms. Armstrong: To ask the Secretary of State for Education and Science whether he has received the report from the committee looking at education for the under-fives; and when he expects to publish the report.

Mr. Eggar: My right hon. Friend expects to receive the report of the committee shortly and will then settle details of publication.

Open University

Dr. Thomas: To ask the Secretary of State for Education and Science what resources his Department has made available in each year since 1983 to the Open university; whether he has reviewed the cost effectiveness of this contribution relative to contributions made to universities not widely employing distance learning methods; and if he will make a statement on the role of the Open university in United Kingdom higher education.

Mr. Eggar: The recurrent and capital grants made available to the Open university in each year since 1983 are given in the table. The Department is undertaking a review, together with the university, to enable the Government to determine the place of the university's provision within the total provision of higher education for part-time students, and to ensure that the public money devoted to funding the university is used to best effect.

The Open University: Recurrent and Capital Grants in the financial years 1982-83 to 1990-91.

Financial Year	*Recurrent* £ million	*Capital* £ million	*Total* £ million
1982-83	55·21	2·03	57·24
1983-84	56·42	0·70	57·12
1984-85	59·05	1·40	60·45
1985-86	60·93	0·87	61·80
1986-87	60·39	2·08	62·47
1987-88	64·25	1·43	65·68
1988-89	66·39	2·37	68·76
1989-90	72·77	2·41	75·18
1990-91	80·94	2·13	83·07

Dr. Thomas: To ask the Secretary of State for Education and Science when he last visited the Open university headquarters at Milton Keynes; and what issues were discussed.

Mr. Eggar: My right hon. Friend visited the Open university on 14 February 1990 and discussed with the then vice-chancellor, Dr. J. A. Horlock, and his colleagues a wide range of issues relating to the university's strategy and provision, including the continuing education programme, the programme of teacher education, and the development of computer education courses.

Adult Education

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science what plans he has for the future of Replan; and if he will make a statement.

Mr. Eggar: I refer the hon. Member to the reply that was given by my hon. Friend the then Parliamentary Under-Secretary of State on 12 July 1990, at column *313*.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science what representations he has received concerning the effect on the work of Replan of the delay in responding to the proposals made by NIACE for a successor programme; and if he will make a statement.

Mr. Eggar: A number of letters have been received on the future of the Replan programme. The present programme comes to an end in October 1991. Two separate proposals for a successor programme to Replan from the National Institute of Adult Continuing Education and the Further Education Unit were received at the end of April. My right hon. Friend hopes to announce a decision in the autumn.

Lancashire County Council

Mr. Hind: To ask the Secretary of State for Education and Science what proportion of Lancashire county council's education budget was spent on the running of the education department's central and area offices; and if he will make a statement.

Mr. Eggar: Lancashire's return of expenditure for 1988-89 to the Department of the Environment shows that the authority spent about 2 per cent. of its gross education budget for the year on central education administration.

Special Educational Needs

Mr. Simon Hughes: To ask the Secretary of State for Education and Science whether it is his policy to introduce a new system of special educational needs management allowances from April 1991.

Mr. Eggar: The school teachers' pay and conditions document gives LEAs and governing bodies a considerable amount of flexibility to reward teachers, including teachers in special schools, who undertake management responsibilities. This flexibility will be increased still further on 1 January 1991 when the recommendations of the interim advisory committee on school teachers' pay and conditions are fully implemented.

Mr. Gill: To ask the Secretary of State for Education and Science whether he will amend the Education (Special Educational Needs) Regulations 1983; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has today laid before the House the Education (Special Educational

Needs) (Amendment) Regulations 1990. These regulations amend the Education (Special Educational Needs) Regulations 1983 to take account of the relevant provisions of the Education Reform Act 1988, the Education (Teachers) Regulations 1989 and the Children Act 1989. These regulations will come into force on 1 September 1990.

Design Dimension

Mr. Fisher: To ask the Secretary of State for Education and Science what financial support his Department has given to the Design Dimension in 1989-90.

Mr. Eggar: In the financial year 1989-90 the Department provided a total of £30,000 in financial support for the Design Dimension Educational Trust.

Teacher Shortages

Mr. Spearing: To ask the Secretary of State for Education and Science if he will state the criteria used in his statement at the CLEA conference at Bradford on 18 July, concerning percentages of teacher shortage in local education authorities; if he will now publish similar tables showing the upper and lower-ranking 10 local education authorities respectively using the criteria *(a)* percentage of children being sent home over a given period, *(b)* percentage of classes of children who were not being given lessons by appropriate teachers over a given period and *(c)* any other criteria agreed with local education authorities; and if he will make a statement.

Mr. Fallon: The measure of shortage to which my right hon. Friend referred in his speech to the conference of the Council for Local Education Authorities was the level of vacancies reported by local education authorities in response to the Department's regular January survey. The results of the survey for 1990 were published by my right hon. Friend on 17 July in DES News 247/90, a copy of which is in the Library. The percentages quoted were vacancies expressed as a proportion of teachers in post in the authority. The Department does not collect systematically from LEAs any other data relating to teacher shortages.

The Government have acknowledged that there are shortages of teachers in some subjects and in some parts of the country. In both DES News 247/90 and in his speech to the CLEA, my right hon. Friend drew attention to the range of measures that the Government have implemented to combat teacher shortages.

Students

Mr. Kilfedder: To ask the Secretary of State for Education and Science what is the number of Northern Ireland domiciled student entrants to polytechnics in England and Wales and regional colleges in Scotland in each year since 1968.

Mr. Alan Howarth: The readily available information covers all Northern Ireland domiciled enrolments in higher education in Great Britain and is as follows:

Year	*Thousands*
1981-82	4·6
1984-85	5·2
1987-88	7·5

Source:
Education Statistics for the United Kingdom (HMSO).

It is estimated that some 60 per cent. of the 7,500 enrolments in higher education in 1987-88 were enrolled in polytechnics and their equivalents in Scotland.

History

Mr. Hanley: To ask the Secretary of State for Education and Science when he expects to make proposals for history in the national curriculum.

Mr. MacGregor: I am publishing my proposals for attainment targets and programmes of study for history today. They are substantially based on, but differ in some respects from, the recommendations of the history working group. I have taken account of the many comments I have received on the final report of the history working group, and also of the advice of the School Examinations and Assessment Council on the feasibility of the working group's proposals for the purposes of assessment. I am publishing that advice with my proposals. I am also republishing the working group's report so that it will be clear what changes I am making. I am also writing today to the chairman of the National Curriculum Council to ask that council to undertake the formal statutory consultation on my proposals and to report to me by 17 December.

Section 42 Notices

Mr. Andrew Mitchell: To ask the Secretary of State for Education and Science if he will publish the section 42 results, under the Education Reform Act 1988, for Nottinghamshire and all other education authorities in England.

Mr. Norris: To ask the Secretary of State for Education and Science if, pursuant to his answer to the hon. Member for Epping Forest on 10 July, *Official Report*, column *185*, he will list the dates on which section 42 notices were published by local education authorities in England, and indicate for each London education authority the controlling political party.

Mr. Jopling: To ask the Secretary of State for Education and Science if he will list, for each English education authority in ascending order, the percentage of their general schools budget taken up by their aggregated schools budget.

Mr. Fallon *[holding answer 23 July 1990]:* Local education authorities with approved schemes for local management of schools were required to publish 1990-91 budget statements under section 42 of the Education Reform Act by 30 April 1990.

The following information has been extracted from the copies of those statements sent to the Department by local education authorities between 11 April and 21 July 1990.

LEA	Limited discretionary exceptions percentage of GSB	Unlimited discretionary exceptions percentage of GSB	Mandatory exceptions percentage of GSB	ASB percentage of GSB
Humberside	10·00	12·16	9·60	68·23
Sandwell	10·00	9·09	13·04	67·87
Derbyshire	10·00	14·36	9·41	66·23
Bexley (C)	9·99	9·56	14·57	65·88
Dorset	9·92	9·95	12·39	67·74
Oldham	9·90	12·82	11·66	65·62
North Tyneside	9·82	12·35	8·17	69·65
Wakefield	9·81	12·97	10·30	66·92
Havering (NOC)	9·79	6·17	13·45	70·59
Kingston (NOC)	9·76	11·44	15·52	63·27
Lancashire	9·74	10·28	13·29	66·69
Norfolk	9·72	9·98	7·22	73·08
Ealing (C)	9·70	11·00	6·02	73·27
Knowsley	9·69	10·69	8·15	71·47
Gateshead	9·67	10·63	13·26	66·44
Isle of Wight	9·63	12·09	11·32	66·96
Bromley (C)	9·61	11·31	12·35	66·72
Newcastle	9·58	15·72	10·48	64·21
Harrow (C)	9·52	9·65	11·53	69·30
Wolverhampton	9·48	12·98	12·21	65·33
Essex	9·45	8·46	9·66	72·43
Barking (L)	9·36	16·18	9·32	65·13
Shropshire	9·36	10·22	10·20	70·22
Devon	9·31	11·85	16·44	62·41
Northamptonshire	9·24	7·48	11·06	72·22
Hounslow (L)	9·21	12·54	17·16	61·09
Cambridgeshire	9·20	12·22	18·98	59·61
Kirklees	9·17	13·77	11·65	65·42
Doncaster	9·06	13·35	5·12	72·46
Tameside	9·00	11·01	10·57	69·42
Solihull	8·98	9·36	11·72	69·94
Dudley	8·93	9·47	13·31	68·28
Westminster (C)	8·88	13·07	15·88	62·17
Bury	8·88	13·03	8·98	69·11
Lincolnshire	8·86	7·33	13·14	70·67
Birmingham	8·85	11·98	12·29	66·88
Sutton (L/D)	8·59	8·59	20·13	62·69
Cleveland	8·54	12·13	8·12	71·22
Haringey (L)	8·40	18·88	14·97	57·76
Redbridge (C)	8·34	9·17	15·04	67·44
Coventry	8·31	13·01	20·93	57·74
Staffordshire	8·14	12·90	10·35	68·61
Walsall	7·99	8·95	13·54	69·51
Suffolk	7·93	7·62	15·10	69·35
West Sussex	7·91	8·45	12·35	71·29
Enfield (C)	7·89	8·61	28·37	55·13
Merton (L)	7·86	11·03	23·14	57·97
Cumbria	7·84	17·46	12·15	62·55
Cheshire	7·81	12·62	8·95	70·62
Buckinghamshire	7·74	10·04	14·12	68·10
Brent (NOC)	7·57	10·36	15·76	66·32
Barnet (C)	7·55	11·87	12·69	67·89
Warwickshire	7·46	12·55	11·19	68·80
Sunderland	7·21	11·39	9·87	71·53
South Tyneside	7·14	14·52	17·40	60·93
Berkshire	7·10	8·07	13·23	71·59
Trafford	6·94	9·57	27·49	56·01
Leeds	6·73	9·92	13·48	69·87
Bolton	6·39	11·65	10·42	71·53
Surrey	5·92	13·42	11·68	68·98
Sefton	5·85	9·59	9·18	75·38
Gloucestershire	5·80	13·67	10·28	70·25

(Key: ASB = Aggregated Schools Budget
GSB = General Schools Budget)

The following local education authorities with approved schemes have not yet sent copies of their budget statements to the Department;

Avon, Barnsley, Bedfordshire, Bradford, Calderdale, Cornwall, Durham, East Sussex, Hampshire, Kent, Liverpool, North Yorkshire, Northumberland, Nottinghamshire, Oxfordshire, Richmond (L/D), Rochdale, Rotherham, Salford, Sheffield, Somerset, St. Helens, Waltham Forest (L), Wigan and Wiltshire.

As requested by my hon. Friend the Member for Epping Forest, the controlling political party for each London education authority is indicated (C = Conservative, L = Labour, L/D = Liberal Democrate, NOC = No overall control).

City Technology Colleges

Mr. Straw: To ask the Secretary of State for Education and Science what is the total amount of private donations to city technology colleges, including planned and proposed colleges, *(a)* pledged, *(b)* confirmed *(c)* committed, and *(d)* actually paid over, showing in each case the nature of donations in kind rather than cash.

Mr. MacGregor *[holding answer 25 July 1990]:* I will write to the hon. Member and place a copy of my letter in the Library.

HOME DEPARTMENT

War Crimes

Mr. David Nicholson: To ask the Secretary of State for the Home Department what record his Department has of representations since 1960 regretting the absence of legal powers requiring the United Kingdom authorities to prosecute persons resident in British-controlled territories for offences now to be covered by the War Crimes Bill; and if he will make a statement.

Mr. John Patten: The Home Office received occasional correspondence on this subject prior to 1986. But the report of the war crimes inquiry makes clear that until 1986, when the Simon Wiesenthal Centre submitted a list of alleged war criminals said to be living in Britain, the prevalent view was that no war criminals were resident here. Since then, the Home Office has received a large volume of correspondence on this issue, arguing both for and against the proposition that courts in the United Kingdom should be given jurisdiction over war crimes.

Police Phone Calls (Tape Recording)

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list each police force in the United Kingdom, where tape recordings of telephone calls are carried out in their premises for *(a)* administrative, *(b)* operational or *(c)* investigative purposes.

Mr. Peter Lloyd: Responsibility for the procurement and use of police equipment rests with individual police authorities and their chief officers. The information requested is not available centrally and could be provided only at disproportionate cost.

Rape

Mr. Martyn Jones: To ask the Secretary of State for the Home Department what personal details of victims in rape cases are given to defendants as part of prosecution evidence; and whether they are able to retain this information.

Mr. John Patten: Under section 102 of the Magistrates Courts Act 1980 a party proposing to tender a written statement in evidence in committal proceedings must give a copy to each of the other parties in the proceedings. Such statements may be edited by the Crown prosecutor to remove inadmissible, prejudicial or irrelevant material; and under guidelines issued by the Attorney-General, "sensitive" unedited material need not be disclosed if it is "of private delicacy to the maker".

The decision to withhold details included in a statement is for counsel to consider, striking a balance between the degree of sensitivity and the extent to which the information might assist the defence. Following the amendment earlier this year of the Magistrates Courts (Rules and Forms) Rules 1981, a witness address need not as a matter of course appear on statements circulated to other parties.

Prisons (Minimum Care Standards)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department what representations he has received from *(a)* the chief inspector of prisons and *(b)* the Prison Officers Association concerning the introduction of minimum care standards in prisons; and if he will make a statement.

Mr. Waddington: I have received no representations from Her Majesty's chief inspector of prisons about the introduction of a code of minimum standards in prisons. The Prison Officers Association has made such representations from time to time, most recently at a meeting on 11 April 1990.

Terence Rivett

Mr. Onslow: To ask the Secretary of State for the Home Department what action has been taken to establish the whereabouts of Terence Rivett, a prisoner who absconded from Ford prison in 1989, since his answer to the right hon. Member for Woking of 26 October 1989, *Official Report*, column *618;* and if he will make a statement.

Mr. Waddington: I will write to my right hon. Friend.

Public Order

Mr. Madden: To ask the Secretary of State for the Home Department (1) what representations he has received concerning the adequacy of existing public order laws relating to the publication of material and the incitement of hatred or violence; and if he will make a statement;

(2) if he will invite the Law Commission to examine and make recommendations relating to public order laws prohibiting the publication of material likely to incite hatred or violence against any religion, race or person; and if he will make a statement.

Mr. John Patten: The existing provisions in the Public Order Act 1986 are, in our view, sufficient to deal with situations that threaten public order. Representations are received from time to time about the scope and effectiveness of these provisions and should a strong case be made for amendment, it would be given most careful consideration. In the meantime, we have no plans to ask the Law Commission to review the legislation.

Quashed Convictions (Compensation)

Mr. Alton: To ask the Secretary of State for the Home Department what guidelines exist for compensating prisoners whose convictions have been quashed after long periods in gaol.

Mr. John Patten: Statutory provision for compensation for miscarriages of justice is contained in section 133 of the Criminal Justice Act 1988, and in addition a residual ex-gratia scheme exists on the basis of the statement made to the House by my right hon. Friend the then Home

Secretary, on 29 November 1985 at columns *689-90*. Where the payment of compensation is considered to be justified, a note explaining the procedure for an independent assessor to determine the amount is supplied to the applicant. The applicant or his legal representative will be asked to provide any information they wish the assessor to take into account.

Race Relations

Mr. Tony Banks: To ask the Secretary of State for the Home Department what is the amount of grant aid paid under section 11 of the Local Government Act 1966, in respect of the total budget for 1988-89 and 1989-90.

Mr. Waddington: A total of £89 million in 1988-89; £115 million in 1989-90. These figures are for the Home Office grant which accounts for 75 per cent. of total expenditure, the remainder being borne by the recipient local authorities; the latter figure also includes some back payments in respect of belated claims for grant.

Mr. John Harker

Mr. Devlin: To ask the Secretary of State for the Home Department why John Harker, prisoner S11R69121, in Her Majesty's prison Kirkham, was not interviewed as part of his Department's inquiry into his allegations of unjust imprisonment.

Mr. John Patten: The detailed material set out in John Harker's representations was carefully considered and an interview was not considered necessary.

Blasphemy

Mr. Madden: To ask the Secretary of State for the Home Department if he will invite the Law Commission to examine and make recommendations relating to the blasphemy laws; and if he will make a statement.

Mr. Waddington: The Law Commission considered the laws relating to blasphemy and blasphemous libel as recently as 1985, in its report on "Offences Against Religion and Public Worship" (Law Commission No. 145, HC442). It would not be appropriate to ask the Law Commission to consider this subject again after such a comparatively short interval.

Football Matches (Policing)

Mr. Pendry: To ask the Secretary of State for the Home Department when his Department will be issuing the circular to police authorities with regard to the assessment of charging for the policing of football matches; and what criteria will be used in determining the full cost of providing police officers inside football grounds.

Mr. Peter Lloyd: We shall issue the circular as soon as we have considered the comments of the organisations that we are consulting on the draft. Charging criteria are a matter for police authorities.

Broadcasting

Mr. Steinberg: To ask the Secretary of State for the Home Department what is his estimate of the effect the ultra high frequency wavelengths allotted to Channel 5 will have on reception by domestic television sets; and if he will make a statement.

Mr. Waddington: Channel 5 transmission at UHF wavelengths will have no direct adverse effect on reception by domestic television sets. There is, however, the possibility of interference between the Channel 5 transmission and the output of a video cassette recorder or similar device which is used in association with a TV set. We estimate that something over 750,000 video cassette recorders will need to be returned or modified in order to prevent this interference. The Broadcasting Bill provides that the cost of the work should be met by the Channel 5 licensee.

Mr. John Evans: To ask the Secretary of State for the Home Department if he has any plans to change the regulations governing television licence fees in sheltered accommodation; and if he will make a statement.

Mr. Waddington: No. Our views on this subject are already well known.

Mr. Fisher: To ask the Secretary of State for the Home Department what steps he intends to take to determine the total amounts paid by each independent television company for the acquisition of musical copyrights in each of the past three years.

Mr. Waddington: I have no plans to intervene in these commercial arrangements. But as the hon. Gentleman will be aware, the Director General of Fair Trading is currently inquiring into the relationship between the ITV companies and music publishers to see whether this would justify investigation under competition legislation.

Police (Videos)

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to why uniformed police officers were photographing and video-taping the general public attending a festival in Finsbury Park on Sunday 3 June.

Mr. Peter Lloyd: I understand from the Commissioner of Police of the Metropolis that photographs and film were taken at the festival as background material to help learn from policing on this occasion and brief officers for future events. The police have a responsibility at such events for public safety and the prevention of crime, and the filming at the festival will help ensure that future large-scale public events also pass off successfully. The filming took place for no more than 15 minutes of an event which lasted some 12 hours.

Immigration

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department what information he has about the number of visitors coming through immigration control from countries in the Caribbean over the last five years for which information is available; and how many visitors from Caribbean countries have been denied entry by immigration for each year.

Mr. Peter Lloyd: The available information is published in table 1 of the annual Home Office Command Papers "Control of Immigration Statistics, United Kingdom" (Cmnd. 9863, 166, 415, 726 and 1124 for each year from 1985 to 1989 respectively), copies of which are in the Library.

Mr. Darling: To ask the Secretary of State for the Home Department what is his best estimate as to how many applications for *(a)* adult registration with entitlement, *(b)* naturalisation and *(c)* registration of minors his Department (i) will receive and (ii) expects to grant in 1990-91.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* Information is not available in the exact form requested. We currently estimate that in the financial year 1990-91 we will receive the following applications:

	Numbers
Registration of adults	4,000
Registration of minors	8,500
Naturalisation	23,000

As explained in my reply on 20 June to a question from the hon. Member for Stretford (Mr. Lloyd) at column *574*, earlier forecasts of performance are having to be revised in the light of new information about intake, the disruption caused by the process to transfer of work to Liverpool and lower levels of output on the more difficult naturalisation casework than on registration. Until a stable pattern of output emerges following the completion of the process of work transfer, no reliable estimates of grants may be attempted.

Mr. Darling: To ask the Secretary of State for the Home Department how many applications for entry clearance from *(a)* wives, *(b)* husbands, *(c)* fiancés, *(d)* fiancées made at British posts in (1) New Delhi, (2) Bombay, (3) Calcutta, (4) Madras, (5) Dhaka, (6) Islamabad, (7) Karachi and (8) Colombo, for each quarter since January 1989, were *(a)* received, *(b)* granted and *(c)* refused; how many refusals at each post were (i) wholly and (ii) partly because the visa officer was not satisfied that the primary purpose of the marriage was not immigration; how many refusals at each post were (x) wholly and (y) partly because the visa officer was not satisfied that the couple could support and accommodate themselves without recourse to public funds; what was the refusal rate at each post; and what percentage of those refusals were *(a)* wholly and *(b)* partly on primary purpose grounds.

Mr. Peter Lloyd *[holding answer 16 July 1990]:* The information requested on the Indian sub-continent is given in the tables. Where the numbers are small, the figures for individual posts have been combined. Information on refusals which takes account of successful appeals is not compiled for periods shorter than 12 months. Corresponding information for Colombo is not available centrally.

Table 1

Spouses and fiance(e)s in the Indian sub-continent applying for entry clearance for settlement in the United Kingdom

Number of persons or percentage

	Husbands					
	1989					*1990*
	1st quarter	*2nd quarter*	*3rd quarter*	*4th quarter*	*Year*	*1st quarter*
New Delhi (including Calcutta)						
Applications received[1]	60	70	40	60	240	70
Applications granted[2]	40	50	40	50	180	60
Applications refused initially	20	40	20	30	110	40
Refusal rate (percentage)[3]	—	—	—	—	29	—
Bombay (including Madras)						
Applications received[1]	70	100	50	80	300	100
Applications granted[2]	50	50	60	60	220	60
Applications refused initially	50	40	20	30	140	50
Refusal rate (percentage)[3]	—	—	—	—	28	—
Dhaka						
Applications received[1]	90	100	110	100	400	140
Applications granted[2]	60	60	50	50	210	40
Applications refused initially	60	70	70	80	280	90
Refusal rate (percentage)[3]	—	—	—	—	54	—
Islamabad (including Karachi)						
Applications received[1]	460	430	440	420	1,760	620
Applications granted[2]	140	200	190	200	730	210
Applications refused initially	320	420	310	370	1,430	530
Refusal rate (percentage)[3]	—	—	—	—	65	—

Number of persons or percentage

	Fiances					
	1989					*1990*
	1st quarter	*2nd quarter*	*3rd quarter*	*4th quarter*	*Year*	*1st quarter*
New Delhi (including Calcutta)						
Applications received[1]	50	60	40	40	200	80
Applications granted[2]	40	40	40	40	160	30
Applications refused initially	40	30	10	30	120	30
Refusal rate (percentage)[3]	—	—	—	—	35	—
Bombay (including Madras)						
Applications received[1]	100	60	50	60	260	80
Applications granted[2]	40	40	40	40	170	60
Applications refused initially	50	50	30	40	170	30

Fiancés

	1989					1990
	1st quarter	*2nd quarter*	*3rd quarter*	*4th quarter*	*Year*	*1st quarter*
Refusal rate (percentage)[3]	—	—	—	—	40	—
Dhaka						
Applications received[1]	*	*	*	10	20	10
Applications granted[2]	*	*	*	*	10	*
Applications refused initially	*	*	*	*	10	10
Refusal rate (percentage)[3]	—	—	—	—	56	—
Islamabad (including Karachi)						
Applications received[1]	110	100	80	100	390	110
Applications granted[2]	50	50	40	60	210	60
Applications refused initially	260	170	110	230	780	210
Refusal rate (percentage)[3]	—	—	—	—	77	—

Number of persons or percentage

Wives

	1989					1990
	1st quarter	*2nd quarter*	*3rd quarter*	*4th quarter*	*Year*	*1st quarter*
New Delhi (including Calcutta)						
Applications received[1]	170	200	140	170	680	180
Applications granted[2]	120	130	180	180	600	160
Applications refused initially	10	10	20	20	70	10
Refusal rate (percentage)[3]	—	—	—	—	10	—
Bombay (including Madras)						
Applications received[1]	370	290	230	270	1,160	460
Applications granted[2]	190	190	360	270	1,010	270
Applications refused initially	10	10	20	20	50	20
Refusal rate (percentage)[3]	—	—	—	—	4	—
Dhaka						
Applications received[1]	250	310	330	330	1,230	310
Applications granted[2]	560	450	500	340	1,840	350
Applications refused initially	70	80	60	70	280	90
Refusal rate (percentage)[3]	—	—	—	—	10	—
Islamabad (including Karachi)						
Applications received[1]	920	780	730	630	3,060	920
Applications granted[2]	750	910	720	470	2,840	660
Applications refused initially	40	30	40	30	140	120
Refusal rate (percentage)[3]	—	—	—	—	2	—

Fiancees

Number of persons or percentage

	1989					1990
	1st quarter	*2nd quarter*	*3rd quarter*	*4th quarter*	*Year*	*1st quarter*
New Delhi (including Calcutta)						
Applications received[1]	70	60	60	70	260	60
Applications granted[2]	60	30	40	60	180	50
Applications refused initially	20	10	*	10	50	20
Refusal rate (percentage)[3]	—	—	—	—	23	—
Bombay (including Madras)						
Applications received[1]	80	60	50	30	220	70
Applications granted[2]	40	30	30	40	140	40
Applications refused initially	10	10	*	10	40	10
Refusal rate (percentage)[3]	—	—	—	—	21	—
Dhaka						
Applications received[1]	20	10	10	*	40	10
Applications granted[2]	10	*	10	*	30	*
Applications refused initially	*	*	*	*	14	—
Refusal rate (percentage)[3]	—	—	—	—		
Islamabad (including Karachi)						
Applications received[1]	40	40	50	50	190	50
Applications granted[2]	80	70	40	50	240	60
Applications refused initially	10	*	*	*	10	10
Refusal rate (percentage)[3]	—	—	—	—	4	—

— Not available.

[1] Including applications subsequently withdrawn or lapsed.

[2] Granted initially or on appeal.
[3] Applications refused initially, minus applications granted on appeal, as a percentage of applications decided.
[4] Five or fewer.

Table 2

Spouses and fiance(e) in the Indian sub-continent refused[1] entry clearance for settlement in the United Kingdom in 1989

Number of persons or percentage

	Number refused because couple could not accommodate and/or maintain themselves without recourse to public funds:		*Number refused because primary purpose of the marriage was to obtain admission to the United Kingdom:*		*Primary purpose refusals as a percentage of all refusals:*	
	Solely for these reasons	*Partly for these reasons*	*Solely for this reason*	*Partly for this reason*	*Solely on primary purpose grounds*	*Partly on primary purpose grounds*
New Delhi (including Calcutta)						
Husbands	—	10	50	10	72	14
Fiances	[4]	10	50	10	59	14
Wives	[4]	[4]	40	[4]	58	3
Fiancees	[4]	[4]	20	10	42	17
Bombay (including Madras)						
Husbands	[4]	[4]	80	[4]	91	3
Fiances	—	[4]	110	10	95	5
Wives	10	[4]	20	[4]	53	6
Fiancees	[4]	[4]	20	[4]	42	6
Dhaka						
Husbands	10	50	180	50	71	20
Fiances	—	10	[4]	10	[2]20	[2]60
Wives	60	20	[4]	10	[4]	5
Fiancees	—	—	[4]	—	[3]	[3]
Islamabad (including Karachi)						
Husbands	10	710	610	710	46	53
Fiances	[4]	330	350	340	50	48
Wives	[4]30	30	10	10	23	21
Fiancees	[4]	[4]	—	[4]	—	[2]18
Total Indian sub-continent						
Husbands	20	780	920	770	53	44
Fiances	[4]	350	510	360	56	40
Wives	110	50	80	30	20	8
Fiancees	10	10	40	10	38	12

[1] Applications refused initially, minus applications granted on appeal.
[2] Percentage based on fewer than 15 applications refused.
[3] Percentage not calculated for 5 or fewer applications refused.
[4] 5 or fewer, or ½ per cent. or less.

Mr. Cartwright: To ask the Secretary of State for the Home Department when he authorised visas to enable Mr. Hassan Ahmed and Mr. Mustofa Mohammed Osman to join their relations in the United Kingdom as set out in his Department's letter dated 9 February to the hon. Member for Woolwich; what steps he has taken to ensure that the British embassy at Mogadishu implements this decision; and why these visas have not yet been issued.

Mr. Peter Lloyd: We have been unable to trace this particular case. If the hon. Member would care to let me have more details and the Home Office reference number, I will look into the matter and write to him.

Prisoners

Mr. Nellist: To ask the Secretary of State for the Home Department if he will call for a report from the governors of Brixton, Wormwood Scrubs, Holloway and Pentonville prisons as to how many of their inmates are on remand and are *(a)* untried or *(b)* unsentenced following the 31 March events in Trafalgar square.

Mr. Waddington: The numbers of unconvicted and convicted unsentenced prisoners held in those establishments on 24 July were:

Prison	*Unconvicted*	*Convicted unsentenced*
Brixton	755	83
Wormwood Scrubs	497	32
Holloway	199	45
Pentonville	254	28

It would involve disproportionate cost to establish how many of those prisoners faced charges arising from the Trafalgar square disturbance on 31 March.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department if he will indicate the number of prisoners in police cells in Greater Manchester for the last date for which figures are available; and if he will place in the Library figures for 26 August and 26 September as soon as they are avaiable.

Mr. Waddington: On Wednesday 25 July, the latest date for which information is available, 313 prisoners were held in police cells in the Greater Manchester police force. I will write to the hon. Member providing figures for 26 August and 26 September as soon as they are available, and will arrange for copies to be placed in the Library.

Begging

Mr. Dickens: To ask the Secretary of State for the Home Department what steps he is taking to control the spread of illegal begging on the streets; and if he will make a statement.

Mr. Peter Lloyd: Decisions about measures to control illegal begging on the streets are an operational matter for the police. The police have adequate powers to tackle begging and I understand they normally arrest where there is some element of threatening or intimidating behaviour.

Sex Offences

Ms. Gordon: To ask the Secretary of State for the Home Department how many complaints of rape and sexual assault against *(a)* serving policemen and *(b)* ex-policemen have been made in each of the last 10 years; and how many convictions resulted in each category.

Mr. Peter Lloyd: Such information is not held centrally, and could be obtained only at disproportionate cost.

Police (Firearms)

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department what discussions he has had with Greater Manchester police concerning the decision of Greater Manchester police to place a permanently mobilised group of armed police officers in Moss Side, Manchester.

Mr. Peter Lloyd: None. The posting and deployment of authorised firearms officers, like all other officers, is an operational matter for the chief constable.

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department what guidelines he issues to police forces in England about the issuing and use of firearms by police officers.

Mr. Peter Lloyd: A copy of the Home Office guidelines which were issued to chief officers of police in March 1983 on the issue and use of firearms is in the Library.

Criminal Injuries

Mr. Parry: To ask the Secretary of State for the Home Department what is the present situation of Mr. A. M. Jama of Liverpool in relation to his claim for criminal injuries.

Mr. John Patten: I have asked the Criminal Injuries Compensation Board, which is entirely responsible for administering the compensation scheme and determining individual applications, to write to the hon. Member.

Stop and Search

Mr. Sheerman: To ask the Secretary of State for the Home Department if it is intended that the records of the ethnic origin of those stopped and searched under the Police and Criminal Evidence Act should be collated by the police force concerned to ensure that racially discriminatory practices are not occurring; and if he will make a statement.

Mr. Peter Lloyd: I will write to the hon. Member.

Security Industry

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will include within the options being considered for improving the regulation of the private security industry the statutory regulation of that industry;

(2) if he will include within the options being considered for regulation of the private security industry regulation of the terms and conditions of employees in that industry.

Mr. John Patten: No. The options that we are at present considering relate to improving the self-regulation of the private security industry, including the recruitment procedures followed within the industry.

Fire Service College

Mr. Spearing: To ask the Secretary of State for the Home Department if he will make a statement concerning future funding of the Fire Service college and the plans of Her Majesty's Government for its continued service to the public.

Mr. John Patten: We are consulting the Association of County Councils, the Association of Metropolitan Authorities and the Central Fire Brigades Advisory Council on our proposals to introduce in stages new arrangements whereby fire brigades will be charged directly for the courses which their officers attend at the Fire Service college. We intend that the college should retain its premier position in the training of fire officers to deliver a fully effective service to the public.

Police (Graduates)

Mr. Shersby: To ask the Secretary of State for the Home Department for each of the last five years, how many graduates have joined the police service in England and Wales; how many graduates were serving in forces in England and Wales; and what proportion of the service's strength this represents.

Mr. Waddington: The information requested is as follows:

	Graduates joining	*Graduates serving*[1,2]	*Percentage of graduates*[1,2]
1985			
England and Wales	492	5,376	4·45
Metropolitan	137	—	—
Total	629	5,376	4·45
1986			
England and Wales	542	6,087	4·7
Metropolitan	169	—	—
Total	711	6,087	4·7
1987			
England and Wales	496	6,863	5·2
Metropolitan	124	—	—
Total	620	6,863	5·2
1988			
England and Wales	401	7,409	6·0
Metropolitan	169	—	—
Total	570	7,409	6·0

	Graduates joining	Graduates serving[1][2]	Percentage of graduates[1][2]
1989			
England and Wales	325	7,162	5·7
Metropolitan	111	—	—
Total	436	7,162	5·7

[1]On 31 December each year.
[2]Includes RUC.

Homosexuals

Mrs. Wise: To ask the Secretary of State for the Home Department (1) whether the Government have made or intend to make any investigation into the scale or pattern of violent attacks, motivated by homophobic prejudice, against lesbians and gay men;

(2) whether the Government have any plans to initiate a study of the value of keeping police records of incidents of anti-gay violence with a view to developing appropriate police countermeasures to stamp out homophobic attacks.

Mr. John Patten *[holding answer 2 July 1990]:* We have no plans to do so. All such assaults are to be deplored in exactly the same way as any crime of violence. A high priority is attached to the investigation of violence offences, three quarters of which are cleared up by the police.

FOREIGN AND COMMONWEALTH AFFAIRS

Cambodia

Mr. Wells: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent communications he has received from Khieu Samphan of the Khmer Rouge about Her Majesty's Government's policy on Cambodia; and if he will make a statement.

Mr. Lennox-Boyd: Since the beginning of the year, two letters from Khieu Samphan have been addressed to my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs about the work of the five permanent members of the United Nations Security Council. Since we have no dealings with the Khmer Rouge, the letters have not been acknowledged.

Baltic States

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs if visa facilities for travel to the United Kingdom could be established in the individual Baltic states.

Mr. Lennox-Boyd: There are no plans to establish such facilities.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs how many visas are granted annually to citizens of the Baltic states to travel to the United Kingdom.

Mr. Lennox-Boyd: No separate figures are available of visas issued to citizens of the Baltic states, most of whom still travel on Soviet travel documents.

Irish Republic

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his counterpart from the Irish Republic; what matters relating to the Irish presidency of the European Community were discussed; and if he will make a statement.

Mr. Hurd: I last met the Irish Minister for Foreign Affairs at the Foreign Affairs Council on 16 July. The Irish presidency of the EC ended on 30 June and was not discussed in any detail.

Nuclear Non-proliferation

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what rules of procedure have been adopted for the fourth quinquennial review conference of the nuclear non-proliferation treaty in August.

Mr. Waldegrave: Draft rules of procedure will be put to the non-proliferation treaty review conference for adoption when the conference convenes in August.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals Her Majesty's Government have received from Nigeria in regard to prohibitions on the use or threat of use of nuclear weapons against non-nuclear weapons states.

Mr. Waldegrave: A Nigerian proposal will be discussed at the forthcoming non-proliferation treaty review conference.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what provisions will be made for the attendance at the upcoming fourth quinquennial review conference of the nuclear non-proliferation treaty for *(a)* states not parties to the treaty, *(b)* non-governmental organisations and *(c)* international organisations with an interest in security matters; and what information he possesses in regard to the stated desire to attend of parties in *(a)*, *(b)* and *(c)*, respectively.

Mr. Waldegrave: Observer status at the review conference is open to non-party states, specialised agencies and regional intergovernmental organisations. With regard to non-governmental organisations I refer the hon. Gentleman to my reply of 11 June to the hon. Member for Stockton, North (Mr. Cook). Applications for observer status are made to the secretary general of the review conference.

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he, or any officials or Ministers in his Department were present at, or participated in, the colloquium on "Non-Proliferation in a Disarming World: Prospects for the 1990s", held in Geneva on 20 and 21 June;

(2) what actions have been taken by Her Majesty's Government to implement the recommendations set out in the final document of the third nuclear non-proliferation treaty review conference (NPT/CONF/III/64/1) in regard to *(a)* active involvement of non-proliferation treaty nuclear weapons states in nuclear disarmament negotiations, *(b)* resumption of negotiations in trilateral and multilateral fora towards a comprehensive nuclear test ban treaty and *(c)* support for an international plutonium storage regime under international safeguards.

Mr. Waldegrave: I refer the hon. Member to the reply I gave to the hon. Member for Edinburgh, East (Mr. Strang) on 25 July.

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department received an invitation to attend the conference on the proliferation of nuclear and chemical weapons in London on 14 and 15 July; what information he has concerning the capability of Sweden to develop nuclear weapons; and whether he possesses any information as to the capacity of Sweden to simulate the effects of nuclear weapons test explosions without the direct use of computers.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 25 July to the hon. Member for Edinburgh, East (Mr. Strang). As a party to the nuclear non-proliferation treaty, Sweden has undertaken not to develop nuclear weapons.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals will be put forward by Her Majesty's Government at the fourth quinquennial review conference of the nuclear non-proliferation treaty.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 9 May to the hon. Member for Edinburgh, East (Mr. Strang.).

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests have been received by Her Majesty's Government from non-nuclear weapon states parties to the nuclear non-proliferation treaty to be involved directly in nuclear arms reductions talks, pursuant to the commitment set out in preambular paragraph 10 of the treaty.

Mr. Waldegrave: None.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what steps he has taken to encourage the Republic of South Africa to sign the nuclear non-proliferation treaty;

(2) what steps he has taken to encourage Zimbabwe to sign the nuclear non-proliferation treaty;

(3) what steps he has taken to encourage Namibia to sign the nuclear non-proliferation treaty.

Mr. Waldegrave: I refer the hon. Gentleman to the reply given on 28 February by my hon. Friend the then Minister of State, Foreign and Commonwealth Office to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas).

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government have taken in the five years since the third review conference of the nuclear non-proliferation treaty to implement the recommendation of the final document of that conference (NPT/CONF/III/61/I) in the areas of nuclear disarmament.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 25 July to the hon. Member for Edinburgh, East (Mr. Strang).

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list in the *Official Report* those non-governmental organisations and their respective concerns that have communicated with his Department on nuclear non-proliferation matters since 1 June.

Mr. Waldegrave: We have frequent contacts with non-governmental organisations and other interested parties on issues related to non-proliferation.

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs if, pursuant to the reply to the hon. Member for Warrington, North (Mr. Hoyle) on 4 July, *Official Report*, column *618*, he will list all matters discussed in the current year at the European working group on non-proliferation referred to in that answer.

Mr. Waldegrave: Various matters relevant to the nuclear non-proliferation regime have been discussed in the working group on non-proliferation.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial and logistical contribution has been committed by the United Kingdom to the fourth quinquennial review conference of the nuclear non-proliferation treaty.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 11 June to the hon. Member for Stockton, North (Mr. Cook).

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs what representatives his Department had at the conference on chemical and nuclear weapons proliferation, organised by the Campaign for Nuclear Disarmament at Camden town hall on 14 and 15 July.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 25 July to the hon. Member for Edinburgh, East (Mr. Strang).

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs what representatives his Department had at the colloquium on the nuclear non-proliferation treaty organised by the Council for Arms Control at Chatham house, London, on 10 July; and if he will make a statement.

Mr. Waldegrave: The Foreign and Commonwealth Office was represented by a senior official.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out those conclusions of the third quinquennial review conference of the nuclear non-proliferation treaty that have been implemented to date; and what plans there are to implement any outstanding recommendations before the fourth nuclear non-proliferation treaty review conference in August.

Mr. Waldegrave: The recommendations contained in the final document of the third review conference are wide ranging and apply to a number of states and international organisations; most have been implemented.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with his counterparts in the Democratic Republic of Germany on the implications of the unification of Germany for the membership of that state in the process of the nuclear non-proliferation treaty.

Mr. Waldegrave: None.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs when Ministers or officials from his Department last met the office of the Secretary General of the United Nations, or the United Nations department of disarmament affairs in regard to the forthcoming fourth quinquennial review conference of the non-proliferation treaty; and if he will make a statement.

Mr. Waldegrave: We maintain close contact with the secretariat for the NPT review conference.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his French counterpart about France becoming a signatory on the nuclear non-proliferation treaty.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 25 July to the hon. Member for Edinburgh, East (Mr. Strang).

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how the United Kingdom representation at the forthcoming quinquennial review conference of the nuclear non-proliferation treaty will be constituted.

Mr. Waldegrave: I refer the hon. Gentleman to my reply of 11 June to the hon. Member for Stockton, North (Mr. Cook).

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if, during his recent meeting with his counterpart from the German Democratic Republic, he discussed the forthcoming quinquennial review conference of the nuclear non-proliferation treaty; and if he will make a statement.

Mr. Waldegrave: No.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with other European Community Foreign Ministers in preparation for the forthcoming quinquennial review conference of the nuclear non-proliferation treaty; and whether it is intended that a common position will be adopted by the European nations at that conference.

Mr. Waldegrave: A joint declaration on non-proliferation was made by EC member states at the June European Council, but, as not all member states are parties to the non-proliferation treaty, there will be no common position at the review conference.

United Nations Assembly

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out all those resolutions on defence and disarmament put to the last and present general sessions of the United Nations; how the United Kingdom voted on these resolutions; and what was the result of the full vote on each of these resolutions.

Mr. Lennox-Boyd: This information could be provided only at disproportionate cost. I refer the hon. Member, however, to the United Nations documents, "Resolutions and Decisions Adopted by the General Assembly during the first part of its 43rd (44th) session" and "Resolutions and Decisions of the Security Council 1988 (1989)" which contain the information he requires and which are publicly available.

Hong Kong

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people have been charged under the summary offences ordinance in Hong Kong for each year in the last five years.

Mr. Lennox-Boyd: The information requested is not readily available and could be provided only at a disproportionate cost.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people have been charged in Hong Kong with collecting money in public without a permit for each year in the last five years.

Mr. Lennox-Boyd: Although no detailed analysis has been made, the Hong Kong Government consider it likely that only a very small number of prosecutions have been undertaken in recent years.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Hong Kong Government intend to ban the use of loudspeakers by any member of the public.

Mr. Lennox-Boyd: No.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect on civil and political rights in Hong Kong of the recent prosecutions under the summary offences ordinance.

Mr. Lennox-Boyd: It would not be appropriate to comment on the details of specific cases at this stage since the matter is sub judice pending the outcome of current court hearings. But it would not be right to view the current controls on the use of loudspeakers in public and the public collection of money as an infringement of civil liberties. These laws are of long standing and are widely understood, and supported, in the community. It should be noted that the international covenant on civil and political rights provides that the exercise of the right to freedom of expression and of peaceful assembly may be subject to restrictions necessary, inter alia, for the respect and protection of the rights and freedoms of others. The restrictions on the use of loudspeakers is imposed very much with this in mind as excessive noise in a public place may create nuisance for members of the community.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Hong Kong Government intend to repeal the summary offences ordinance.

Mr. Lennox-Boyd: No.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people have been charged with using a loud hailer without a permit in Hong Kong for each year in the last five years.

Mr. Lennox-Boyd: Because prosecution records in Hong Kong are not computerised, the information requested is not readily available and could be provided only at disproportionate cost.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate the Hong Kong

Government are able to make of the total amount collected in the pro-democracy rallies of 1989; and whether anyone was charged with the offence of collecting money without a permit.

Mr. Lennox-Boyd: The Hong Kong Government have not made an estimate of the total amount of money collected at large-scale rallies during 1989 and do not consider it appropriate to do so. In the immediate aftermath of June 4 1989, when public emotions ran high, the law was applied in a flexible manner and no one was charged with collecting money in public without a permit.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the proposed Bill of Rights for Hong Kong will entail the repeal of the summary offences ordinance or any part of it.

Mr. Lennox-Boyd: Existing legislation in Hong Kong, including the summary offences ordinance, is being reviewed to ensure that all provisions are in line with the proposed Bill of Rights.

Thailand

Mr. O'Neill: To ask the Secretary of State for Foreign and Commonwealth Affairs when *(a)* the naval and air attaché, *(b)* the defence and military attaché and *(c)* the attaché (defence) presently attached to the British embassy in Thailand began their tours of duty.

Mr. Lennox-Boyd: The current naval and air attaché at the British embassy in Bangkok began his tour in November 1989; the defence and military attaché arrived in October 1988. There is no one at present filling the post of attaché (defence).

Conservation Convention

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to support a conservation convention; and if he will make a statement.

Mr. Lennox-Boyd: I shall write to the hon. and learned Member.

Immigration

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the waiting times for different queues for interviews in relation to entry clearance for the United Kingdom at Islamabad.

Mr. Lennox-Boyd: As at 31 May, the estimated waiting times in months are:

	Q1	Q2	Q3	Q4
Islamabad	3	5	9	19

Settlement queues are organised as follows:

Q1 Persons with a claim to the right of abode, dependant relatives over 70 years, special compassionate cases.
Q2 All spouses, and all children under 18 years.
Q3 Fiance(e)s and others applying for the first time for settlement.
Q4 Re-applicants.

Visitors

Due to seasonal high demand, applicants for visit visas in Islamabad requiring a full interview can expect to wait up to five days.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Lennox-Boyd: There are two special advisers, Mr. Lidington and Mr. Fraser. Their role is to consider the presentational and domestic political aspects of policy issues and to advise the Secretary of State and Ministers.

It is not our practice to reveal the salaries of individual advisers. They are individually negotiated in relation to previous outside earnings.

Sri Lanka

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Government of Sri Lanka to grant direct entry for humanitarian aid agencies and to allow Commonwealth or United Nations mediators to negotiate a peaceful end to the civil war.

Mr. Lennox-Boyd: No. We are not aware that the Sri Lankan Government have restricted access for aid agencies. A number are already at work there, and the international committee of the Red Cross is currently supervising convoys of relief supplies to the north. President Premadasa has already spoken of involving the international community in any future talks with the LTTE.

Nuclear Power

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how the United Kingdom representation will be constituted at the 34 annual conference of the International Atomic Energy Agency in Vienna in September.

Mr. Waldegrave: In addition to members of the United Kingdom's permanent mission to the International Atomic Energy Agency, it is intended that two officials from the Department of Energy and one from the Foreign and Commonwealth Office will attend the 34th annual conference of the International Atomic Energy Agency in Vienna in September.

Whales and Dolphins

Mr. Tredinnick: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to his counterparts in Japan, Taiwan and South Korea concerning the deaths of whales and dolphins in the south Pacific due to fine-mesh drift nets used by fishing fleets from those countries.

Mr. Lennox-Boyd: The Government of Japan and the Republic of South Korea are well aware of our concern about the use of large-scale drift nets in the south Pacific. We and our EC partners supported the United Nations resolution calling for its cessation by the end of June 1991 and welcomed the endorsement of this resolution by the 42nd annual meeting of the International Whaling

Commission. We also welcomed the recent decision of the Japanese Government to suspend drift net fishing in the south Pacific one year in advance of the deadline stipulated in the United Nations resolution. We do not have diplomatic relations with Taiwan, and have no Government-to-Government dealings with the authorities there.

Overseas Civil Service (Pensions)

Mr. Stanbrook: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to bring the way in which the pensions of expatriate members of the overseas civil service in Hong Kong are paid into line with that prevailing in the other territories of the British empire.

Mr. Lennox-Boyd *[holding answer 19 July]:* There are no plans to change the present arrangements for paying pensions to members of Her Majesty's overseas civil service who have served in Hong Kong.

Aid and Trade Provision

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all aid and trade provision projects from 1979 to date where his Department nominated lead companies, naming the companies and if they are a subsidiary, also listing the name of the parent company; what are the sums of money involved including the export value and the ATP element; and whether there was any other United Kingdom Government support for these projects including any assistance from the Export Credits Guarantee Department.

Mr. Sainsbury: I have been asked to reply.

I will write to the hon. Member as soon as possible.

SOCIAL SECURITY

Living Standards

Mr. Ralph Howell: To ask the Secretary of State for Social Security if he will publish figures to show the estimate of the annual rise in living standards since 1979 of *(a)* non-pensioner couples with children, *(b)* non-pensioner couples without children, *(c)* non-pensioner single people, *(d)* non-pensioner single people with children, *(e)* single pensioners and *(f)* pensioner couples up to the latest available date.

Mr. Scott: This information relates to incomes as calculated for households below average income, published 23 July 1990; incomes before housing costs.

Estimate of annual percentage change 1979-87

	Per cent.
Non-pensioner couple with children	2·8
Non-pensioner couple without children	2·2
Non-pensioner single people	2·5
Non-pensioner single people with children	1·2
Single pensioners	2·7
Pensioner couples	3·0

The figures are subject to sampling error, particularly in the case of non-pensioner single people with children. In 1987 the sample size for non-pensioner single people with children was 394—4·3 per cent. of the total sample.

Incomes

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will publish an estimate of how much the real equivalent incomes of the bottom 5 per cent. and the top 5 per cent. of the population rose between 1978-79 and 1989-90, after payment of housing costs.

Mr. Scott: Because of the limitations of sample size and the variability of incomes at extremes of the income distribution, reliable estimates are not available for the lowest and highest 5 per cent. However, changes in the median incomes of those in the lower half of the income distribution are recorded in "Households Below Average Income, 1981-87", copies of which are available in the Library. When making comparisons with real income changes at the highest extreme of the income distribution, which rose by some 40 per cent. for the 95th percentile between 1979 and 1987, it is important to remember that household types, in terms of the numbers of earners per household, income composition and average tax rates are substantially different at the highest extreme, and are susceptible to greater variability over time. Figures beyond 1987 are not available.

Housing Benefit

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will state *(a)* how many people would gain, *(b)* what would be the average gain and *(c)* what would be the cost as a result of raising the level of savings under which housing benefit is payable to £10,000 on the assumption that (i) the rules for other benefits are unaltered, (ii) the interest actually received on savings and not an arbitrarily assumed return is used in assessing benefit and (iii) no change is made to the rule that those with savings under £3,000 receive benefit in full.

Mrs. Gillian Shephard: The level of savings under which housing benefit remains payable was increased in April to £16,000. On the assumption, therefore, that this £16,000 upper limit is used rather than £10,000 and the income counted in the calculation of housing benefit is the actual interest received rather than the assumed tariff income, it is estimated that 170,000 existing recipients of housing benefit would gain an average of £4·50 per week and 30,000 people would start receiving an average of £7·20 per week. These gains would go to those with higher levels of capital. However, for those with savings not far above the £3,000 lower level there would be an average loss of £1·40 a week: this adverse effect would reduce housing benefit for 110,000 present beneficiaries, and remove entitlement entirely from a further 10,000. The total cost would be around £40 million.

It is not necessarily the case in the current housing benefit scheme that people with savings under £3,000 receive benefit in full. Savings of £3,000 or less do not affect the amount of income counted in the calculation of housing benefit. Where savings are £3,000 or less and total calculated income is equal to or less than the relevant applicable amount, maximum housing benefit is payable. However, many people with no savings or with savings of or below £3,000 have incomes in excess of the applicable amount, and this excess income reduces their maximum housing benefit by the amount of the taper.

(Source: Modelled using data drawn from the 1985-86-87 family expenditure surveys).

Benefit Changes

Mr. Battle: To ask the Secretary of State for Social Security if he will list all the changes to *(a)* national insurance benefits and *(b)* means-tested benefits since 1987, with (i) numbers affected, (ii) additional expenditure, (iii) additional savings and (iv) net cost of each change.

Mr. Scott: It is not possible to collate simply, and on a common basis in the way requested, the effects of a complex succession of interacting benefit changes. In particular the introduction of income support, family credit and the new housing benefit scheme was a major structural reform and the effect of these changes cannot be simply stated: information about the structural effects was provided by the illustrative figures published in the booklet "Impact of the reformed structure of income-related benefits", a copy of which is in the Library. Other details of these and other major benefit changes are published in the public expenditure White Papers for the relevant years.

Pensioners

Mr. Dewar: To ask the Secretary of State for Social Security if he will publish figures for the latest year available for Scotland showing the number of *(a)* single and *(b)* married retirement pensioners with gross weekly incomes excluding state pension benefits of any category and housing benefit and community charge benefit, at the levels of (i) less than £5, (ii) £5 to £10, (iii) £10 to £15, (iv) £15 to £20, (v) £20 to £30, (vi) £30 to £40, (vii) £40 to £50, (viii) £50 to £60, (ix) £60 to £70, (x) £70 to £80, (xi) £80 to £90, (xii) £90 to £100 and (xiii) over £100.

Mrs. Gillian Shephard: The percentage of pensioners with incomes excluding supplementary benefit and housing benefit are as follows:

	Per cent.
Less than £5	36
£5 to £39·99	32
£40 and over	32

Source: 1987 Family Expenditure Survey.
Note: The income bands requested have been aggregated to provide figures based on adequate statistical samples; for the same reason there is no disaggregation between single and married pensioners.

Earnings

Ms. Abbott: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women (i) in total and (ii) in each region earn above the national insurance upper earnings limit, divided into those on basic rate and the top rate of tax.

Mrs. Gillian Shephard: It is estimated that during 1990-91 about 3·3 million employees will earn more than the upper earnings limit for class 1 national insurance contributions and that of these 2·9 million will be men and 400,000 will be women.

Of these, it is estimated that 1·8 million men and 300,000 women will be basic rate taxpayers and 1·1 million men and 100,000 women will pay tax at the higher rate.

It is estimated that about 200,000 self-employed basic rate taxpayers and about 300,000 higher rate taxpayers earn more than the upper profits limit for national insurance contributions. Of these some 10 to 15 per cent. are women.

The information is not available on a regional basis.

Occupational Deafness

Mr. Gareth Wardell: To ask the Secretary of State for Social Security if he has any plans to extend the categories of claimants eligible for industrial disablement benefit on the grounds of occupational deafness.

Mr. Scott: We are awaiting a report from the Industrial Injuries Advisory Council on measures to improve the administration and operation of disablement benefit provision for occupational deafness. This report will be considered and evaluated before any firm decision is made whether to extend further the list of prescribed occupations.

Pensions

Mr. Wigley: To ask the Secretary of State for Social Security if he will make it his policy to calculate future increases in pensions on the basis of a definite weekly sum above the rate of inflation.

Mrs. Gillian Shephard: The Government have honoured their commitment to maintain the value of the state retirement pension in line with prices. What matters most to pensioners is the value of their total income from whatever source. The success of the Government's policies is demonstrated by the 31 per cent. real-terms growth in pensioners' average total net income between 1979 and 1987.

Mr. Meacher: To ask the Secretary of State for Social Security (1) what has been the saving in public expenditure from the break in the earnings link in the uprating of pensions each year since 1979 and cumulatively, at current and 1990 prices;

(2) further to his answer of 20 March, *Official Report*, columns *594-95*, regarding the gross cost of uprating the basic national insurance pension in line with average earnings each year, if he will now give the figures revalued at 1990-91 prices, including the figure for 1990-91; and if he will also give the figures including the gross cost of uprating the invalidity pension and the widow's pension in line with average earnings, also at 1990-91 prices;

(3) if, further to his answer to the hon. Member for Oldham, West of 20 March, *Official Report*, columns *594-95*, regarding the gross cost since 1980 of uprating the retirement pension in line with average earnings, he will now give the figure for 1990-91; and if he will give the gross cost cumulatively since 1980 of uprating the invalidity pension and widow's pension, in addition to the basic retirement pension, in line with average earnings.

Mrs Gillian Shephard *[holding answers 5 June and 14 June 1990]:* The information requested is set out in the tables.

Table 1.
Gross additional cost of uprating retirement pension in line with the higher of prices or earnings since 1979.

Year	*Current prices £ billion*	*April 1990 prices £ billion*
1980-81	nil	nil
1981-82	0·22	0·35
1982-83	0·35	0·54
1983-84	0·43	0·62

Year	Current prices £ billion	April 1990 prices £ billion
1984-85	0·92	1·27
1985-86	1·10	1·43
1986-87	1·95	2·47
1987-88	2·78	3·38
1988-89	3·63	4·17
1989-90	4·50	4·80
1990-91	5·46	5·46
Total	21·34	24·49

Table 2

Gross additional cost of uprating retirement pension, widow's pension and invalidity pension in line with the higher of prices or earnings since 1980 (Current Prices).

£ billion

Year	Retirement pension	Widow's pension	Invalidity pension
1980-81	0·05	[1]—	[1]—
1981-82	0·26	0·02	0·04
1982-83	0·39	0·03	0·05
1983-84	0·47	0·03	0·07
1984-85	0·96	0·05	0·14
1985-86	1·14	0·06	0·16
1986-87	2·00	0·10	0·29
1987-88	2·83	0·13	0·43
1988-89	3·68	0·15	0·60
1989-90	4·57	0·18	0·79
1990-91	5·56	0·21	1·00
Total	21·91	0·96	3·57

[1] less than £0·01 billion.

Figures on the additional cost of retirement pensions in table 2 are higher than those in table 1. Table 2 uses the actual rate of benefit paid in November 1979 to calculate the additional costs. This actual rate is higher than the rate that would have been paid had the "earnings or prices" rule been applied. Table 1 uses the lower implied rate of benefit in 1979 and so the costs for all subsequent years are lower.

Table 3

Gross additional cost of uprating retirement pension, widow's pension and invalidity pension in line with the higher of prices or earnings since 1980 (April 1990 Prices)

£ billion

Year	RP	WP	IVP
1980-81	0·08	0·01	0·01
1981-82	0·42	0·04	0·06
1982-83	0·60	0·04	0·08
1983-84	0·69	0·05	0·10
1984-85	1·32	0·07	0·20
1985-86	1·49	0·07	0·21
1986-87	2·53	0·12	0·37
1987-88	3·44	0·15	0·52
1988-89	4·22	0·17	0·69
1989-90	4·87	0·19	0·84
1990-91	5·56	0·21	1·00
Total	25·22	1·12	4·08

The additional cost of uprating by this method for the benefits in table 3 would imply an increase in national insurance contributions of £4·63 a week for a person on average earnings.

The Government Actuary in his latest quinquennial review has indicated that national insurance contributions would have to rise even more steeply in the future if benefits were to be uprated in this way.

Mr. Meacher: To ask the Secretary of State for Social Security what is the estimated reduction in public expenditure as a result of the changes in SERPS provided for in the Social Security Act 1986 for each year up to 2035, at 1990 constant prices.

Mrs. Gillian Shephard *[holding answer 6 June 1990]:* Estimated reduction in gross public expenditure as a result of the changes in SERPS provided for in the 1986 Social Security Act at 1990 prices is as follows:

Year	£ billions
1995-96	[1]—
2001-02	[1]—
2005-06	1
2010-11	2
2015-16	3
2020-21	5
2025-26	8
2030-31	11
2035-36	14

Source: Government Actuary's Department.
[1] Indicates negligible savings.

Sir Michael McNair-Wilson: To ask the Secretary of State for Social Security what is his latest estimate of the cost of reducing the pensionable age for men from 65 to 60 years.

Mrs. Gillian Shephard: The latest estimate based on 1985-86 benefit rates of the net cost of reducing pensionable age for men to 60 years is £3,000 million.

Disability Allowance

Mr. Wigley: To ask the Secretary of State for Social Security what representations he has received on implementing a national disability allowance scheme based on attendance allowance, with the top rate based on a higher scale of night and day allowance, and the lower rates based on the level of disability; and if he will make a statement.

Mr. Scott: We have received comments on our proposals for disability allowance from more than 70 organisations of and for disabled people and from a large number of individual people with disabilities. We regularly meet the disability organisations, and I met the Disability Benefits Consortium—an umbrella group representing more than 250 disability organisations on 5 April to discuss their views on "The Way Ahead". We shall continue to take into account the views of interested organisations and individuals while work is progressing on the two new benefits, disability allowance and disability employment credit.

Mentally Handicapped People

Mr. Corbyn: To ask the Secretary of State for Social Security what steps are being taken to ensure people discharged from mental and care institutions into bed and breakfast hotels or temporary accommodation have adequate support.

Mr. Scott: People discharged from mental and care institutions into bed and breakfast hotels or temporary accommodation are eligible for the full range of social security benefits in the usual way. They will also be eligible for support from the health and personal social services which are the responsibility in England of my right hon. and learned Friend the Secretary of State for Health.

Rape (Compensation)

Ms. Richardson: To ask the Secretary of State for Social Security for what reasons compensation for rape awarded by the Criminal Injuries Compensation Board is subject to deduction from income support; and if he will make a statement.

Mrs. Gillian Shephard: The vast majority of payments from the Criminal Injuries Compensation Board have no effect whatsoever on social security benefits. Under income support, the first £3,000 of capital is disregarded and an income equivalent to £1 a week is assumed for every £250, or part of £250, of capital over £3,000 up to £8,000. However, any income derived from that capital is completely ignored.

In addition, compensation payments arising from a personal injury which are placed on trust are wholly disregarded for at least two years. We propose to disregard these trust funds entirely from 1 October, although any actual payments made by the trustees will be treated in the normal way.

These rules assist claimants and ensure that long-term provision can be made for those requiring long-term care.

Benefit Claimants (Treatment)

Mr. Meacher: To ask the Secretary of State for Social Security if he will list the instances in which a woman, single, married or cohabiting, is treated differently, for the purpose of claiming and receipt of benefit, than a man would be in the same circumstances.

Mr. Scott: The information requested is in the table.

Benefit	*Issue*	*Women*	*Men*
Unemployment Benefit	Maximum age for receipt	Age 65	Age 70
	Age at which benefit rate changes to Retirement Pension rate	Age 60	Age 65
Sickness Benefit	Maximum age for receipt	Age 65	Age 70
	Age at which benefit rate changes to Retirement Pension basis	Age 60	Age 65
Invalidity Benefit	Maximum age for receipt	Age 65	Age 70
	Age at which benefit rate changes to Retirement Pension rate	Age 60	Age 65
Invalidity Allowance and Invalidity Addition to Retirement Pension	Maximum age for onset of incapacity for acquiring entitlement to lower rate	Below age 55	Below age 60
State Maternity Allowance, Statutory Maternity Pay, Social Fund Payments to meet Maternity Expenses	Conditions of Entitlement	Entitlement where statutory conditions satisfied	No entitlement in respect of paternity
Widows Payment, Widowed Mothers Allowance, Widows Pension	Conditions of Entitlement	Entitlement where statutory conditions satisfied	No equivalent entitlement for widowers
Category A Retirement Pension	Minimum age of entitlement	Age 60	Age 65
	Age until which an individual may "deretire" or postpone claim to receive increments	Age 65	Age 70
	Working life for calculation of pension rate	44 years	49 years
Category B Retirement Pension	Conditions of Entitlement	Aged 60 and over and (i) married at 60 to husband who is entitled to Category A Retirement Pension, or (ii) married after age 60 to husband entitled to Category A Retirement Pension, or (iii) widowed after age 60 and late husband satisfied contribution conditions for Category A Retirement Pension, or (iv) widowed before age 60 and in receipt of widows pension in consequence of husband's death	Aged 65 and over and widowed over 65 late wife was over 60 when she died and satisfied contribution conditions for Category A Retirement Pension
Retirement Pension Additional Pension	Age at 6 April 1978 for amendment of accrual formula from 5 April 1999	Age 40	Age 45
Graduated Retirement Benefit	Minimum age of entitlement	Age 60	Age 65
	Amount of graduated contributions paid to obtain one graduated retirement benefit unit	£9·00	£7·50

Benefit	Issue	Women	Men
Severe Disablement Allowance	Upper age for establishing entitlement	60	65
	Age at which payment can continue if the normal entitlement rules are no longer satisfied	65	70
Invalid Care Allowance	Upper age for establishing entitlement	60	65
	Age at which payment can continue if the normal entitlement rules are no longer satisfied	65	70
Reduced Earnings Allowance (not payable in respect of industrial accidents on and from 1 October 1990)	Transfer to Retirement Allowance	Age 60 (except women 60 and over on 10 April 1989)	Age 65 (except men 65 and over on 10 April 1989)
Income of Unemployment and Sickness Benefit for Child dependant	Claimant's age for entitlement	60-65	65-70
Increase of Category A RetirementPension for Adult dependant	Entitlement for spouse where pensioner residing with spouse in contributing to maintenance of spouse subject to earnings maximum	Increase for husband only if pensioner was entitled to an increase of unemployment, sickness or invalidity benefit immediately before commencement of Retirement Pension entitlement	No additional condition for increase for wife
Child Benefit	Priority of Title	Wife or mother has priority over husband or father where it is necessary to decide priority	
Guardian's Allowance	Priority of Title	Wife has priority over husband where it is necessary to determine priority	
Income Support Housing Benefit Community Charge Benefit	Higher Pensioner Premium dependent upon entitlement to Invalidity Benefit or Severe Disablement Allowance	Subject to conditions for entitlement to these benefits (see above)	
Income Support	Payability between ages 60 and 65 for claimants with no other income	Paid in advance	Paid in arrears
	Disentitlement of students on full time course of study	Disentitlement ceases at age 60	Disentitlement ceases at age 65

Child Benefit

Mrs. Mahon: To ask the Secretary of State for Social Security what is the current real value of child benefit as against the level in April 1987; and what would be the annual cost of restoring child benefit to its April 1987 level *(a)* assuming a similar increase in child dependancy additions paid with income-related benefits and *(b)* assuming no other benefit increases.

Mrs. Gillian Shephard: The April 1987 rate of child benefit —£7·25—would be worth £8·91 in April 1990 on the basis of the movement in the index of retail prices between those months. The costs of such an increase would be £1,030 million gross and £780 million net.

Maternity Payments

Mr. Meacher: To ask the Secretary of State for Social Security (1) what would be the net cost of *(a)* abolishing, *(b)* reducing to one year and *(c)* reducing to six months, the two-year length of service qualifications for full-time workers employed for over 16 hours a week for receipt of statutory maternity pay;

(2) what would be the net additional cost of paying maternity allowance to *(a)* all full-time pregnant workers, *(b)* all part-time pregnant workers and *(c)* all pregnant workers;

(3) what would be the net cost of *(a)* abolishing, *(b)* reducing to one year and *(c)* reducing to six months, the five-year length of service qualification for part-time workers employed for at least eight but under 16 hours for receipt of statutory maternity pay;

(4) what would be the net cost of paying statutory maternity pay at the higher rate of nine tenths of the employee's average weekly earnings for the whole of the maternity pay period if the maternity pay period were *(a)* 18 weeks, *(b)* 26 weeks, *(c)* 39 weeks and *(d)* 52 weeks.

Mrs. Gillian Shephard: I will write to the hon. Member.

Mr. Meacher: To ask the Secretary of State for Social Security what would be the net cost of abolishing the capital rule for receipt of the maternity expenses grant for families claiming income support or other income-related benefits.

Mr. Scott: The information requested is not available and could be obtained only at disproportionate cost.

Mr. Meacher: To ask the Secretary of State for Social Security what would be the net cost of reintroducing the national insurance maternity grant set at a level of £100 per child.

Mrs. Gillian Shephard: The net cost of paying a universal maternity grant of £100 is estimated as about £56 million. This figure assumes maternity payments under the social fund would no longer be payable.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Social Security if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mrs. Gillian Shephard: At present there are no political advisers or public relations advisers employed to advise Ministers in this Department. The Department is in the process of recruiting one and it is likely that they will be appointed with effect from 16 August. Salary has yet to be agreed.

Income Support

Mrs. Mahon: To ask the Secretary of State for Social Security what would be the net cost of raising the income support rate for claimants aged 18 to 24 years to the level of the rate payable for claimants aged 25 years and over.

Mrs. Gillian Shephard: The estimated cost for income-related benefits would be in the region of £250 million.

Source: Modelled using data drawn from the 1985-86-87 Family Expenditure surveys and the 1989 annual statistical inquiry.

Mrs. Mahon: To ask the Secretary of State for Social Security what would be the net cost of restoring entitlement to income support to all 16 and 17-year-olds at *(a)* current 18 to 24-year-old levels and *(b)* at full adult levels.

Mrs. Gillian Shephard: The estimated annual cost of restoring entitlement to income support to all 16 and 17-year-olds at *(a)* current 18 to 24-year-old levels of personal allowance and *(b)* at full adult levels would be around £10 million and £150 million respectively.

Costs are based on existing benefit rates and youth training allowances; the actual cost would also depend on the number of people on youth training.

Source: The 1985-86-87 Family Expenditure surveys and the 1989 annual statistical inquiry.

Pensioners (Housing Benefit)

Dr. Godman: To ask the Secretary of State for Social Security whether pensioners over 75 years of age living in *(a)* Greenock and Port Glasgow, *(b)* Strathclyde and *(c)* Scotland as a whole have been paid the additional housing benefit to which they are entitled following the Government's changes in the rules for those aged over 75 years.

Mrs. Gillian Shephard: The day-to-day administration of housing benefit is the responsibility of local authorities. We are not aware that councils in Scotland had any particular difficulty in implementing the changes to the housing benefit scheme in October 1989.

Unemployment Benefit

Mr. Meacher: To ask the Secretary of State for Social Security if he will estimate the cost to the national insurance fund of allowing *(a)* employees and *(b)* employers to contract out of national insurance contributions for receipt of unemployment benefit at the current contracting out rate for occupational and personal pensions, assessing the take-up rate as *(a)* 10 per cent., *(b)* 20 per cent. and *(c)* 50 per cent.

Mrs. Gillian Shephard: Such estimates cannot be made on the basis of the assumptions provided. The net cost to the national insurance fund of introducing a system of contracting-out in respect of unemployment benefit would depend on the extent to which expenditure was reduced and the size of the rebate given. The rebate for occupational and personal pensions is based on the cost to pension schemes of providing guaranteed minimum pensions. It would not be appropriate to use that rebate as a basis for producing the estimates requested.

Disability Premium

Mr. Wallace: To ask the Secretary of State for Social Security what the estimated cost would be to his Department if the part-time earnings disregard for those who qualify for the disability premium in income support were to be raised by *(a)* £1 per week and *(b)* £5 per week.

Mrs. Gillian Shephard: The estimated cost in income support of raising the earnings disregard for those who qualify for the disability premium would be £500,000 for a £1 a week increase and £2 million for a £5 a week increase.

Fazakerley Resettlement Unit

Mr. George Howarth: To ask the Secretary of State for Social Security if, in the context of the current situation in respect of the Fazakerley resettlement unit, he will make a further statement, pursuant to that of the Parliamentary Under-Secretary of State on 27 June, House of Lords *Official Report*, columns 1696-97.

Mrs. Gillian Shephard: As my noble Friend the Parliamentary Under-Secretary made clear, it is our policy that no resettlement unit will close until suitable replacement facilities are available. Fazakerley resettlement unit is scheduled to close on 31 March 1991; suitable replacement facilities will be available.

Retirement Pension

Mrs. Mahon: To ask the Secretary of State for Social Security what would be the annual cost, net of tax, of raising the basic retirement pension for single people by £5 per week and the married couple's pension by £8 per week *(a)* assuming a similar increase in income-related benefits for pensioners, including invalidity pensioners and *(b)* assuming no other benefit increases.

Mrs. Gillian Shephard: I will write to the hon. Member with such information as is available.

Mobility Allowance

Mr. Hannam: To ask the Secretary of State for Social Security how many *(a)* single lower limb amputees and *(b)* double lower limb amputees receive the mobility allowance.

Mr. Scott: I regret that information cannot be provided in the detail requested. The available information shows that there are 8,240 amputees with current awards of mobility allowance.

Mr. Wareing: To ask the Secretary of State for Social Security if he has decided on the criteria which will determine the circumstances in which deaf-blind people will be treated as being unable to walk or virtually unable to walk to enable them to become entitled to mobility allowance; and what plans he has to ensure that deaf-blind people take full advantage of the extension to the mobility allowance scheme.

Mr. Scott *[holding answer 22 February 1990]:* The criteria were set out in the Mobility Allowance Amendment Regulations 1990 which were made on 20 March. Information about the extension was included in the new editions of the relevant leaflets which were published in April. We have been monitoring claims that have been received from deaf-blind people and we are contacting representatives of these people to discuss whether further steps need to be taken to ensure that they are aware of the new arrangements.

Benefit Deductions

Mr. David Marshall: To ask the Secretary of State for Social Security how many claimants have had deductions made from his Department's benefits because they are in arrears with their poll tax; and if he will publish the figures for each of his Department's offices.

Mrs. Gillian Shephard: Deductions in respect of community charge arrears can only be made from income support. Information on the numbers of deductions in place is collected centrally on a quarterly basis. The latest available figures are for May 1990. I refer the hon. Member to my reply to the hon. Member for Coventry, South-East (Mr. Nellist) on 2 July at columns *460-61*.

Correspondence

Mr. Steen: To ask the Secretary of State for Social Security when the hon. Member for Norfolk, South-West (Mrs. Shephard) will reply to the letters dated 4 June and 20 July from the hon. Member for South Hams about James Woodward of Brixham regarding community charge benefit.

Mrs. Gillian Shephard: I replied to my hon. Friend on 25 July.

Departmental Offices (Relocation)

Mr. Pendry: To ask the Secretary of State for Social Security what plans he has to consult local councils, hon. Members and other interested parties before any decision is taken to relocate his Department's offices following his Department's operational strategy exercise.

Mrs. Gillian Shephard: I assume that the hon. Member is referring to the grouping together of existing local offices in local management units as part of the local office network review, details of which were given in a written reply to the hon. Member for Rochdale (Sir C. Smith) on 11 July at columns *242-43*.

I should make it clear that we are not talking about closing offices to the public, but, rather, an administrative amalgamation for management purposes. Once the geography of the LMUs has been decided, the local managers will be appointed and will begin to develop detailed plans for the organisation of work within their units. In drawing up these plans, managers will consult widely within the community.

Death Benefit

Mr. David Marshall: To ask the Secretary of State for Social Security what is the estimated annual savings as a result of the changes made to death benefit payments.

Mr. Scott: The estimated cost in 1989-90 of continuing to pay death grant at £30 per person is £20 million. The cost in 1989-90 of funeral payments from the social fund is approximately £24 million. Due to insufficient information, it is not possible to estimate the likely cost in 1989-90 of funeral payments that would have been incurred under the previous supplementary benefit scheme.

Elderly People Homes

Mr. Thurnham: To ask the Secretary of State for Social Security if he will issue guidance to local authorities wishing to transfer elderly residents' homes to independent trusts while maintaining full eligibility for his Department's benefit entitlements; and if he will make a statement.

Mrs. Gillian Shephard: The provision of guidance to local authorities is a matter for my right hon. and learned Friend the Secretary of State for Health. Awards of benefit in an individual case are a matter for the independent adjudicating authorities. The enhanced levels of income support are generally available only to residents in homes registered under the Registered Homes Act 1984 who satisfy the income, capital and other tests for income support and for whom local authorities have not arranged care.

A local authority considering transferring residential care homes to the independent sector needs to satisfy itself as registering authority that the homes in question are properly registered under the Registered Homes Act 1984; and, as social services authority, it needs to satisfy the adjudication officer that it has not arranged the care of residents with the new proprietors. The authority will also need to satisfy itself that it will still be able to provide care for people for whom it is not otherwise available.

Benefits (Young People)

Mr. Ian Taylor: To ask the Secretary of State for Social Security what independent research he is proposing into the way in which the benefit provisions for 16 and 17-year-olds are working.

Mrs. Gillian Shephard: We have carefully considered the representations from various individuals and organisations about the benefit provision for 16 and 17-year-olds.

From the evidence so far presented, we have not been persuaded of the need to make any major changes to existing arrangements. However, we want to ensure that we fully understand how young people are affected. For this we need statistically reliable information on how the income support rules are working in practice, and I am pleased to announce that, on the basis of a competitive tendering exercise, a contract has been awarded to the research agency MORI to undertake independent wide-ranging research into this area.

The research will have two main elements. First, it will look at a representative sample of 500 successful and unsuccessful applications for income support under the "severe hardship" provisions. This will provide information on young people's understanding and attitudes towards the benefit system, their experience of training and the labour market and what happens to them after a "severe hardship" application has been decided.

Secondly, the survey will collect detailed qualitative data on young people's experience of the benefit system. It will also offer some insight into the effect benefit withdrawal has had on the likelihood of young people leaving home. It will gain information on the circumstances and particular difficulties facing groups of special interest, including girls in the early stages of pregnancy and young people leaving local authority care.

The MORI survey will be complemented by research that the Training Agency will undertake to ascertain what happens to "severe hardship" applicants who have applied to enter a youth training place.

The research will start shortly and will complement the monitoring arrangements already operated by the Department and the Training Agency. These have led us to make a number of helpful adjustments to our procedures over the last 12 months and to improve the support for certain vulnerable groups. We expect the results from the research early in 1991.

Housing Benefit

Mr. Meacher: To ask the Secretary of State for Social Security (1) if he will publish in the *Official Report* the latest estimates of the number of households receiving housing benefit in England showing *(a)* the division between those who also receive income support and those who do not, *(b)* the division between council tenants and others and *(c)* the division between pensioner households, lone-parent families, two-parent families and others;

(2) if he will publish in the *Official Report* the latest estimates of the average amount of housing benefit paid in England, showing *(a)* the division between those households who receive income support and those who do not, *(b)* the division between rent rebates and rent allowances and *(c)* the division between pensioner households, lone-parent families, two-parent families and others;

(3) if he will publish in the *Official Report* the latest estimates of the cost of housing benefit in England showing *(a)* the division between those households who receive income support and those who do not, *(b)* the division between rent rebates and rent allowances and *(c)* the division between pensioner households, lone-parent families, two-parent families and others;

Mr. Scott *[holding answer 25 June 1990]:* The latest estimates of the numbers of households and the average amounts of benefit paid are in table 1. Information is not fully available in the form requested.

The total expenditure figures in table 2 are derived from local authority estimates. The breakdown into client groups is achieved by modelling based on information from local authorities and the family expenditure survey. The local authority estimates do not separate expenditure into housing benefit paid with, or without, receipt of income support.

Table 1
Housing benefit recipients and average benefit amounts

	Number of recipients (000s)			*Average amounts £*		
	With income support	*Without income support*	*Total*	*With income support*	*Without income support*	*Total*
Total housing benefit	2,410	1,900	4,310	22·34	13·90	18·61
Council Tenants						
Rent rebate	1,380	960	2,340	19·96	14·13	17·58
Rate rebate	1,360	920	2,280	6·08	4·42	5·41
Total housing benefit	1,390	980	2,360	25·94	17·90	22·61
Private Tenants						
Rent allowances	480	350	820	25·10	15·65	21·12
Rate rebate	450	270	730	4·43	3·51	4·08
Total housing benefit	490	370	850	29·15	17·43	24·10
Owner Occupier						
Rate rebate	540	550	1,090	6·01	4·91	5·45
Pensioners	1,080	1,440	2,520	19·94	13·51	16·26
Lone Parents	470	60	530	26·09	15·99	24·93
Others	860	400	1,260	23·29	14·99	20·67

Table 2
Housing benefit estimated expenditure 1989-90:

£ million

	Total expenditure	*Pensioners*	*Lone parents*	*Two parent families*	*Others*
Rent rebate	2,265	1,235	390	315	330
Rent allowance	1,080	390	105	75	505
Rate rebate	1,170	645	165	155	205

Notes:
In Tables 1 and 2 Pensioners represent claimants or partners aged 60 or over; Lone Parents include only those who receive the lone parent premium.

Source:
Table 1, Housing Benefit management information May 1989.
Table 2, Estimates from local authorities and DSS modelling.

Local Government Finance

Sir Ian Gilmour: To ask the Secretary of State for Social Security, further to his replies to the right hon. Member for Chesham and Amersham, 28 June, *Official Report*, columns *352-53*, if he will tabulate figures, as in his Department's tax benefit model tables, setting out for each of the families chosen the components of gross incomes each of the deductions from gross income and the resulting replacement ratios; and what the replacement ratios would be if the non-householder families did not have to pay community charge, and if the couple with two children were paying average local authority rates in 1989-90, uprated, instead of community charge.

Mrs. Gillian Shephard *[holding answer 17 July 1990]:* The available information is set out in the tables.

Pursuant to my replies of 28 June, at columns *352-53*, it has been discovered that the information on replacement ratios given earlier was incorrect because no allowance was made for the work expenses specified. Corrected information is incorporated in the tables.

The results in the tables remain arbitrary. They cannot reflect, except by chance, the actual circumstances of particular people and cannot claim to be representative of the population at large. Because of the different nature of community charge compared with the old rating system, it is not possible to apply a simple uprating factor to the latter.

Table 1
Single person aged under 25

Gross earnings per week £	Deductions Tax	Deductions NI	Work expenses	Replacement ratios Community Charge £350 Per cent.	£450 Per cent.	Zero Per cent.
80·00	5·55	3·98	10·00	51·0	51·0	48·0
100·00	10·55	5·78	10·00	41·0	42·0	39·0
120·00	15·55	7·58	10·00	34·0	35·0	33·0

Table 2
Single person with one child aged 3

Gross earnings per week £	Deductions Tax	Deductions NI	Work expenses	Replacement ratios Community Charge £350 Per cent.	£450 Per cent.	Zero Per cent.
60·00	0·00	2·18	50·00	104·0	104·0	96·0
80·00	0·00	3·98	50·00	96·0	96·0	88·0
100·00	2·28	5·78	50·00	91·0	89·0	83·0

Table 3
Married couple with two children aged under 5

Gross earnings per week £	Deductions Tax	Deductions NI	Work expenses	Replacement ratios Community Charge £350 Per cent.	£450 Per cent.
120·00	7·28	7·58	10·00	373·0	382·0
140·00	12·28	9·38	10·00	327·0	334·0
160·00	17·28	11·18	10·00	292·0	297·0
180·00	22·28	12·98	10·00	219·0	221·0
200·00	27·28	14·78	10·00	172·0	174·0
220·00	32·28	16·58	10·00	137·0	143·0
240·00	37·28	18·38	10·00	115·0	119·0
260·00	42·28	20·18	10·00	98·0	102·0
280·00	47·28	21·98	10·00	86·0	88·0
300·00	52·28	23·78	10·00	76·0	78·0

Notes:
The methods and assumptions are those used in the published Tax/Benefit Model Tables but in tables 1 and 2 it has been assumed that no rent is payable.
Replacement Ratios are rounded to the nearest per cent.

Household Incomes

Mr. Nigel Griffiths: To ask the Secretary of State for Social Security (1) if he will publish a table showing the rise in real household incomes between 1979 and 1987, for the average and for all decile groups broken down by family status in the manner of his answer to the hon. Member for Edinburgh, South of 29 July 1988, *Official Report*, columns *815-17;*

(2) if he will publish a table showing the rise in real household incomes between 1979 and 1987, broken down by economic type, for all decile groups and the average;

(3) if he will publish a table showing the rise in real income between *(a)* 1979 and 1985, and *(b)* 1979 and 1987, broken down by (i) family type and (ii) economic type for all decile groups; and if he will show the average before and after housing costs.

Mr. Scott *[holding answer 13 June 1990]:* The information requested is in the tables.

By Family Type
Real rise per cent.

Category and Group (median)	Before housing costs 1979-85	Before housing costs 1979-87	Before housing costs 1981-87	After housing costs 1979-85	After housing costs 1979-87	After housing costs 1981-87
Married Pensioner						
Lowest	13	13	7	13	15	8
2	14	19	11	9	16	12
3	11	22	17	10	23	19
4	14	24	18	17	27	20
Highest	16	26	19	22	32	21

Real rise per cent.

Category and Group (median)	Before housing costs 1979-85	Before housing costs 1979-87	Before housing costs 1981-87	After housing costs 1979-85	After housing costs 1979-87	After housing costs 1981-87
All Married Pensioners mean	15·1	27·0	20·0	16·9	30·7	22·6
Single Pensioner						
Lowest	13	11	3	11	7	2
2	18	17	9	12	12	6
3	17	19	10	11	9	4
4	14	18	11	15	16	6
Highest	17	19	16	20	27	23
All Single Pensioners mean	15·3	23·4	15·0	14·3	23·2	14·9
Married Couple with Children						
Lowest	−5	−1	10	−10	−7	6
2	1	9	15	−2	5	11
3	5	16	19	1	13	16
4	6	20	22	7	19	20
Highest	16	35	28	15	33	25
All Married Couples with Children mean	8·9	24·3	25·1	7·1	23·0	23·0
Married Couple without Children						
Lowest	−8	−4	−2	−15	−10	−6
2	−2	5	11	−4	6	12
3	3	10	13	2	13	15
4	6	18	16	7	18	17
Highest	13	32	28	14	35	30
All Married Couples without Children mean	6·2	19·4	17·6	6·3	20·7	17·6
Lone Parent						
Lowest	15	14	9	17	11	2
2	13	12	10	12	9	6
3	8	11	6	4	0	−1
4	5	10	5	−1	2	3
Highest	9	8	−1	7	2	−7
All Lone Parents mean	9·9	9·8	3·9	7·1	4·7	−0·1
Single Person without children						
Lowest	0	0	2	−9	−10	−6
2	−1	4	8	−3	2	6
3	2	11	12	2	12	13
4	6	19	18	7	20	19
Highest	9	31	27	9	34	29
All Single Persons without Children	5·7	21·6	16·2	4·6	21·2	15·1

By Economic Status

Real rise (per cent.)

Category and Quintile group (median)	Before housing costs 1979-85	Before housing costs 1979-87	Before housing costs 1981-87	After housing costs 1979-85	After housing costs 1979-87	After housing costs 1981-87
Pensioner						
Lowest	13	13	5	12	13	6
2	15	18	10	11	14	8
3	15	21	14	10	16	10
4	14	22	15	16	22	14
Highest	17	23	18	21	30	23
All Pensioner mean	15·2	25·4	17·8	15·7	27·3	19·0
Full-time worker						
Lowest	9	11	12	7	6	8
2	10	18	18	7	16	17

Category and Quintile group (median)	Real rise (per cent.) Before housing costs 1979-85	1979-87	1981-87	After housing costs 1979-85	1979-87	1981-87
3	10	20	20	9	21	21
4	12	25	23	12	25	22
Highest	15	35	29	15	36	27
All Full-time worker mean	13·4	29·2	25·7	12·9	29·7	24·9
Sick or disabled						
Lowest	40	53	11	40	58	10
2	17	24	19	22	28	19
3	9	21	28	3	15	21
4	3	16	23	3	17	31
Highest	3	15	29	6	16	27
All sick or disabled mean	10·0	23·3	24·8	9·3	22·7	24·2
Lone parent						
Lowest	17	20	13	18	9	2
2	19	18	13	17	16	10
3	16	17	13	10	10	8
4	10	13	11	4	6	3
Highest	9	19	5	5	15	1
All Lone parents mean	12·6	15·6	10·3	10·1	10·4	5·5
Unemployed						
Lowest	11	20	25	19	14	19
2	15	21	13	11	16	11
3	1	9	11	−7	2	10
4	−12	4	8	−22	−4	3
Highest	−4	18	13	0	19	11
All Unemployed mean	−1·8	14·9	20·8	−7·1	10·2	9·3
Other						
Lowest	39	39	2	70	49	−6
2	21	24	5	17	19	1
3	19	27	9	16	25	12
4	15	27	18	15	33	19
Highest	17	35	19	19	39	22
All Other mean	19·1	31·1	5·6	20·6	34·9	4·4

Total Population

Category and Quintile group (median)	Real rise percentage Before housing costs 1979-85	1979-87	1981-87	After housing costs 1979-85	1979-87
Total population					
Lowest	4	6	7	−1	—
2	3	10	12	—	3
3	5	14	15	4	14
4	8	18	18	8	20
Highest	12	29	24	12	30
Total population mean	9·0	22·9	20·6	8·3	23·1

Owing to the fact that when quintile groups are broken down as in the tables, the sample sizes are relatively small, these figures are liable to sampling error. The figures for the categories "Sick and Disabled"—with a sample size of 272—"Lone Parent"—293 on economic type and 394 on family type—and "Other"—606—are particularly prone to sampling error.

Social Fund

Mr. Cryer: To ask the Secretary of State for Social Security if he is satisfied that sufficient application forms for the social fund are available at his Department's offices throughout the Yorkshire region; and if he will make a statement.

Mr. Scott: We are satisfied that sufficient application forms for assistance from the social fund are available at local Department of Social Security offices in the Yorkshire region.

The social fund application form used for both community care grants and budgeting loans is currently undergoing revision with the aim of making it easier for applicants to complete. I understand that some offices in the Yorkshire area have recently experienced temporary difficulty in maintaining stocks of the existing form. Contingency plans have been put into place, and all offices should now have sufficient stocks to meet demand.

Mr. Battle: To ask the Secretary of State for Social Security if he will publish the monthly recommended proposed spending levels for social fund expenditure for the current year.

Mr. Scott: The figures set out in the table show the national anticipated expenditure profile for 1990-91.

	Per cent
April	7·98
May	8·90
June	7·83
July	8·03
August	7·93
September	6·81
October	8·82
November	9·50
December	7·45
January	7·28
February	8·78
March	10·49
Total	100·00

Benefit Claimants

Mr. Flynn: To ask the Secretary of State for Social Security how many individuals were in receipt of (i) unemployment benefit, (ii) income support and income support premiums, (iii) family credit, (iv) housing benefit, (v) child benefit and (vi) one-parent benefit; and what were the average payments made in *(a)* Wales, *(b)* the administrative area of Snowdonia national park, *(c)* the district of Meirionnydd and *(d)* the sub-district of Bala and Penllyn, during the past 12 months.

Mr. Scott *[holding answer 5 July 1990]:* The table sets out the information requested for Wales. Separate information is not readily available for the sub-districts of Snowdonia national park, Meirionnydd, Bala and Penllyn.

	Number of recipients	*Average payment made (£ per week)*
Unemployment Benefit	[1]12,512	[2]34·63
Income Support	[3]262,000	35·48
Family Credit	[4]21,000	27·70
Housing Benefit	[5]283,289	17·04
Child Benefit	[6]347,622	12·99
One Parent Benefit	[6]33,188	[7]5·20

[1] As at November 1989.
[2] All UB recipients, all durations average for the United Kingdom.
[3] As at 28 February 1990. No further breakdown is available. The number and average amount of premiums per case is not readily available.
[4] As at March 1990, including backdated awards.
[5] Housing Benefit statistical enquiry May 1990.
[6] Provisional figures for 31 December 1989.
[7] The rate of one parent benefit at 31 December 1989 was a flat rate of £5·20 per week, per eligible family.

WALES

Council Rents

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table, showing in descending order for each district council in Wales, the average rent level for council housing.

Mr. Grist: The information is as follows:

Average weekly council rents at 1 April 1990:

	£s per week
Rhondda	28·32
Cardiff	28·31
Rhymney Valley	28·28
Ogwr	28·08
Blaenau Gwent	27·92
Torfaen	26·92
Monmouth	26·85
Llŵ Valley	26·22
Taff Ely	25·42
Newport	25·26
Meirionnydd	25·09
Swansea	24·62
Montgomeryshire	24·46
Ynys Mon	24·11
Ceredigion	24·06
Llanelli	24·01
Neath	23·97
Port Talbot	23·75
Cynon Valley	23·61
Vale of Glamorgan	23·59
Carmarthen	23·48
Delyn	23·41
Brecknock	23·35
Merthyr Tydfil	23·24
Colwyn	23·19
Aberconwy	23·18
Radnorshire	23·03
South Pembrokeshire	22·98
Islwyn	22·95
Arfon	22·16
Dwyfor	21·64
Preseli Pembrokeshire	21·53
Glyndwr	21·50
Dinefwr	19·87
Rhuddlan	18·56
Alyn and Deeside	18·52
Wrexham	18·46

Nurses

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing for each of the health authorities in Wales the latest figures for *(a)* the number of appeals by nurses on clinical gradings, *(b)* the number of these which have succeeded and *(c)* the number which have been rejected.

Mr. Grist: The latest information available is as shown in the table:

Health authority	*Appeals lodged*[1]	*Successful*[2] *at local level*	*Unsuccessful at local level*
Clwyd	465	41	116
East Dyfed	372	58	199
Gwent	1,015	19	407
Gwynedd	830	111	648
Mid Glamorgan	1,102	99	323
Pembrokeshire	136	8	48
Powys	563	277	186
South Glamorgan	896	57	381
West Glamorgan	336	27	219
Total	5,715	687	2,527

[1] Numbers exclude appeals withdrawn.
[2] Numbers include appeals allowed without formal hearing.

Press Officers

Dr. Thomas: To ask the Secretary of State for Wales how many press officers are employed by his Department.

Mr. David Hunt: At present my Department employs eight press officers, one of whom also works for the Department of Employment.

Mental Handicap Institutions

Mr. Michael: To ask the Secretary of State for Wales what checks authorities are *(a)* empowered to make and *(b)* obliged to make in the event of (i) a change of ownership and (ii) a change of management in respect of a private establishment for mentally handicappod people.

Mr. Grist: Change of ownership and management in respect of independent sector homes for people with a mental handicap have to be registered with the appropriate authority which is empowered under section 9 and 25 of the Registered Homes Act 1984 to refuse registration if the new or proposed owner or manager is not considered to be a fit person. Schedule 1 to the Residential Care Homes Regulation 1984 (SI 1984 No. 1345) sets out the information which must be supplied by all applicants for registration. It is the registration authority's responsibility to verify this information and follow up any points of concern.

Planning Policy

Dr. Thomas: To ask the Secretary of State for Wales when his Department will publish a report on planning policy and the use of section 52 arrangements in Wales.

Mr. Grist: I refer the hon. Gentleman to the reply given to the hon. Member for Billericay (Mrs. Gorman) on 16 July by my hon. Friend the Minister for Housing and Planning.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Wales if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. David Hunt: None.

Cook-chill Methods (NHS)

Mr. Michael: To ask the Secretary of State for Wales whether he will make it his policy that cook-chill methods should not be introduced into national health service institutions in Wales pending fresh investigations and subsequent detailed advice from his Department.

Mr. Grist: It is a matter for local health authorities to consider how to provide catering services in a safe and effective way, and this may include the consideration of a cook-chill system.

Detailed guidelines on cook-chill and cook-freeze catering systems were issued to the NHS in Wales in July 1989.

Prescribing Costs

Mr. Michael: To ask the Secretary of State for Wales what is his policy in relation to the transfer of prescribing costs from hospitals to general practitioners in those circumstances where patients attend out-patient clinics *(a)* on a continuing basis and *(b)* following treatment.

Mr. Grist: The Department's policy on hospital out-patient prescribing is set out in circular HN (76) 69 which states that prescribing costs rest with the doctor with clinical responsibility, although this does not preclude negotiation between GP and consultant in individual cases.

Disability

Mr. Michael: To ask the Secretary of State for Wales what additional resources he intends to make available to *(a)* voluntary organisations and *(b)* statutory bodies in Wales in 1991 to promote awareness and facilities in respect of disability.

Mr. Grist: Decisions on the level of central Government resources to be provided in 1991-92 will be taken as part of the current public expenditure round.

Road System Management

Mr. Snape: To ask the Secretary of State for Wales if he will list the units or divisions responsible for the road system in Wales together with their addresses, directors, and the last prior professional appointment of those directors.

Sir Wyn Roberts: The trunk road system in Wales is the responsibility of the Welsh Office highways directorate which is mainly based at the Government Buildings, Ty-Glas road, Llanishen, Cardiff. The Director of Highways, Mr. K. J. Thomas BSc CEng FICE FIHT, was previously deputy director at the Property Services Agency's southern region at Reading.

Other roads in Wales are the responsibility of county councils as local highways authorities.

National Curriculum

Mr. Michael: To ask the Secretary of State for Wales (1) if he will publish the consultative document sent to local education authorities in respect of a statistical model of the resources required to implement the national curriculum in Wales;

(2) if he will list and publish the responses he has received in respect of his consultative document on a statistical model of the resources required to implement the national curriculum in Wales;

(3) if he will give details of the timetable for responses to his consultative document in respect of a statistical model of the resources required to implement the national curriculum in Wales;

(4) if he will give full details of the basis of the statistical model being produced to analyse the number of teachers needed to deliver the national curriculum in Welsh secondary schools;

(5) what progress has been made towards formulating a statistical model of the resources needed to implement the national curriculum in Wales.

Sir Wyn Roberts: An initial statistical model aimed at estimating the number of teachers required to deliver the

national curriculum in Wales was produced last year. The assumptions made in the model were circulated to the local education authorities in Wales. A copy of the letter is being deposited in the Library of the House. The assumptions made with regard to teachers of Welsh were discussed in detail with the LEAs and the model is being reworked to take account of those discussions; of changes in pupil numbers; and in the light of more recent guidance on the delivery of the national curriculum.

The revised estimates of the number of teachers required to deliver the national curriculum will be available in the autumn. These will be published along with the assumptions made in the statistical model.

Mr. Gwilym Jones: To ask the Secretary of State for Wales when he will publish his proposals for history in the national curriculum.

Mr. David Hunt: I am publishing today my proposals for attainment targets and programmes of study for history in Wales. I have based them on the advice of the History Committee for Wales whose final report was published on 12 June. The working group, chaired by Professor Rees Davies, produced a balanced and carefully thought out curriculum which I am proposing to adopt in full. I am proposing some amendments to the structure for assessment to reflect the advice of the School Examinations and Assessment Council and the working group themselves. I am consulting the Curriculum Council for Wales and a wide range of educational interests on the proposals and I have asked for their responses by 2 November. The working group's report is already in the Library, and I shall also place a copy of my proposals in the Library of the House.

Mr. Michael: To ask the Secretary of State for Wales (1) what conclusions he has come to on the extent of additional resources, including the number of teachers, required to implement the national curriculum in Wales;

(2) what extra funds he intends to make available to facilitate the proper and full implementation of the national curriculum in Wales.

Sir Wyn Roberts: The introduction of the national curriculum should not of itself require a much larger teaching force than at present. Estimates of the number of teachers required by subject are being compiled and will show that a different mix of teaching skills will be required in the future. We will publish these estimates in the autumn.

The successful introduction of the national curriculum will also require considerable in-service training of existing teachers and expenditure on the preparation of materials. These are being funded through the LEA training grant scheme and education support grants; expenditure related to the national curriculum under these schemes was increased to almost £10 million in 1990-91 from under £7 million in the previous year. In addition nearly £3 million of the Welsh language specific grant is being directed to projects which support the national curriculum. The Curriculum Council for Wales is being funded at over £1 million a year to develop support for teachers and the School Examinations and Assessment Council receives over £1 million to develop assessment of the national curriculum in Wales.

Rail Services

Mr. Michael: To ask the Secretary of State for Wales if he will have discussions with British Rail regarding the effect of proposed timetable changes on the economy of Mid Glamorgan and South Glamorgan.

Sir Wyn Roberts: I will raise this when I meet the chairman of British Rail.

Mr. Michael: To ask the Secretary of State for Wales (1) what steps he intends to take to identify *(a)* the specific communities affected and *(b)* the environmental, social and economic impact on those communities of implementation of the proposed reduction in rail services in South Glamorgan and Mid Glamorgan;

(2) what assessment he has made of the extent of the impact of fares increases proposed by British Rail for South Wales on the economy of Mid Glamorgan and South Glamorgan;

(3) what assessment he has made of *(a)* the environmental impact, *(b)* the impact on road congestion and *(c)* the impact on the economy of Mid Glamorgan and South Glamorgan of the service reductions proposed by British Rail to take effect in October.

Sir Wyn Roberts: Levels of service and fares are operational matters for the commercial judgment of British Rail. However, I am aware that the local authorities in South Wales view with concern the changes which I understand British Rail propose to introduce in October. The Department is discussing these matters with the authorities concerned.

Mr. Michael: To ask the Secretary of State for Wales whether he will make it his policy to provide or secure additional Government funds for the rail transport network in south-east Wales to assist the development of an infrastructure which favours the region's economy, environment and social structure.

Sir Wyn Roberts: The funding of British Rail is a matter for my right hon. Friend the Secretary of State for Transport. However the Welsh Office has assisted South and Mid Glamorgan councils to develop the rail infrastructure by means of additional credit approvals for projects deemed to be of regional or national importance.

Polychlorinated Biphenyls

Mr. Murphy: To ask the Secretary of State for Wales (1) if he is liaising with the Department of Chemical Engineering at Bath university over research into alternative methods of disposing of polychlorinated biphenyls;

(2) if he will fund research being carried out by the department of chemical engineering at Bath university into alternative methods of disposing of polychlorinated biphenyls.

Mr. Grist: The Department has not been approached by Bath university about research into alternative methods of disposing of polychlorinated biphenyls or for funding for such research.

Eggs

Mr. Morgan: To ask the Secretary of State for Wales whether he proposes to issue new guidelines on the use of raw shell egg as a binder material in the preparation of hamburgers or beef rissoles in public sector catering establishments.

Mr. Grist: No, but I shall consider the need to remind such establishments of the current guidelines.

Mr. Morgan: To ask the Secretary of State for Wales whether he now proposes to ban the use of raw shell egg as a binder material in the preparation of beef rissoles or hamburgers in public sector catering establishments.

Mr. Grist: I have no plans to do so.

Disability

Mr. Wigley: To ask the Secretary of State for Wales what steps he is taking to ensure that deaf people and those with communication disabilities have a statutory right to interpreters or other communication support during the assessment procedure.

Mr. Grist: Section 3(6) of the Disabled Persons (Services, Consultation and Representation) Act 1986 makes provision for a disabled person, or his authorised representative, who is unable to communicate, to be provided by the local authority with necessary services to ensure that such incapacity does not prevent the authority from discharging their functions or the making of representations by the disabled person, or his representative, under this section. In regard to the implementation of this section, I refer the hon. Gentleman to the reply I gave on 23 July.

Mental Illness and Handicap

Mr. Michael: To ask the Secretary of State for Wales (1) whether he will make it his policy that no sales of land or property at existing facilities for people with mental illness shall take place until plans for full adequate alternative services for existing users have been agreed and approved;

(2) whether he will make it his policy that no sales of land or property at existing facilities for people with mental handicap shall take place until plans for full adequate alternative services for existing users have been agreed and approved;

(3) whether he will make it his policy that no sales of land or property at existing facilities for people with mental handicap shall take place until plans for full adequate alternative services for potential users have been agreed and approved;

(4) whether he will make it his policy that no sales of land or property at existing facilities for people with mental illness shall take place until plans for full adequate alternative services for potential users have been agreed and approved.

Mr. Grist: My right hon. Friend's policy, as stated in the Welsh Office mental handicap and mental illness strategies, already covers all these points.

Health Workers

Mr. Michael: To ask the Secretary of State for Wales what steps he has taken to ensure that ancillary workers are *(a)* recruited and *(b)* trained adequately to meet the shortfall on wards in Wales that will follow implementation of Project 2000 for nurse training.

Mr. Grist: The training and recruitment of ancillary workers is a matter for each individual health authority. However, I have made provision within the funding of Project 2000 for a contribution towards the cost of training new health care assistants to replace the lost student nurse service contribution. Health authorities have also been asked to undertake a systematic reassessment of the roles and functions of all support staff to health care professionals as part of the Care Sector Consortium's health care assistant project. This programme should be completed by September 1991.

Road Construction

Dr. Thomas: To ask the Secretary of State for Wales whether his Department has any plans to undertake an environmental impact assessment of all current and planned road construction programmes.

Sir Wyn Roberts: Environmental impact assessments are undertaken for all road schemes falling within the scope of EC directive 85/337.

Community Care

Mr. Wigley: To ask the Secretary of State for Wales what steps he is taking to introduce a statutory right to representation in community care services for disabled people who are unable or choose not to represent themselves.

Mr. Grist: Provision for the appointment of authorised representatives of disabled people and as regards their rights in relation to the provision of services for the person they represent is made in sections 1 and 2 of the Disabled Persons (Services, Consultation and Representation) Act 1986. In regard to the implementation of these sections, I refer the hon. Gentleman to the reply that I gave on 23 July.

Food Temperature Control

Mr. Michael: To ask the Secretary of State for Wales whether he will publish his timetable for the implementation of food temperature control regulations in Wales.

Mr. Grist: The Food Hygiene (Amendment) Regulations 1990, laid before Parliament on 18 July, will introduce temperature controls on certain foods in a staged implementation:

- from 1 April 1991 all foods in the controlled categories must be kept at or below 8°C (except in small delivery vehicles);
- from 1 April 1992 foods in the controlled categories in small delivery vehicles must be kept at or below 8°C; and
- from 1 April 1993 certain foods in the controlled categories must be kept at or below 5°C (except in small delivery vehicles).

Mr. Michael: To ask the Secretary of State for Wales if he will publish figures showing the number and proportion

of food outlets in Wales shown to be failing to meet current food temperature regulations when inspected during the past year.

Mr. Grist: This information is not available.

Health Bodies

Mr. Michael: To ask the Secretary of State for Wales if he will list *(a)* the names, *(b)* the positions and *(c)* the principal relevant qualifications of (i) the chairs and (ii) the members of (1) the quality working group, (2) the strategic direction implementation steering group, (3) the Welsh health planning forum and the health gain working group, the people-centred working group and the resource-effective working group, (4) the 10 health gain people-centred services panels of review, (5) the clinical resource utilisation group, (6) the Welsh advisory group on medical audit, (7) the contracts working group and (8) district audit committees.

Mr. Grist: I will write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Health Service Funding

Mr. Michael: To ask the Secretary of State for Wales (1) if he will outline the process, following implementation of the National Health Service and Community Care Act, whereby a service provider within a district health authority would make application to the Welsh Office for capital funding; what conditions will determine eligibility for capital funding; and what continuing conditions will attach to such funding should an allocation be made;

(2) if he will outline the process, following the implementation of the National Health Service and Community Care Act, whereby a service procurer or purchasing body would apply to the Welsh Office for capital funding; what conditions will determine eligibility for capital funding; and what continuing conditions will attach to such funding, should an allocation be made;

(3) if he will list the sources of capital funding that will be available to any hospital trust or any other self-governing trusts in Wales; what process of approval such trusts would have to go through following implementation of the National Health Service and Community Care Act in respect of such capital projects; what conditions will determine eligibility for any public contributions towards such projects; and what continuing conditions will attach to such funding should an allocation be made.

Mr. Grist: A paper setting out proposals for further arrangements for allocating capital funds to the health service in Wales was issued to the service for comment this week. Copies will be placed in the Library of the House and the Vote Office.

The proposals distinguish between 'minor' capital—required for routine equipment replacement and relatively small developments—and 'major' capital—for strategically significant developments. The former would be allocated to health authorities for their discretionary use in proportion to their revenue formula shares. Authorities would be expected to use these funds to maintain and develop the services provided to their residents by hospitals with which they have contracted, including those which they do not themselves manage. The use of capital would be determined in negotiations between health authorities and providing hospitals. The existing rules governing virement between capital and revenue would still apply, but otherwise the Department would not place any conditions on the use of these funds, although authorities would be accountable for their spending in the usual ways, and expenditure would have to be consistent with local strategies for health.

Major capital would be allocated to specific projects according to their benefits in terms of health gain and return on investment. Health authorities or providing hospitals would be eligible to bid for these resources independently, but, in the case of hospitals, their bids would need to be supported by the potential purchasers of their services. Capital provided for major schemes would, of course, be earmarked specifically for those schemes and would form part of a centrally managed programme.

Any NHS trusts in Wales would include the cost of the depreciation of their assets in their charges and this could then be used to fund further capital expenditure. For new developments and major equipment purchases trusts would borrow funds either from the Secretary of State or from elsewhere. The level of borrowing would be subject to an agreed financing limit which would reflect the need for working capital and investment set out in each trust's business plans. No specific conditions would be attached to a trust's borrowing limits, but trusts would be held to account for the funds borrowed and would, of course, be subject to audit.

Medical Services

Mr. Michael: To ask the Secretary of State for Wales (1) if he will list for each family practitioner services authority in Wales in each of the last five years *(a)* the total expenditure on ophthalmic services, *(b)* the expenditure on ophthalmic services per 10,000 registered population, *(c)* the number of opticians, *(d)* the number of opticians per 10,000 office of population censuses and surveys population, *(e)* the number of sight tests and *(f)* the number of sight tests per 10,000 office of population censuses and surveys population;

(2) if he will list for each family practitioner services authority in Wales for each of the last five years *(a)* the number and percentage of general medical practitioners with consent to use a deputising service, *(b)* the number and percentage of night visits made by deputising services and *(c)* the night fees for general medical practitioners per 10,000 registered population;

(3) if he will list for each family practitioner services authority in Wales, for each of the last five years *(a)* the number of practice nurses per partnership, *(b)* the number of practice nurses per practitioner and *(c)* the number of practice nurses per 10,000 registered population;

(4) if he will list for each family practitioner services authority in Wales, for each of the last five yers *(a)* the total family practitioner services payments, *(b)* the total family practitioner services payments per 10,000 registered population, *(c)* the total family practitioner services administration costs, *(d)* the total family practitioner services administration costs per 10,000 registered population, *(e)* the total expenditure on general medical services and *(f)* the total expenditure on general medical services per 10,000 registered population;

(5) if he will list for each family practitioner services authority in Wales, for each of the last five years *(a)* the total number of general medical practitioners, *(b)* the

number and percentage of general medical practitioners with list sizes under 1,000, *(c)* the number and percentage of general medical practitioners with list sizes over 2,500, *(d)* the number and percentage of general medical practitioners under 65 years of age practising single-handed and *(e)* the number of formal allocations to general medical practitioners per 10,000 registered population.

Mr. Grist: The information requested cannot be provided in the time available. I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

BISF Houses

Mr. Murphy: To ask the Secretary of State for Wales when he last met representatives of tenants and owners of BISF houses; and if he will make a statement.

Mr. Grist: I have not met representatives of tenants or owners of BISF houses. Those who are concerned about the condition of their homes should more properly approach their local authority.

Disabled Persons (Services, Consultation and Representation) Act 1986

Mr. Wigley: To ask the Secretary of State for Wales (1) whether he has visited any local authorities who carried out pilot implementations of sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986;

(2) whether his Department has carried out any pilot implementations of sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986; and if he will make a statement.

Mr. Grist: No.

Mr. Wigley: To ask the Secretary of State for Wales what consultations he has had with voluntary organisations concerning the costs of implementing sections 1, 2 and 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986.

Mr. Grist: As explained in the reply to the hon. Gentleman on 23 July, consultation is taking place with the Assembly of Welsh Counties and directors of social services in Wales about the additional costs in relation to the implementation of these sections since it is social services authorities who have responsibility for their implementation.

GP Contract System

Mr. Michael: To ask the Secretary of State for Wales (1) what representations he has received from general practitioners in Wales regarding the time taken in paperwork caused by the new general practitioner contract system; and what steps he is undertaking to minimise that paperwork;

(2) what representations he has received from general practitioners in Wales regarding the screening and health check work required in the new contract; and if he will list all the suggestions general practitioners have made for improving that system and indicate the response to each suggestion.

Mr. Grist: Many representations about the new contract were received in the spring and summer of 1989. Most of these covered a number of issues. Identification of those which relate to paperwork, screening and health checks is not now possible, except at disproportionate cost. There have been no recent representations on this issue.

Welsh Language (Qualifications)

Mr. Michael: To ask the Secretary of State for Wales, subsequent to his promise to look into a qualification in Welsh for those pursuing the less intensive course at key stage 4, what consultations he intends to have with local education authorities and other relevant bodies; and if he will announce the timetable for such consultations.

Sir Wyn Roberts: The assessment of programme of study B in Welsh second language raises similar issues to the assessment of other non-core national curriculum foundation subjects. The School Examinations and Assessment Council has been asked to report on these issues and to offer its advice by the end of the year. We shall consider what further consultations may be necessary in the light of its advice.

Eye Tests

Mr. Michael: To ask the Secretary of State for Wales if he will publish the latest monthly and quarterly figures available to him for Wales as a whole and for each district health authority area in Wales for *(a)* eye tests undertaken and *(b)* new ophthalmic out-patient referrals; and if he will give the equivalent figures for 1989.

Mr. Grist: The available information is given in the table.

Many of the sight tests since April 1989 have been private transactions outside the national health service. Statistical information on these is not available centrally.

(a) Sight tests paid for by family practitioner committees

Family practitioner committee	*Six months ending:* *31 March 1989*	*31 March 1990*
Clwyd	50,117	13,804
Dyfed	44,734	14,237
Gwent	65,608	18,400
Gwynedd	27,672	7,888
Mid Glamorgan	73,776	26,050
Powys	11,671	3,665
South Glamorgan	70,821	21,112
West Glamorgan	59,145	16,826
Wales	403,544	121,982

(b) New out-patients seen by consultants in ophthalmology

Health authority	*Quarter ending:* *31 December 1988*	*31 December 1989*
Clwyd	1,343	1,267
East Dyfed	1,227	1,136
Gwent	1,763	2,081
Gwynedd	965	1,015
Mid Glamorgan	1,276	1,787
Pembrokeshire	386	451
Powys	190	208
South Glamorgan	2,260	1,952
West Glamorgan	1,361	1,518
Wales	10,771	11,415

Hospital Closures

Mr. Michael: To ask the Secretary of State for Wales if he will list *(a)* all the hospitals and *(b)* departments or wards in Wales that are either currently subject to consultation in respect of possible closure by health authorities or are under his consideration as a result of a health authority completing its consultative process.

Mr. Grist: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Land Transactions Handbook

Mr. Michael: To ask the Secretary of State for Wales from what date the recent amendments to the land transactions handbook took effect.

Mr. Grist: The most recent amendment to the NHS handbook on land transactions was issued to Welsh district health authorities on 9 June 1989.

Land Transactions Register

Mr. Michael: To ask the Secretary of State for Wales whether he has drawn to the attention of *(a)* South Glamorgan health authority and *(b)* other health authorities in Wales the recent amendments to the land transactions register.

Mr. Grist: I will write to the hon. Gentleman for clarification of the information he is seeking and place a copy of my letter in the Library of the House.

Salmonella

Mr. Michael: To ask the Secretary of State for Wales what is the percentage increase in the incidence of *(a)* salmonella and *(b)* salmonella enteriditis in Wales in the first quarter of the current year and in (i) the first quarter of 1989 and (ii) the first quarter of 1988.

Mr. Grist: I will write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Mr. Michael: To ask the Secretary of State for Wales if he will publish a table showing *(a)* the number of cases of salmonella and *(b)* the number of cases of salmonella enteriditis in each district in Wales in each month from January 1989 up to the latest available date.

Mr. Grist: This information is not available in the form requested.

Environmental Health Officers

Mr. Michael: To ask the Secretary of State for Wales (1) if he will list *(a)* the total establishment of environmental health officers and *(b)* the number of posts filled in Wales for each of the past 10 years;

(2) how many posts of environment health officers are currently vacant in Wales.

Mr. Grist: The number of local authority non-manual staff employed in environmental health in Wales for each of the last 10 years is given in the table. It is not possible to identify separately the number of environmental health officers included in this number. It is not possible to identify the total establishment of environmental health officers, or the number of vacancies centrally.

Number of non-manual staff employed in environmental health[1] Total Wales

	Number
1980	785
1981	769
1982	748
1983	740
1984	796
1985	856
1986	822
1987	832
1988	826
1989	850
1990	[2]867

[1] Full-time equivalent as at March for each year.
[2] Figures for March 1990 are provisional.

Prescribing Costs

Mr. Michael: To ask the Secretary of State for Wales whether, in the case of a hospital trust or other self-governing trust offering an out-patient service on a continuing basis, all prescribing costs deriving from such a service will be met entirely from within the resources of such a trust.

Mr. Grist: I refer the hon. Gentleman to the answer I gave earlier today which makes it clear that the costs of drug prescribing should fall to be met by whoever has clinical responsibility for the patient concerned. NHS trusts will be in no different position in this respect from other NHS units.

Mr. Michael: To ask the Secretary of State for Wales if he will instruct family practitioner authorities to exclude from their consideration, when determining the monetary budget or prescribing amount for a particular practice or general practitioner, any sum likely to arise from the transfer of prescribing costs from hospital consultants to general practitioners in those circumstances where patients attend hospital out-patient clinics on a continuing basis and to make separate provision for such amounts.

Mr. Grist: Such instruction is not needed. Policy in this matter is clear. Where clinical responsibility for a patient, including the responsibility to prescribe, rests with a hospital doctor, the cost of prescribing is attributable to hospital service expenditure. Where such responsibilities are accepted by the patient's GP, the cost of prescribing is attributable to family practitioner services expenditure. The decision as to clinical responsibility in any individual case rests with the clinicians involved.

The indicative amounts that family health service authorities will ascribe to GP practices will take account of cases where a GP has clinical responsibility for a patient whose treatment requires the prescribing of particularly high-cost medication.

Disabled People

Mr. Wigley: To ask the Secretary of State for Wales if he will take steps to ensure that disabled people have a statutory right to *(a)* a written outcome of their assessment procedure, *(b)* make representations as to their community care needs during the assessment procedure and *(c)* review the outcome of the assessment.

Mr. Grist: We intend that from 1 April 1991 local authorities will be required to establish a procedure for

considering any representations, including any complaints, that are made to them about their discharge of responsibilities to an individual under any of their social services functions.

In addition, section 3 of the Disabled Persons (Services, Consultation and Representation) Act 1986 confers a right for disabled people or their authorised representatives to receive written statements on request following assessment and to make representations regarding assessments and their outcomes. In regard to the implementation of this section, I refer the hon. Gentleman to the reply that I gave on 23 July.

GP Contract (Late Payments)

Mr. Michael: To ask the Secretary of State for Wales what representations he has received from general practitioners in Wales regarding late payments for their work under the new general practitioners contract; and what steps he is taking to reduce such delays.

Mr. Grist: None. I would expect any problems over payments to be discussed with the responsible family practioner committee.

Project 2000

Mr. Michael: To ask the Secretary of State for Wales what assessment he has made of the number of employees who will be needed to take the place of nurses in training in respect of ward duties once Project 2000 is implemented in each of the next five years *(a)* in Wales as a whole and *(b)* in each district health authority in Wales.

Mr. Grist: We have made provision to fund the staff replacement shortfall in the lost student contribution of nurse learners. The funding formula for Project 2000, which applies to each DHA in Wales, is based on a 50 per cent. student service contribution, apportioned on the basis of 50 per cent. qualified staff (Grade D), and 50 per cent. unqualified staff (Grade A); and the number of students indexed with the Welsh national board as at October 1989.

Welsh Water (Press Release)

Mr. Michael: To ask the Secretary of State for Wales how many press releases were issued by the Welsh water authority in each of the years 1983 to 1988 and in the year 1989 up to the date of privatisation; how many were issued from the flotation date to the end of 1989; and how many have been issued by Welsh Water plc in the current year.

Mr. Grist: This was a matter for the Welsh water authority prior to 1 September 1990 and subsequently for Welsh Water plc.

Slaughterhouses

Dr. David Clark: To ask the Secretary of State for Wales if he will list the slaughterhouses that were visited by European Community inspectors in 1989 and in 1990; if he will indicate which have had their approval suspended; and if he will make a statement.

Mr. David Hunt: I refer the hon. Gentleman to the reply given today by my right hon. Friend the Minister of Agriculture, Fisheries and Food.

Tritium

Mr. Michael: To ask the Secretary of State for Wales (1) what regulations are relevant to the storage of Betalight components which contain tritium gas at BT Cwmcarn; and what actions have been taken to regulate such materials;

(2) what inspections have been undertaken in the last 12 months in respect of the storing of Betalight components which contain tritium at BT Cwmcarn; and what quantities were stored at the time of such inspections.

Mr. Grist: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

ENERGY

Renewable Energy

Dr. Thomas: To ask the Secretary of State for Energy what is the current funding allocated to research projects involving renewable energy resources; and if he will make a statement.

Mr. Moynihan: Just over £20 million has been set aside by my Department to fund research and development projects into sources of renewable energy in 1990-91.

Coal Imports

Mr. Steinberg: To ask the Secretary of State for Energy if he will list the amount of coal imported to Teesside, Wearside and Tyneside for *(a)* each year from 1979 to 1989 and *(b)* each month in 1987, 1988 and 1989.

Mr. Baldry: Coal imports for these areas, listed by Customs trade port, were as follows:

thousand tonnes

	Middlesbrough	*Hartlepool*	*Sunderland*	*Tyne*
1979	941	—	22	—
1980	1,255	—	13	—
1981	1,175	—	6	—
1982	735	1	43	—
1983	708	13	102	—
1984	1,447	8	23	2
1985	2,352	101	88	1
1986	2,610	295	243	—
1987				
January	63	15	6	—
February	283	5	12	—
March	288	3	6	—
April	223	30	9	—
May	3	10	15	—
June	200	23	7	—
July	107	35	21	—
August	230	69	4	—
September	317	35	26	—
October	239	21	12	—
November	307	44	38	—
December	240	65	43	—
Total[1]	2,501	354	198	—
1988				
January	136	60	23	—
February	79	38	22	—
March	490	38	37	—
April	295	14	21	—
May	343	15	62	—
June	45	28	19	—
July	285	14	31	—

	Middlesbrough	Hartlepool	Sunderland	Tyne
August	162	44	48	—
September	234	18	57	—
October	143	10	23	—
November	213	21	31	—
December	145	14	43	—
Total[1]	[2]2,570	314	418	—
1989				
January	103	16	23	—
February	276	6	31	—
March	206	11	38	—
April	430	5	45	—
May	176	4	23	—
June	72	4	50	—
July	—	10	10	—
August	165	2	26	—
September	457	14	2	21
October	166	9	9	—
November	401	—	17	—
December	360	8	12	—
Total[1]	2,812	89	287	21

Source: Her Majesty's Customs and Excise (port of entry basis). Figures are for imports of hard coal. For the years 1979 to 1982 small quantities of lignite and peat may also be included.

[1] Due to rounding the sum of the constituent items may not equal the totals.

[2] Monthly figures have been adjusted to accord with a revised annual total.

Dounreay

Mr. Wallace: To ask the Secretary of State for Energy (1) if any military contract work has been undertaken by the atomic energy development establishment at Dounreay;

(2) if the Dounreay reprocessing facility has reprocessed any fuel from the Herald reactor at Aldermaston.

Mr. Baldry: The Dounreay reprocessing facility reprocesses, under safeguards, all the fuel from the Herald materials test reactor (MTR) under a contract with the Ministry of Defence. Dounreay also provides waste management services to the adjacent Vulcan establishment and undertakes the post-irradiation examination of some components from that establishment, neither of which involves the MTR fuel cycle at Dounreay.

Mr. Wallace: To ask the Secretary of State for Energy if any changes in the present safeguards regime at the atomic energy development establishment at Dounreay will be requested by the new reprocessing contracts the United Kingdom Atomic Energy Authority is developing with reactor operators in Berlin, Madrid and Petter.

Mr. Baldry: No changes to safeguards would be required.

Mr. Wallace: To ask the Secretary of State for Energy if he will publish the co-operation agreement between the United States of America and United Kingdom governments, for the reprocessing at Dounreay of test reactor fuel pins.

Mr. Baldry: I am not aware that such an agreement exists.

Mr. Wallace: To ask the Secretary of State for Energy what consultations have taken place with his counterpart in the United States of America concerning matters of physical protection and travel of highly enriched uranium fuel originating in the United States of America to be reprocessed at Dounreay from reactors in Madrid, Petter and Berlin.

Mr. Baldry: I have had no specific consultations about this particular issue. However, physical protection and transport of nuclear materials have featured in the regular discussions of matters of common interest between officials from my Department and officials from the United States Government.

PowerGen

Mr. Morgan: To ask the Secretary of State for Energy what consultations he *(a)* has had and *(b)* proposes to have with the direct electricity consumers of PowerGen about any trade sale.

Mr. Baldry: Consultations with PowerGen's customers are a matter for the company.

Mr. Morgan: To ask the Secretary of State for Energy what period of time he proposes for alternative trade sale bidders to Hanson for PowerGen to emerge; and what period of time he proposes between short-listing of the qualified bidders and the final day for tenders to be received.

Mr. Baldry: These matters are under consideration.

Mr. Dobson: To ask the Secretary of State for Energy on what date he, his officials, or any of his privatisation advisers first received an approach from Hanson about PowerGen.

Mr. Wakeham: As I told the House on 23 July at column 51, discussions on the best way to effect the private sale of PowerGen have been going on for a number of weeks.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received from the 12 area board chairmen regarding the sale of PowerGen.

Mr. Baldry: None.

Mr. Morgan: To ask the Secretary of State for Energy (1) when he last met the Director General of the Office of Electricity Regulation to discuss the sale of PowerGen, and the implications for the regulatory regime of a single purchaser;

(2) what changes he is considering to the regulatory regime in the event of a successful trade sale of PowerGen to Hanson, pursuant to his statement to the House of 23 July.

Mr. Baldry: My right hon. Friend has not met the Director General of Electricity Supply to discuss the sale of PowerGen. I do not expect there to be any implications for the regulatory regime of any sale of PowerGen to a single purchaser.

Mr. Dobson: To ask the Secretary of State for Energy whether the European Community's acceptance of a 15 per cent. limit on holdings in privatised electricity companies will be renegotiated in the event of the sale of PowerGen to one bidder.

Mr. Wakeham: The Government's special share proposals for the privatised electricity companies did not

require specific approval from the European Commission. As I said in the House on 23 July at column 42, if a trade sale proceeds a golden share would be inappropriate for a subsidiary. The Government believe that the public interest is better protected by a contractual provision in the sale and purchase agreement.

Mr. Morgan: To ask the Secretary of State for Energy when he last met Sir Michael Richardson of N.M. Rothschild to discuss the sale of PowerGen.

Mr. Baldry: Details of my right hon. Friend's meetings with his and the electricity industry's advisers are confidential.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received from the trade unions representing the work force at PowerGen regarding the trade sale proposal.

Mr. Baldry: Representatives of the trades unions met my right hon. Friend and me on 24 July, and raised a number of issues. My right hon. Friend reaffirmed that any new owner of PowerGen would have to take on the same obligations in respect of the work force as PowerGen has now. My right hon. Friend also confirmed that arrangements would be made for PowerGen employees to receive benefits broadly comparable to those they would have received in a public offering of the company's shares.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received from the board and management of PowerGen regarding the proposal for a trade sale of PowerGen.

Mr. Baldry: My right hon. Friend and I have had discussions with the chairman, chief executive and non-executive members of the board of PowerGen concerning the possible trade sale of the company. The chairman has promised the company's co-operation in taking forward the trade sale and flotation options in parallel.

Mr. Morgan: To ask the Secretary of State for Energy if he will assess the implications for the United Kingdom coal mining industry of the sale of PowerGen to any company with substantial coal mining interests.

Mr. Baldry: The United Kingdom coal mining industry has a prosperous future if it can produce coal at a competitive price. This will be the case whether or not PowerGen is sold to a company with substantial coal mining interests.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Energy if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Wakeham: There is one political adviser currently employed in and paid for by my Department, Mr. Guy Black. It is not the practice to reveal the salaries of advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential. As regards expenses, the normal civil service rules apply.

In respect of the privatisation of the electricity supply industry, two public relations advisers are retained by the Department to provide marketing and public relations advice: Dewe Rogerson, jointly with the industry; and Lowe Bell Communications. Details of their contracts are commercially confidential.

Plutonium

Mr. Corbyn: To ask the Secretary of State for Energy what amounts of plutonium are currently covered by international nuclear safeguards agreements worldwide.

Mr. Baldry: The approximate quantities of material subject to International Atomic Energy Agency safeguards agreements at the end of 1989 are given in the first table on page 115 of the IAEA's annual report, a copy of which is available in the Library of the House.

Electricity Privatisation

Mr. Morgan: To ask the Secretary of State for Energy (1) if he intends to exclude companies incorporated outside the United Kingdom in *(a)* other European Community countries and *(b)* non-European Community countries from bidding for PowerGen or National Power;

(2) what *(a)* classes of company and *(b)* specific companies he proposes to exclude from bidding for (i) PowerGen and (ii) National Power.

Mr. Baldry: My right hon. Friend has not excluded in advance any companies that may bid for PowerGen. All bidders will be considered on their merits. There is currently no proposal to sell National Power to a private purchaser.

British Nuclear Fuels plc

Dr. Thomas: To ask the Secretary of State for Energy what guidelines his Department has laid down to British Nuclear Fuels plc for contract work undertaken with companies based outside the United Kingdom in reprocessing in regard to British Nuclear Fuels retaining responsibility for plutonium separated in the reprocessing; and if he will list the respects in which the guidelines differ from International Atomic Energy Agency and non-proliferation treaty safeguards.

Mr. Baldry: The return of plutonium arising from the reprocessing of spent nuclear fuel by British Nuclear Fuels plc to its country of origin or to any other destination is made only subject to application of safeguards and on receipt of assurances covering peaceful use, physical protection and controls on re-transfer. The guidelines for returning this material remain as set out in the statement by the then Foreign Secretary, now Lord Callaghan, on 31 March 1976 at columns *514-16*, which has been reaffirmed by the Prime Minister. These guidelines ensure that the return of such plutonium is fully consistent with our international non-proliferation obligations under the non-proliferation treaty.

United Kingdom Atomic Energy Authority

Mr. Mans: To ask the Secretary of State for Energy what financial targets and external financing limits have been set for the United Kingdom Atomic Energy Authority for 1990-91; and what the United Kingdom Atomic Energy Authority's capital expenditure programme is to be in 1990-91.

Mr. Wakeham: I have set the United Kingdom Atomic Energy Authority a financial target for 1990-91 of 4 per cent. return on net assets on a current cost basis. The United Kingdom Atomic Energy Authority's external financing limit for 1990-91 is £45 million and its capital expenditure programme £25 million.

DEFENCE

Domestic Property

Miss Hoey: To ask the Secretary of State for Defence how the money realised from any sales of domestic properties by his Department is treated.

Mr. Archie Hamilton: Property receipts are credited to defence votes.

Miss Hoey: To ask the Secretary of State for Defence how many homes have been sold by his Department since the beginning of 1989 and in the last three months; and what criteria is used in deciding to whom the properties will be disposed.

Mr. Archie Hamilton: From 1 December 1988—the closest date to the beginning of 1989 for which figures are available—to 30 July 1990, 2,894 homes were sold by the Ministry of Defence, 725 of them during the last three months of that period. These figures include both married quarters and Ministry of Defence civilian houses. Surplus married quarters that are suitable for immediate individual sale are normally offered for sale to service personnel through the services discount scheme; quarters not suitable for sale in this way, for example, dwellings designated in law as "defective", flats in England and Wales, and properties with utilities below adoption standard are normally offered for sale in bulk by tender on the open market. Surplus Ministry of Defence civilian houses are normally offered for sale to the sitting tenant at the appropriate discount; vacant properties and those whose tenants do not wish to purchase are offered for sale on the open market.

Miss Hoey: To ask the Secretary of State for Defence what policy guidelines exist for his Department in dealing with empty properties.

Mr. Archie Hamilton: Not all empty properties are surplus to requirements. Properties are empty on occasion because they are undergoing or awaiting major maintenance work, already allocated to families due to move in shortly or held for planned troop deployments. It is our policy to dispose of all properties surplus to long-term requirements. Those that are surplus to current requirements but for which a long-term need has been identified are normally offered for short-term leasing to local authorities or housing associations when security considerations allow.

Miss Hoey: To ask the Secretary of State for Defence what steps are taken to make available properties disposed of by his Department to housing associations or local authorities.

Mr. Archie Hamilton: Properties suitable for bulk disposal are normally offered for sale by tender on the open market; housing associations and local authorities are free to bid for them. On occasion we have sold properties to them direct. In addition, we are discussing with the Housing Corporation the establishment of a scheme to make MOD properties available to housing associations for subsequent sale or lease to service personnel.

Japan (Military Expenditure)

Mr. Allen: To ask the Secretary of State for Defence what information he has on the level of Japanese military expenditure over the last five years and on the likely trend in expenditure; and if he will make a statement.

Mr. Archie Hamilton: According to recent editions of the International Institute for Strategic Studies' publication "The Military Balance", Japanese defence expenditure over the last five years was:

	(billion Yen)
1985-86	3·1
1986-87	3·3
1987-88	3·5
1988-89	3·7
1989-90	3·9

Plans for Japanese defence expenditure are a matter for the Government of Japan.

Teamwork 90

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if he will provide an estimate of the cost to his Department of United Kingdom participation in NATO exercise Teamwork 90.

Mr. Archie Hamilton: Costs attributable to exercises such as Teamwork are not indentified separately and could not be calculated without disproportionate effort. As the participation of the ships, aircraft and personnel involved is consistent with their normal training activities, the additional costs of the exercise will be limited to such items as travel and subsistence allowances.

Mrs. Fyfe: To ask the Secretary of State for Defence what activities will take place, and when, at *(a)* each RAF station involved in Scotland and *(b)* which Scottish waters in the NATO exercise Teamwork 90.

Mr. Archie Hamilton: Current plans envisage the use of RAF bases in Scotland at Lossiemouth, Kinloss, Leuchars and Stornoway. A large number of shipping movements are planned to take place off Scotland and the Cape Wrath and Garvie Island ranges will be used. It would be inappropriate to give precise details of the timing and location of activities in the exercise, which will be held from 6 to 23 September.

Flying Sorties

Mr. Redmond: To ask the Secretary of State for Defence (1) if he will list by *(a)* tactical training area and *(b)* Ministry of Defence ranges for the years (i) 1988, (ii) 1989 and (iii) 1990 to date, the number of flying sorties that have been carried out by military jet aircraft; and if he will show in his answer from what NATO air force they came;

(2) if he will list by low-flying area and for the years *(a)* 1988, *(b)* 1989 and *(c)* for 1990 to date, the number of low-flying sorties that have been carried out by military jet aircraft, and if he will show in his answer from what North Atlantic Treaty Organisation air force they came.

Mr. Kenneth Carlisle: It would require disproportionate cost and effort to provide the information in the detail requested. The hon. Member may however wish to refer to the statistics on low-flying sorties for years up to 1988 presented in evidence by my Department to the recent Defence Committee inquiry into low flying and published in the Committee's fifth report for the Session 1989-90 (HC 120) at page 140. The numbers of low-flying sorties carried out in the United Kingdom in 1989 and 1990 to date, on the same basis, are as follows:

	1989	*[1]1990*
Total sorties	144,323	61,977
Numbers by aircraft type		
Buccaneer	2,029	728
F-4	2,469	912
Harrier	6,483	2,720
Hawk	17,601	7,535
Jaguar	7,278	3,202
Jet Provost	13,797	5,382
Tornado	21,741	10,133
A-10	11,337	5,358
F-111	11,903	4,988
Other aircraft including helicopters	49,685	21,019

[1] January to May.

Low-flying sortie statistics are not broken down geographically, but an indication of the proportion of low-flying movements carried out in different low-flying areas appears at page 159 of the report.

Insurance

Mr. Redmond: To ask the Secretary of State for Defence, pursuant to his answer of 11 July, *Official Report*, column *245*, what are the reasons why insurance cover is not provided for non-military persons having flights in military aircraft; and what steps are taken to ensure that non-military persons are aware that they have no insurance cover.

Mr. Archie Hamilton: If a non-military person undertaking an air experience flight in a United Kingdom military aircraft were injured as a result of the Ministry of Defence's negligence, the individual could, under common law, pursue a claim for compensation against the Ministry. The Ministry is not insured against this eventuality, choosing to carry it as an acceptable risk. Non-military personnel are not routinely advised of the Ministry's insurance position.

Defence Studies Centre

Dr. Thomas: To ask the Secretary of State for Defence what funding has been made available by his Department for the foundation of a centre for defence studies at King's college in the university of London.

Mr. Archie Hamilton: The amount of grant will be agreed with the Ministry each year, the objective being to sustain the centre each year for up to five years with a grant equivalent to £100,000 at 1989-90 prices. The aim is that in the longer term the centre shall become financially independent of Ministry funding.

Graduates

Dr. Thomas: To ask the Secretary of State for Defence what proportion *(a)* graduates and *(b)* postgraduates in *(x)* pure and applied sciences, *(y)* engineering and *(z)* computer sciences engaged by the Ministry of Defence following graduation were of all graduates and postgraduates engaged by his Department in each year since 1983.

Mr. Alan Clark: From available records it is not possible to give a complete breakdown distinguishing between graduates and postgraduates for the science and engineering categories requested. To ascertain this detailed information would require a disproportionate amount of effort.

A breakdown of science and engineering graduates entering the MOD service since 1984 and an indication of the postgraduate entry for the scientific group is as follows:

Year	*Graduates*	*Science Post graduates*	*Engineers Graduates only*
1984-85	128	41	83
1985-86	180	55	68
1986-87	242	77	53
1987-88	301	50	90
1988-89	202	73	130
1989-90	145	48	99

The postgraduate entry figures represent those recruited with experience in lieu of qualifications as well as those qualified to PhD level. The postgraduate entry to the engineering service is known to be very small.

Computer scientists are an integral part of the science entry. From an analysis of information available for 1989-90, about 6 per cent. of those engaged were computer scientists. It is a reasonable assumption that a similar proportion of computer scientists were recruited in previous years.

Mr. Shersby: To ask the Secretary of State for Defence, for each of the last five years, how many graduates have joined *(a)* the Royal Navy, *(b)* the Army and *(c)* the Royal Air Force; and what proportion of the armed services' strength this represents.

Mr. Archie Hamilton: My noble Friend the Under-Secretary of State for the Armed Forces will write to my hon. Friend.

Simulation Exercise

Dr. Thomas: To ask the Secretary of State for Defence what was the United Kingdom participation in the Allied Command Europe simulation military exercise held at the NATO computer centre in the Federal Republic of Germany; and if he will make a statement.

Mr. Archie Hamilton: I presume that the hon. Gentleman is referring to exercise ACE 89, a NATO theatrewide command post exercise, which took place between 6 and 17 November 1989 at the United States warrior preparation centre, Einsiedlerhof in the Federal Republic of Germany. The major objective was to evaluate the ability of computer-assisted exercises to allow senior commanders and their staffs to practise air, ground and sea operations throughout Allied Command Europe, without the costs and environmental implications of putting forces in the field. In addition to those United Kingdom personnel holding NATO appointments who took part, 1 British Corps provided a response cell.

Veteran Aircraft

Mr. Onslow: To ask the Secretary of State for Defence if he will list the flying accidents involving veteran aircraft owned by his Department which have occurred during the last 15 years.

Mr. Archie Hamilton: The information is as follows:

Date	*Aircraft Type*	*Description*
17 April 1985	Sea Fury T20	Crashed on landing at Aeroplane and Armament Experimental Establishment, Boscombe Down
25 May 1986	Vampire T11/ Meteor T7	Collided in mid-air at RAF Mildenhall
30 May 1988	Meteor T7	Crashed on approach to Coventry Airport
10 June 1989	Sea Fury FB11	Ditched into sea near Turnberry
14 July 1990	Sea Fury T20	Forced landing near Yeovilton

Regiments

Mr. Brazier: To ask the Secretary of State for Defence if he will list all the regiments and corps in the British Army, indicating the number of regular and Territorial Army units of that cap badge in each case.

Mr. Archie Hamilton: The information requested is given in the table. Territorial Army units of the same cap badge as Regular Army units are those bearing the same name as the Regular unit. A major unit is one of battalion size or equivalent.

The Corps and Regiments of the British Army:

Regular Units:	*Territorial Army Units:*
1. Household Cavalry	
The Life Guards	The Royal Yeomanry
The Blues and Royals (Royal Horse Guards and 1st Dragoons)	The Royal Wessex Yeomanry
2. Royal Armoured Corps.	
1st The Queen's Dragoon Guards	The Queen's Own Mercian Yeomanry
The Royal Scots Dragoon Guards (Carabiniers and Greys)	The Queen's Own Yeomanry
4th/7th Royal Dragoon Guards	The Duke of Lancaster's Own Yeomanry
5th Royal Inniskilling Dragoon Guards	
The Queen's Own Hussars	
The Queen's Royal Irish Hussars	
9th/12th Royal Lancers (Prince of Wales's)	
The Royal Hussars (Prince of Wales's Own)	
13th/18th Royal Hussars (Queen Mary's Own)	
14th/20th King's Hussars	
15th/19th The King's Royal Hussars	
16th/5th The Queen's Royal Lancers	
17th/21st Lancers	
1 Royal Tank Regiment	
2 Royal Tank Regiment	
3 Royal Tank Regiment	
4 Royal Tank Regiment	
3. Royal Regiment of Artillery	
22 major units	6 major units
4. Royal Engineers	
13 major units[1]	8 major units
5. Royal Signals	
16 major units[2]	11 major units
6. Infantry	
(a) The Guards Division	
1 Grenadier Guards	
2 Grenadier Guards	
1 Coldstream Guards	
2 Coldstream Guards	
1 Scots Guards	
2 Scots Guards	
1 Irish Guards	
1 Welsh Guards	
(b) The Scottish Division	
1 Royal Scots (The Royal Regiment)	1/52nd Lowland Volunteers
1 Royal Highland Fusiliers (Princess Margaret's own Glasgow and Ayrshire Regiment)	2/52 Lowland Volunteers
1 King's Own Scottish Borderers	1/51st Highland Volunteers
1 Black Watch	2/51st Highland Volunteers
1 Queen's Own Highlanders (Seaforth and Camerons)	3/51st Highland Volunteers
1 Gordon Highlanders	
1 Argyll and Sutherland Highlanders (Princess Louise's)	
(c) The Queen's Division	
1 Queen's Regiment	5 Queen's Regiment
2 Queen's Regiment	6/7 Queen's Regiment
3 Queen's Regiment	
1 Royal Regiment of Fusiliers	5 Royal Regiment of Fusiliers
2 Royal Regiment of Fusiliers	6 Royal Regiment of Fusiliers
3 Royal Regiment of Fusiliers	8 Queen's Fusiliers
1 Royal Anglian Regiment	5 Royal Anglian Regiment
2 Royal Anglian Regiment	6 Royal Anglian Regiment
3 Royal Anglian Regiment	7 Royal Anglian Regiment
(d) The King's Division	
1 King's Own Border Regiment	4 King's Own Border Regiment
1 King's Regiment	5/8 King's Regiment
1 Prince of Wales Own Regiment of Yorks	
1 Green Howards (Alexandra Princess of Wales's Own Yorkshire Regiment)	
1 Royal Irish Rangers (27th (Inniskilling) 83rd and 87th)	4 Royal Irish Rangers (27th (Inniskilling) 83rd and 87th)
2 Royal Irish Rangers (27th (Inniskilling) 83rd and 87th)	5 Royal Irish Rangers (27th (Inniskilling) 83rd and 87th)
1 Queen's Lancashire Regiment	4 Queen's Lancashire Regiment
1 Duke of Wellington's Regiment	1 Yorkshire Volunteers
	2 Yorkshire Volunteers
	3 Yorkshire Volunteers
	4 Yorkshire Volunteers
(e) The Prince of Wales's Division	
1 Devonshire and Dorset Regiment	4 Devonshire and Dorset Regiment
1 Cheshire Regiment	3 Cheshire Regiment
1 Royal Welch Fusiliers	3 Royal Welch Fusiliers
1 Royal Regiment of Wales	3 Royal Regiment of Wales
	4 Royal Regiment of Wales
1 Gloucestershire Regiment	
1 Worcestershire and Sherwood Foresters Regiment	3 Worcestershire and Sherwood Foresters Regiment

Regular Units:	Territorial Army Units:
	4 Worcestershire and Sherwood Foresters Regiment
1 Royal Hampshire Regiment	
1 Staffordshire Regiment (The Prince of Wales's)	3 Staffordshire Regiment (The Prince of Wales's)
1 Duke of Edinburgh's Royal Regiment (Berkshire and Wiltshire)	1 Wessex Regiment 2 Wessex Regiment
(f) The Light Division	
1 Light Infantry	5 Light Infantry
2 Light Infantry	6 Light Infantry
3 Light Infantry	7 Light Infantry
	8 Light Infantry
1 Royal Green Jackets	4 Royal Green Jackets
2 Royal Green Jackets	5 Royal Green Jackets
3 Royal Green Jackets	
(g) The Brigade of Gurkhas	
1 2nd King Edward VII's Own Gurkha Rifles	
1 2nd King Edward VII's own Gurkha Rifles	
6th Queen Elizabeth's Own Gurkha Rifles	
7th Duke of Edinburgh's Own Gurkha Rifles	
10th Princess Mary's Own Gurkha Rifles	
(h) The Parachute Regiment	
1 Parachute Regiment	4 Parachute Regiment
2 Parachute Regiment	10 Parachute Regiment
3 Parachute Regiment	15 Parachute Regiment
7. The Special Air Service	
1 major unit	2 major units
8. The Honourable Artillery Company	
1 major unit	
9. Other Corps	
Army Air Corps	
4 major units[3]	
Royal Army Chaplains Department	
Royal Corps of Transport	
15 major units[4]	12 major units
Royal Army Medical Corps	
22 major units	29 major units
Royal Army Ordnance Corps	
19 major units	
Royal Electricial and Mechanical Engineers	
22 major units	
Royal Military Police	
3 major units	
Royal Army Pay Corps	
Royal Army Veterinary Corps	
Small Arms School Corps	
Military Provost Staff Corps	
1 major unit	
Royal Army Educational Corps	
Royal Army Dental Corps	
Royal Pioneer Corps	
Intelligence Corps	
4 major units	1 major unit
Army Physical Training Corps	
Army Catering Corps	
4 major units	1 major unit
Army Legal Corps	
General Service Corps	
Queen Alexandra's Royal Army Nursing Corps	
Women's Royal Army Corps	
1 major unit	

[1] Includes Queen's Ghurka Engineers.
[2] Includes Queen's Ghurka Signals.
[3] Includes one TA squadron.
[4] Includes Ghurka Transport Regiment.

Manpower Shortages

Mr. Brazier: To ask the Secretary of State for Defence what are the shortfalls in manning for the Navy, Army and Royal Air Force, listed by officers and other ranks, at the latest available date.

Mr. Archie Hamilton: Shortfalls in service manpower are measured by comparing adult trained strengths against trained manpower requirements. As at 31 March 1990, shortfalls were:

Royal Navy—170 officers and 1,293 servicemen/women
Royal Marines—202 servicemen
Army—447 officers and 4,839 servicemen/women
Royal Air Force—371 officers and 5,718 servicemen/women

Premature Voluntary Release

Mr. Brazier: To ask the Secretary of State for Defence (1) what are the figures for premature voluntary release from the Army and Royal Air Force for the period 1983 to 1990 by quarter, in the form of the reply of 18 May 1989, *Official Report*, column *275-76*;

(2) what are the figures for premature voluntary release from the Army for the fourth quarter of 1989 and any quarters of 1990 for which figures are available now, in the form of the reply of 18 May 1989, *Official Report*, column *275-76*.

Mr. Archie Hamilton: The information requested is set out in the tables:

Army PVR figures 1983 1st quarter 1990 1st quarter

	Male Officers	Female Officers	Servicemen	Servicewomen	Total
1983					
1st quarter	69	2	417	19	507
2nd quarter	162	3	424	17	606
3rd quarter	146	6	503	19	674
4th quarter	130	5	563	21	719
1984					
1st quarter	83	2	569	23	677
2nd quarter	171	7	585	18	781
3rd quarter	153	8	637	24	822
4th quarter	155	8	700	21	884
1985					
1st quarter	128	9	730	19	886
2nd quarter	210	9	658	24	901

	Male Officers	Female Officers	Servicemen	Servicewomen	Total
3rd quarter	167	4	769	22	962
4th quarter	190	15	779	36	1,020
1986					
1st quarter	128	6	686	28	848
2nd quarter	209	6	570	38	823
3rd quarter	188	7	580	28	803
4th quarter	136	6	807	36	985
1987					
1st quarter	116	7	618	30	771
2nd quarter	194	11	791	35	1,031
3rd quarter	173	9	749	29	960
4th quarter	178	12	839	34	1,063
1988					
1st quarter	120	7	861	42	1,030
2nd quarter	173	7	929	29	1,138
3rd quarter	208	11	912	36	1,167
4th quarter	154	3	1,024	24	1,205
1989					
1st quarter	103	9	1,042	27	1,181
2nd quarter	194	11	1,051	32	1,288
3rd quarter	238	11	1,018	26	1,293
4th quarter	138	4	990	22	1,154
1990					
1st quarter	142	6	1,002	22	1,172

Royal Air Force PVR figures 1983 1st quarter-1990 1st quarter

	Male Officers	Female Officers	Servicemen	Servicewomen	Total
1983					
1st quarter	75	10	248	123	456
2nd quarter	73	10	248	122	453
3rd quarter	62	8	192	111	373
4th quarter	58	7	176	95	336
1984					
1st quarter	92	12	277	133	514
2nd quarter	109	10	428	135	682
3rd quarter	79	7	348	71	505
4th quarter	55	6	371	115	547
1985					
1st quarter	109	12	414	100	635
2nd quarter	90	10	434	137	671
3rd quarter	88	11	374	107	580
4th quarter	58	8	487	123	676
1986					
1st quarter	61	12	460	109	642
2nd quarter	74	11	457	129	671
3rd quarter	87	11	370	122	590
4th quarter	64	13	355	121	553
1987					
1st quarter	89	11	362	132	594
2nd quarter	99	13	446	162	720
3rd quarter	63	7	422	108	600
4th quarter	48	6	483	122	659
1988					
1st quarter	91	10	509	128	738
2nd quarter	92	21	694	146	953
3rd quarter	76	11	649	127	863
4th quarter	54	4	897	139	1,094
1989					
1st quarter	101	15	975	155	1,246
2nd quarter	70	13	879	184	1,146
3rd quarter	107	16	754	140	1,017
4th quarter	67	11	644	149	871

	Male Officers	Female Officers	Servicemen	Servicewomen	Total
1990					
1st quarter	103	12	705	140	960

Nuclear Test Verification

Mr. Corbyn: To ask the Secretary of State for Defence what progress has been made in verification research in regard to nuclear testing since March.

Mr. Archie Hamilton: The Government continue a programme of verification research as part of the United Kingdom's contribution to the work of the ad hoc group of scientific experts at the conference on disarmament in Geneva. This group last met in March and meets again at the end of this month. Work in the interim has concentrated on preparations for a technical trial (GSETT-2) involving the exchange of seismic data.

Queen Mother (90th Birthday Flypast)

Mr. Corbyn: To ask the Secretary of State for Defence what was the cost of the military flying parade over central London to mark the 90th birthday of Her Majesty the Queen Mother; and what assessment was made of the risks posed in flying vintage planes over London in the display.

Mr. Archie Hamilton: The three services have a funded allocation of flying hours for training and display purposes, and the flypast to mark the 90th birthday of Her Majesty the Queen Mother was covered by these allocations. There were therefore no additional costs to the defence budget.

The risks involved in flying vintage aircraft over London were considered most carefully. Given that all the pilots involved were fully operational squadron pilots with extensive flying experience, and that the aircraft are maintained to the highest standards, the risks were assessed to be minimal.

Nuclear Non-proliferation

Mr. Corbyn: To ask the Secretary of State for Defence when he, his Ministers or officials of his Department have raised the nuclear non-proliferation treaty and the nuclear non-proliferation review conference during meetings with defence Ministers and officials abroad in the past month.

Mr. Archie Hamilton: Nuclear proliferation and the non-proliferation treaty are kept under continual scrutiny by Ministers and officials in the Foreign and Commonwealth Office and the Ministry of Defence. We are active, at various levels, in encouraging non-parties to accede to the treaty, and will play a full part in the proceedings at the 1990 NPT review conference.

Mr. Corbyn: To ask the Secretary of State for Defence what proposals in regard to nuclear materials management and security have been prepared by his Department for the fourth review conference of the nuclear non-proliferation treaty in August.

Mr. Archie Hamilton: I have nothing to add to the reply given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office on 9 May 1990 at column *181*.

Military Equipment (Exports)

Mr. O'Neill: To ask the Secretary of State for Defence what assessment has been made by his Department of alleged breaches of legislation that regulates the export of lethal and non-lethal military equipment by Euroean and north American companies.

Mr. Alan Clark: This is a matter for the Government of the country or countries concerned.

Mr. O'Neill: To ask the Secretary of State for Defence whether there are any restrictions on the export of non-lethal defence equipment to *(a)* Iran, *(b)* Iraq, *(c)* Libya and *(d)* Guatemala.

Mr. Alan Clark: All exports of defence equipment are considered on a case-by-case basis. In addition, there are guidelines in respect of Iran and Iraq announced by my right hon. and learned Friend the then Foreign and Commonwealth Secretary on 29 October 1985 at column *450*, and the United Kingdom has had an embargo on all new defence sales to Libya since May 1984.

Mr. O'Neill: To ask the Secretary of State for Defence what assessment his department makes of the legislation of European and north American Governments that regulates the export of lethal and non-lethal military equipment.

Mr. Alan Clark: This is a matter for the Government of the country concerned. There are, in addition, international fora in which these matters are discussed.

Redundancies

Mr. O'Neill: To ask the Secretary of State for Defence what arrangements exist for making redundancy payments to *(a)* his Department's civilian staff and *(b)* service personnel.

Mr. Archie Hamilton: The arrangements for making redundancy payments to civilian staff in the Ministry of Defence are contained in the rules of the principal civil service pension scheme (PCSPS). These provide for benefits according to age, length of qualifying service and rate of pay at the time of redundancy. In the unlikely event that the benefits payable under the PCSPS amount to less than the statutory provision, staff may receive a special payment to bring them up to the level paid under the Employment Protection (Consolidation) Act 1978.

The arrangements for making redundancy payments to service personnel are determined in the light of the circumstances at the time when reductions of this kind become necessary. Under the terms that have applied in redundancy exercises in recent years, personnel have, in addition to the normal benefits which would be awarded in respect of service given, received tax-free lump sums to compensate for premature termination of career. Personnel who have not yet completed the minimum service normally necessary to qualify for an immediate pension, but who have completed at leat 12 years' reckonable service, have also been awarded an immediate

pension which is proportionate to the service given. These terms would not necessarily apply to any future redundancy scheme.

Military Training

Mr. O'Neill: To ask the Secretary of State for Defence what legislation regulates the provision of military training by British companies to foreign military forces.

Mr. Alan Clark: When such training might involve the release of United Kingdom classified information, it would be covered by the Official Secrets Acts 1911-1989.

Mr. O'Neill: To ask the Secretary of State for Defence what assessment has been made of the scale of force reductions that could result from a second round of conventional disarmament talks.

Mr. Archie Hamilton: NATO is committed to seeking further limitations on the offensive capabilities of conventional armed forces in Europe beyond those currently under negotiation at the CFE talks in Vienna, including limitations on military manpower. The high-level task force is tasked with examining what could be done; it would be premature to speculate as to the outcome.

Cancellation Charges

Mr. O'Neill: To ask the Secretary of State for Defence what cancellation charges are attached to the contracts for production and development of *(a)* the Chieftain replacement, *(b)* the first auxiliary oiler replenishment vessel, *(c)* the first type 2400 submarine, *(d)* the Rapier field standard C missile, *(e)* the Trigat medium-range anti-tank missile, *(f)* the Trigat long-range anti-tank missile, *(g)* the naval version of the EH101, *(h)* the multiple launch rocket system phase III, *(i)* the advanced short-range air-to-air missile, *(j)* the NATO identification system and *(k)* the joint tactical information distribution system.

Mr. Alan Clark: Defence contracts usually contain provisions for a contractor to be paid for work done up to the date of cancellation and reasonable additional costs arising from the cancellation. The actual payments made to a contractor in the event of a cancellation would vary accordingly to the circumstances.

Chemical Weapons

Mr. Boyes: To ask the Secretary of State for Defence which ships by ownership and type will be carrying chemical weapons from Nordenham to Johnson Island in the Pacific.

Mr. Tom King: I will write to the hon. Gentleman shortly.

Defence Arms Control Unit

Mr. O'Neill: To ask the Secretary of State for Defence what is *(a)* the current number and *(b)* the grades or ranks of staff attached to the defence arms control unit.

Mr. Archie Hamilton: The defence arms control unit consists of 18 civilian and military posts in London; in addition, there are four posts attached to the United Kingdom's delegations in Vienna and Geneva, three military and one civilian. The posts, by grade/rank and location, are as follows:

London
- 1 × Assistant Secretary (Grade 5)
- 1 × Colonel
- 3 × Principals (Grade 7)
- 3 × Lt. Colonel (one detached to the Foreign and Commonwealth Office)
- 1 × Wing Commander
- 1 × Higher Executive Officer
- 3 × Executive Officers
- 1 × Administrative Officer
- 2 × Administrative Assistants
- 1 × Personal Secretary
- 1 × Typist

Vienna
- 1 × Brigadier
- 1 × Group Captain
- 1 × Personal Secretary

Geneva
- 1 × Colonel

Equipment (Unit Costs)

Mr. O'Neill: To ask the Secretary of State for Defence when it became Government practice not to provide declassified information on the unit costs of equipment.

Mr. Alan Clark: I refer the hon. Member to the answer given to the hon. Member for Rhondda (Mr. Rogers) on 14 January 1988 at column *373*.

Military Forces (Expenditure)

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 23 July, what is the approximate total expenditure reduction that has resulted from the interim measures that have already been implemented to alter the readiness of British military forces.

Mr. Archie Hamilton: It is too early to calculate what reduction in United Kingdom defence expenditure might result from the recently implemented interim measures to alter the readiness of some alliance forces; although we estimate that it will not be substantial.

Service Units (Running Costs)

Mr. O'Neill: To ask the Secretary of State for Defence if he will place in the Library whatever information is available on the average annual running cost of *(a)* the defence arms control unit, *(b)* the Directorate General Information Technology Systems, *(c)* the equipment accounting centre, *(d)* the Royal Naval supply and transport service, *(e)* the Royal Corps of Signals, *(f)* the Royal Corps of Transport, *(g)* the Royal Army Ordnance Corps, *(h)* the Army Catering Corps, *(i)* the Royal Pioneer Corps, *(j)* the Royal Army Education Corps, *(k)* the Royal Army Medical Services, *(l)* the Royal Army Veterinary Corps, *(m)* the Army Physical Training Corps, *(n)* the Royal Army Chaplains' Department, *(o)* the General Service Corps, *(p)* the Royal Army Pay Corps, *(q)* the Women's Royal Army Corps, *(r)* the Royal Military academy Sandhurst, and *(s)* the Royal Military school of music.

Mr. Archie Hamilton: The figure for the average annual running cost of the corps and other organisations listed by the hon. Gentleman is not held in the form required and could be given only at disproportionate cost.

Mr. O'Neill: To ask the Secretary of State for Defence what is his policy regarding the release of information on the average annual running costs of service units.

Mr. Archie Hamilton: Information on the running cost of service units, as on other subjects, is given freely, provided it can be made available in the form required without disproportionate cost and without compromising security.

Peacekeeping Operations (Training)

Mr. O'Neill: To ask the Secretary of State for Defence what training in peacekeeping operations is given to *(a)* non-commissioned officers and *(b)* officers.

Mr. Archie Hamilton: Peacekeeping is one of the subjects covered in general training provided for all commissioned and some non-commissioned officers. Individuals and units to be deployed on specific peacekeeping operations receive further training and briefing appropriate to their tasks and the location and conditions in which they will be serving.

Household Division

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 23 July, whether the London tourist board has ever provided any financial assistance to assist the Household Division in carrying out its ceremonial duties.

Mr. Archie Hamilton: No.

Service Personnel

Mr. O'Neill: To ask the Secretary of State for Defence what is the approximate average number of service personnel attached to each *(a)* armoured regiment, *(b)* armoured reconnaissance regiment, *(c)* artillery regiment, *(d)* engineer regiment, *(e)* infantry battalion, *(f)* Gurkha battalion, *(g)* Army Air Corps regiment, *(h)* Tornado GR1 squadron, *(i)* Harrier squadron, *(j)* Jaguar squadron, *(k)* Nimrod squadron, *(l)* Tornado F3 squadron, *(m)* Phantom FGR2 squadron, *(n)* Hercules squadron, *(o)* VC10 squadron, *(p)* Fleet class submarine, *(q)* Oberon class submarine, *(r)* anti-submarine warfare carrier, *(s)* assault ship, *(t)* type 42 destroyer, *(u)* type 22 frigate, *(v)* type 21 destroyer, and *(w)* Leander class frigate.

Mr. Archie Hamilton: I will write to the hon. Member.

Mr. Hind: To ask the Secretary of State for Defence how many service men, of what rank and age, left the armed services in 1989; and if he will make a statement.

Mr. Archie Hamilton: The information is not available in the form requested. Statistics on outflow by age in 1989 and of outflow by rank in 1989-90 will be available shortly, at which point my noble Friend the Under-Secretary of State for the Armed Forces will write to my hon. Friend. To provide statistics by rank and age would entail disproportionate cost.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Defence if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Alan Clark: There is only one non-civil servant employed to advise Ministers within the Ministry of Defence. He is Mr. Keith Simpson, who is special adviser to the Secretary of State for Defence. It is not our practice to reveal the salaries of individual advisers, as these are individually negotiated in relation to previous outside earnings and are therefore confidential. Mr. Simpson is entitled to normal civil service rates of travel expenses and subsistence allowances. In addition, he may be provided with secretarial assistance.

Public relations advice to Ministers in the Department is provided by the chief of public relations and his staff. There are no public relations advisers in the Ministry of Defence paid by other organisations and seconded to the Government.

Trident

Mrs. Fyfe: To ask the Secretary of State for Defence by what dates GEC, Plessey, Rolls-Royce, Tarmac and Vickers Shipbuilding and Engineering Ltd. are likely to complete their contracts on the British Trident programme.

Mr. Alan Clark: These companies are involved with a very large number of Trident-related contracts. Their forecast completion dates extend over a significant period, and a number will not complete until the late 1990s.

HMS Invincible

Mr. Simon Hughes: To ask the Secretary of State for Defence if he will list all the mayors and officials of London boroughs who were invited to functions connected with the visit of HMS Invincible to London in June.

Mr. Archie Hamilton: I assume that the hon. Gentleman is referring to the charity banquet held aboard HMS Invincible by the White Ensign Association. Invitations for this function were issued by the association and it is not for me to comment on its guest list.

Mr. Simon Hughes: To ask the Secretary of State for Defence if he will list all the purposes of the visit by HMS Invincible to London in June.

Mr. Archie Hamilton: HMS Invincible's visit to London was a normal port visit providing rest and recreation to the ship's crew. While in London the ship was able to provide a venue for a charity banquet organised by the White Ensign Association.

Research Projects

Mr. Simon Hughes: To ask the Secretary of State for Defence if he will list, by college, all those research projects funded by his Department currently under way in each of the Welsh university colleges.

Mr. Kenneth Carlisle: It is not our policy to provide details of individual research arrangements.

Mr. Simon Hughes: To ask the Secretary of State for Defence what contracts and agreements currently exist between his Department and universities and other institutions of higher education for research related to the verification of arms control treaties by seismology.

Mr. Kenneth Carlisle: The MOD has no contracts or agreements for seismology research. There are arrangements for the acquisition of seismological data for research purposes.

Nuclear Submarines (Tilbury)

Mr. Simon Hughes: To ask the Secretary of State for Defence what recent representations he has received from *(a)* the port of Tilbury authorities and *(b)* Thurrock borough council in respect of the possible use of the port of Tilbury by Royal Navy nuclear-powered submarines; and if he will make a statement.

Mr. Archie Hamilton: None. I have nothing further to add to the answer that I gave the hon. Member for Bow and Poplar (Ms. Gordon) on 5 May 1989 at column *277*.

Royal Navy Vessels (London)

Mr. Simon Hughes: To ask the Secretary of State for Defence if he will publish a list of all Royal Navy vessels which have visited the port of London since 1 January 1989, giving their date of arrival, date of departure and details of moorings.

Mr. Archie Hamilton: I will write to the hon. Gentleman.

Mr. Simon Hughes: To ask the Secretary of State for Defence if he will list all open days, by ship, which have taken place on Royal Navy ships visiting London since 1 January 1986.

Mr. Archie Hamilton: Records of days on which HM ships are open to the general public are not kept. However, the Ministry of Defence is unaware of any such open days held in the port of London in the period specified.

Defence Byelaws

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if he will make a statement about the application of defence byelaws to footpaths and common land.

Mr. Archie Hamilton: Byelaws made under section 14(1) of part II of the Military Lands Act 1892 can interfere with highways only in exceptional circumstances, such as when the subject land includes a range danger area. The Secretary of State for Defence is then empowered to make byelaws which, given the consent of the responsible highways authority, can temporarily divert or restrict the use of highways and stop up or divert footpaths crossing or running inconveniently or dangerously close to such land. As for common land, no byelaws may be made under section 14(1) of part II of the Military Lands Act 1892 which take away or prejudicially affect any right of common.

Mr. Cohen: To ask the Secretary of State for Defence if he will list all military lands byelaws made by his Department that cover common land.

Mr. Archie Hamilton *[holding answer 23 July 1990]:* A recent review of our records suggests that the following byelaws made under the Military Lands Act 1892 cover areas of common land in use for military purposes:

RAF Greenham Common Byelaws 1985
Sennybridge Training Area Byelaws 1974
RAF Fylingdales Byelaws 1987
The Warcop Principal Training Area Byelaws 1981
Surrey Commons Military Lands Byelaws 1978
Aldershot and District Military Lands Byelaws 1976
Willsworthy Range Byelaws 1980
Okehampton Range Byelaws 1980
Merrivale Range Byelaws 1979
Strensall Common Byelaws 1972

Press Officers

Dr. Thomas: To ask the Secretary of State for Defence how many press officers are employed by his Department.

Mr. Kenneth Carlisle: There are a total of 221 posts on the strength of the defence public relations staffs. These include staff in the single service command headquarters and in central staffs in the MOD. Latest available figures show there to be 207 staff in post and 14 vacancies. These figures include administrative support staff.

International Military Services Ltd.

Dr. Thomas: To ask the Secretary of State for Defence if he will list the countries in which International Military Services Ltd. has traded since its inception; and if he will outline the extent to which its trading activity is supervised by officials of his Department.

Mr. Alan Clark: Although a wholly owned MOD company, IMS Ltd. operates, like any other company, on a commercial basis. It has, however, been the policy of successive Administrations not to give details of defence export business with specific countries.

Nerve Gas

Mr. Boyes: To ask the Secretary of State for Defence, further to his oral answer of 17 July, *Official Report*, column 850, if he is now able to provide the information on the date of the proposed movement of stocks of nerve gas from Nordenham through the English channel and the contingency plans which exist in case of accident.

Mr. Tom King: I will write to the hon. Gentleman shortly.

NATIONAL FINANCE

Government Spending

Mr. Dewar: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* a table restating table B2 of Cm. 1021 on the basis of the 1989 White Paper's departmental groupings.

Mr. Norman Lamont: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of the letter in the Library.

Mr. Dewar: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* a table analysing at sub-programme level the classification changes and other

changes underlying table B2 of Cm. 1021's summary of the differences between the 1989 White Paper's plans for 1989-90, together with parallel figures for the difference between the 1989 White Paper's plans for 1989-90 and the latest available outturn figures for that year.

Mr. Norman Lamont: The information requested could be obtained only at disproportionate cost.

Taxpayers

Mrs. Beckett: To ask the Chancellor of the Exchequer how many *(a)* working and *(b)* non-working people do not pay tax.

Mr. Ryder: Available estimates for 1990-91 are given in the table. They are based on a projection of the 1987 family expenditure survey and are provisional.

Single people and married couples not liable to tax in 1990-91

	millions
Single people:	
in employment	1·0
out of employment	6·5
Married couples:	
Both in employment	0·2
one partner in employment	0·5
neither partner in employment	2·4

Private Medical Insurance

Mrs. Beckett: To ask the Chancellor of the Exchequer what is the current estimated cost to his Department in 1990-91 of tax relief on private medical insurance; how many people benefit; and what proportion of these are estimated already to have private medical insurance.

Mr. Ryder: Tax relief on private medical insurance for the over-60s is estimated to cost about £40 million in 1990-91. This estimate is based on the assumption that about 600,000 individuals with 330,000 policies will benefit. It is also assumed that about 90 per cent. of these initial beneficiaries already have private medical insurance.

Savings

Ms. Abbott: To ask the Chancellor of the Exchequer how much a person would have to have in savings at current interest rates to generate income of *(a)* £3,000 per year and *(b)* £5,000 per year; how many people have savings at these levels; and how many of them are pensioners.

Mr. Ryder: Savings of £20,450 and a gross interest rate of 11 per cent., the current rate of return on a 90 day building society investment account of between £10,000 and £25,000, would yield income of £2,250 in 1990-91, the equivalent of £3,000 gross to a basic rate taxpayer. The corresponding level of savings for an income of £5,000 gross would be £32,600 with a gross interest rate of 11·5 per cent.

Estimates of the number of people with investment income (including interest on savings) of *(a)* more than £3,000 and *(b)* more than £5,000, in 1990-91 are given in the table.

Gross investment income, 1990-91 £	*Aged under 65 (millions)*	*Aged 65 and over (millions)*	*Total (millions)*
More than £3,000	1·5	1·1	2·6
More than £5,000	0·9	0·7	1·6

Estimates are based on a projection of the 1987-88 survey of personal incomes and are provisional. These estimates are subject to a large degree of uncertainty since some investment income on which tax is deducted at source is not reflected in the survey.

Mortgage Tax Relief

Mrs. Beckett: To ask the Chancellor of the Exchequer what is the cost to his Department in mortgage tax relief of *(a)* a 1 per cent. increase in mortgage lending rates, *(b)* the cumulative cost since mortgage rates began to rise in June 1988 up to the end of 1989-90 and *(c)* the estimated cost in 1990-91.

Mr. Maples: An increase of 1 percentage point in the current level of mortgage interest rates would increase the annual cost of mortgage interest relief by about £550 million. The estimated additional cost of mortgage interest relief, resulting from the increases in mortgage rates above their 10 per cent. level of June 1988, was £2·8 billion up to the end of 1989-90. The cost will to a large extent have been offset by an increase in the tax yield on interest from deposits. The cost of relief in 1990-91 is estimated to be about £8 billion, taking the conventional assumption that interest rates remain at their current levels.

Pension Funds

Mr. Gareth Wardell: To ask the Chancellor of the Exchequer what are the Inland Revenue rules on the proposals by companies and pension funds seeking to encourage members to transfer their share of assets from the protection of a closed pension fund to an open fund.

Mr. Ryder: There are no Inland Revenue rules on this subject.

Cereals (Import Levy)

Sir Richard Body: To ask the Chancellor of the Exchequer what has been the highest import levy on wheat in the last 12 months; and what is the import levy on wheat on the most recent convenient date.

Mr. Ryder: In the period 25 July 1989 to 24 July 1990 the highest rate of import levy on wheat (CN Codes 10 01 10 10 and 10 01 10 90) was £137·5144 per metric tonne.

The levy rate at 24 July 1990 was £103·0138 per metric tonne.

Sir Richard Body: To ask the Chancellor of the Exchequer what is the import levy on maize at the latest convenient date and what has been the highest import levy on maize in the last 12 months.

Mr. Ryder: The import levy on maize (CN Code 10 05 90 00) at 24 July 1990 was £103·4049 per metric tonne. This levy rate was the highest in the period 25 July 1989 to to 24 July 1990.

Empty Properties

Mr. Soley: To ask the Chancellor of the Exchequer what is the percentage of properties suitable for residential use and administered by the Crown estate (i) empty for more than six months, (ii) empty for more than one year and (iii) the location of these properties in terms of the region and local authority area.

Mr. Major: I understand from the Crown Estate that of the properties administered by them that are suitable for residential use, 2·14 per cent. have been empty for more than six months and 3·63 per cent. have been empty for more than 12 months. These figures reflect both the slow-down in the residential market, and properties awaiting planned modernisation.

The properties are located as follows:

(a) regionally in Scotland, the North East, the East and West Midlands, the East, London, the South East and the South West.

(b) by local authority area in Moray, Stirling, Holderness, Huntingdon South and North Kesteven, South Holland, Hinkley/Bosworth, South Staffordshire, Huntingdon, City of Westminster, Camden, Kensington & Chelsea, Hammersmith, Hackney, Tower Hamlets, Lewisham, Windsor and Maidenhead, Hastings, Weymouth and Portland, Tunbridge Wells, Rother, Kingston, Elmbridge, West Somerset and Kennet.

Privatisation

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer (1) if he will publish a table, showing for each nationalised industry privatised over the period 1979 to 1990 or in course of being privatised *(a)* the date of the original ministerial announcement of impending privatisation, *(b)* the date of publication of a White Paper or comparable document, *(c)* the date of publication of the relevant Bill, *(d)* the date on which Royal Assent was given and *(e)* the date of the actual privatisation;

(2) if he will publish a table showing, for each nationalised industry, public corporation, trading fund or Government-owned company sold since 1979 *(a)* the fees and commissions paid by Government Departments to merchant bankers, solicitors, underwriters, advertising agencies, and like advisers and expenditure, *(b)* the estimated cost of Government and civil service manpower on these activities, *(c)* the comparable expenditure on fees and commissions paid by the said enterprises, *(d)* the estimated cost of enterprise time on these activities, *(e)* the asset value, at both historic and current cost, at the last balance sheet date prior to the sale, *(f)* the gross proceeds of the sale and *(g)* net sales proceeds to the Exchequer;

(3) if he will publish a table showing, for each nationalised industry, public corporation, trading fund or Government-owned company sold since 1979 *(a)* the name of the enterprise and the date of the sale, *(b)* the number of founding shareholders, *(c)* the number of shareholders at successive anniversaries of sale, or at the nearest available date, *(d)* the proportion of shares at each date held by the largest 10, 50 and 100 private shareholders and *(e)* the proportion of shares initially retained by the Government, and the date and percentages of subsequent disposals.

Mr. Norman Lamont: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of the letter in the Library.

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer if he will estimate the amount of subsidies paid in 1978-79 to companies privatised since 1979.

Mr. Norman Lamont *[holding answer 23 July 1990]:* The companies privatised since 1979 received subsidies of £19 million in 1978-79. This excludes capital grants and public dividend capital which, as they are not payments for current expenditure, do not fall within the national accounts or public expenditure survey definition of subsidy.

Mr. Cousins: To ask the Chancellor of the Exchequer, pursuant to the answer given to the hon. Member for Carshalton and Wallington (Mr. Forman) on 18 July, *Official Report*, column *590*, how much British Gas Employee Share Trustees Ltd., would have saved if the shares in British Gas had been sold to them at a price equivalent to that at which they were sold to S. G. Warburgs.

Mr. Norman Lamont: The price at which shares were sold to British Gas Employees Share Trustees Ltd. was halfway between that at which they would otherwise have had to buy in the market and the price achieved by the Treasury in the bought deal with Warburgs. Both sides therefore benefited equally from the sale to the extent of some £300,000.

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will publish a table showing, for each nationalised industry, public corporation, trading fund or Government-owned company sold since 1979 in cases where a golden share existed at the time of sale *(a)* the name of the enterprise and the date of the sale, *(b)* the principal eventualities against which that golden share was designed to safeguard, *(c)* the expiry date and the date on which the golden share has been retired and *(d)* restrictions on the size of shareholdings, or on the nationality of shareholders, including how these have changed over time; and if he will place in the Library copies of relevant documentation under *(b)*, *(c)* and *(d)*.

Mr. Norman Lamont: I have today placed in the Library details of the Government's special shares in privatised companies. The memorandum and articles of association of the relevant companies may be obtained from Companies House or the companies themselves.

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will publish a table for 1989-90 outturn and 1990-91 year to date, comparable with table 21.5.13 of Cm. 1021.

Mr. Norman Lamont: Outturn figures for net privatisation proceeds in 1989-90 are given in the table. Figures for 1990-91 will be reported in the usual way. The target for net proceeds in 1990-91 is £5 billion.

Net privatisation proceeds 1989-90

Company	*£ million*
British Gas plc—redemption of debt	800
British Petroleum plc—sale of shares (third instalment)	1,367
British Steel plc—sale of shares (second instalment)	1,285
British Telecommunications plc—loanstock	92
Forestry Commission	14
Rover	150
Short Brothers	30
Water plcs—sale of shares	493

Company	£ million
Miscellaneous[1]	−7
Total	4,224

[1] Includes expenses which cannot be netted off the associated sale because they arose in a financial year in which there were no proceeds from the sale.

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will publish *(a)* a table of financial targets published for the nationalised electricity, gas, telecommunications and water industries in the period 1978 to 1990, indicating both revisions and outturns against targets and *(b)* a similar table for external financing limits.

Mr. Norman Lamont: To provide a table with all the information requested would involve disproportionate cost. Some of this information is, however, readily available in public expenditure White Papers, cash limit outturn White Papers and the individual industries' annual reports and accounts.

Civil Service Pay

Mr. Alfred Morris: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 July, *Official Report*, column 461, if he will list the reduction in pay levels in home civil service pay to take account of pensions in each of the years *(a)* 1960, *(b)* 1964, *(c)* 1969, *(d)* 1971, *(e)* 1973, *(f)* 1974 and *(g)* 1978.

Mr. Major: This information can be provided only at disproportionate cost.

Mortgage Interest Relief

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of *(a)* the annual cost to the Exchequer of mortgage interest relief at current interest rates and *(b)* the proportion of those paying national insurance contributions having a mortgage.

Mr. Maples: In 1990-91 the estimated cost of mortgage interest relief is about £8 billion. An estimated 48 per cent. of those paying national insurance contributions have a mortgage.

Income Tax

Mr. Alison: To ask the Chancellor of the Exchequer if he will list the percentage proportion of the total yield of income tax in the year 1989-90, or the latest available year, accounted for by *(a)* taxpayers at the top rate of 40 per cent., and *(b)* taxpayers at the standard rate with gross incomes broadly equivalent to half, one, one and half, two and three times average earnings.

Mr. Major: It is estimated that in 1990-91 the income tax liability of higher rate taxpayers will represent 35 per cent. of total income tax liability. The percentage of total tax liability resulting from basic rate taxpayers with gross incomes broadly equivalent to half, one, one and a half, two and three times average earnings would depend on the size of the income bands assumed.

Mr. Alison: To ask the Chancellor of the Exchequer what would be the yield in a full year under the tax regime applying in the latest available year, if the top tax rate of 40 per cent. had been raised to 100 per cent. on the assumption that those with incomes liable to taxation at 40 per cent. had taken no precautionary or offsetting steps to mitigate the extra impost.

Mr. Major: The yield in a full year at 1990-91 levels of income of increasing the top rate of income tax from 40 per cent. to 100 per cent. is estimated to be just under £18 billion.

The estimate takes no account of any behavioural effects that might result from such an increase.

Economic and Finance Council

Mr. Hanley: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Major: The Economic and Finance Council met in Brussels on 23 July. I represented the United Kingdom.

The Italian presidency outlined its objectives for the Council over the next six months. These will include preparation for the forthcoming intergovernmental conference on EMU, progress in the investment services, money laundering and capital adequacy directives, agreement on VAT and excise systems by the end of the year with a further discussion of the coverage of VAT rates, a further effort to strengthen mutual assistance in direct taxation, discussion of taxation in relation to the environment and transport, and consideration of a revision of the financial perspectives to take account of German unification. Economic and monetary union was discussed and I outlined our proposals for progress beyond stage one. It was agreed that these should be remitted to the monetary committee for further study. The German Finance minister, Herr Waigel, gave a short report on German economic, monetary and social union. The President of the Commission, Mr. Delors, gave an account of his recent visit to the Soviet Union.

The Council had an exchange of views on the Commission's latest proposals for VAT systems and for raising travellers' allowances. The Council will return to these subjects in October. The Commission asked for further discussion of excise rates at the October meeting and promised to table proposals on excise systems and structures before the end of September.

Finally a convention was signed which will provide a mechanism for solving transfer pricing disputes between tax authorities. This formed part of the package of three tax measures to encourage cross border co-operation which was agreed at the meeting of the Council on 11 June.

Tax Inspectors

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is the latest estimate of the amount of revenue brought in by each tax inspector in a year; and what is their average salary.

Mr. Ryder *[holding answer 23 July 1990]:* The receipts for inspectors of taxes cannot be separately identified. Taking all Inland Revenue employees, excluding valuation office staff not employed on taxes work, the tax receipts per employee for the year 1988-89—the most recent year for which figures are available—amounted to £1·12 million per head, with an additional £474,000 per head in national insurance contributions collected. For that year, the average salary of Inland Revenue staff was about £10,500.

Tax and National Insurance

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is the average individual cumulative gain *(a)* in current prices and *(b)* in 1990-91 prices to those earning (i) £5,000, (ii) £10,000, (iii) £15,000, (iv) £20,000, (v) £25,000, (vi) £30,000, (vii) £40,000, (viii) £50,000, (ix) £60,000 and (x) £70,000 as a result of changes in taxation and national insurance since 1979.

Mr. Maples *[holding answer 23 July 1990]:* Estimates of the annual change in liability resulting from the changes in income tax rates, allowances, and thresholds and national insurance contribution rates and limits are in the table. The estimates are based on a provisional 1990-91 income base projected from the 1987-88 survey of personal incomes. National insurance contribution limits for 1978-79 have been indexed by the change in the RPI between October 1977 and October 1989. The 1978-79 income tax regime has been indexed to 1990-91 levels by reference to the statutory formula and allowing for independent taxation. The comparisons shown in the table between these indexed regimes and the 1990-91 tax and NIC regimes therefore reflect budgetary changes in rates and allowances, but not (i) any changes since 1978-79 in the definition of the income tax base nor (ii) the introduction of independent taxation.

For the purposes of these calculations, the indexed 1978-79 income tax and NIC regimes have been directly applied to the 1990-91 income base. In practice, retention of these regimes, indexed as appropriate, for the intervening years would have led to changes in the income base.

Average reduction in income tax and national insurance contributions per individual[1] in 1990-91 compared with 1978-79 indexed regime

Range of individual's income in 1990-91 (£)	*Average reduction at 1990-91 prices (£)*
Under 5,000	170
5,000 to 10,000	340
10,000 to 15,000	520
15,000 to 20,000	640
20,000 to 25,000	890
25,000 to 30,000	1,310
30,000 to 40,000	1,990
40,000 to 50,000	3,790
50,000 to 60,000	6,720
60,000 to 70,000	10,110
Over 70,000	31,690
Total	760

[1] Individuals paying either income tax or NIC under the 1978-79 indexed regime.

Local Authority Expenditure

Mr. Dewar: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* tables for the financing of local authority expenditure separately in England, Scotland, Wales and Northern Ireland which are directly comparable with the United Kingdom table printed as table 21.4.13 of Cm 1021.

Mr. Norman Lamont: Data are not held in a form which allows the disaggregation of table 21.4.13 of Cm 1021 across territories. Consequently it is not possible to provide analyses directly comparable to this table except at excessive cost. However, much of the information requested is contained in a slightly different form in:

i. Local Government Financial Statistics England
ii. Scottish Local Government Financial Statistics
iii. Welsh Local Government Financial Statistics
iv. Northern Ireland Annual Abstract of Statistics

These are published annually by the Department of the Environment, the Scottish Office, the Welsh Office and the Department of Finance and Personnel, Northern Ireland respectively and are obtainable from the Library.

Mr. Dewar: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* tables for the financing of local authority expenditure in England, Scotland, Wales, Northern Ireland and the United Kingdom, in a form comparable to table 21.4.13 of Cm. 1021, but analysing the financing of local authority expenditure as in table 21.4.6, and not the financing of local authority expenditure on a national accounts definition.

Mr. Norman Lamont: The table shows the financing of local authority expenditure as defined in table 21.4.6 of Cm. 1021 for the United Kingdom:

	1984-85 £ million	*1985-86 £ million*	*1986-87 £ million*	*1987-88 £ million*	*1988-89 £ million*
Grants in aggregate Exchequer finance	13,320	13,230	14,130	15,170	15,623
Other grants	6,250	6,575	7,203	7,575	7,235
Rates (net of all rebates)	12,953	13,881	15,702	17,120	18,904
Trading surpluses, interest and dividend	1,188	1,210	1,355	1,407	1,690
Rents	2,871	3,089	3,055	3,042	3,006
Borrowing from central Government (PWLB)	3,329	5,752	5,723	4,089	4,941
Borrowing from other sources	−943	−4,078	−5,574	−2,801	−4,492
Other receipts	−379	−243	408	−984	−140
Total income	38,589	39,416	42,002	44,618	46,767

The footnotes in table 21.4.13 of Cm. 1021 still apply except that "other grants" excludes the repayment of VAT and "other receipts" excludes the imputed income from non-trading capital.

As for a territorial breakdown I refer the hon. Member to my answer to his previous question about table 21.4.13.

Mr. Dewar: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* a table showing reconciliations for England, Scotland and Wales between local authority current expenditure as in Table 21.4.8 of Cm. 1021 and the respective aggregate expenditure for grant purposes in successive Revenue/Rate Support Grant Orders.

Mr. Lamont: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy in the Library of the House.

Medicines Control Agency

Mr. Rost: To ask the Chancellor of the Exchequer in what ways the relationship of the Medicines Control Agency with the Treasury differs from that of the former medicines division of the Department of Health.

Mr. Norman Lamont: None, as the Medicines Control Agency remains part of Department of Health.

National Accounts Adjustments

Mr. Dewar: To ask the Chancellor of the Exchequer, if he will publish in the *Official Report* tables showing, separately for England, Scotland, Wales, Northern Ireland and the United Kingdom, the composition of the national accounts adjustments in table 21.4.13 of Cm. 1021.

Mr. Norman Lamont: The data for the components of the national accounts adjustments are not held in a form which permits a disaggregation of the adjustments across territories, except at excessive cost. However, there is no reason to believe their territorial breakdown is disproportionate to the composition of local authority expenditure. The table sets out the principal components of the national accounts adjustments shown in table 21.4.13 of Cm. 1021:

£ million

	1984-85	*1985-86*	*1986-87*	*1987-88*	*1988-89*
Capital Consumption	1,273	1,354	1,469	1,555	1,657
VAT refunds	982	1,063	1,280	1,261	1,410
Company Securities	5	14	71	177	128
Others	225	469	251	442	−215
Total	2,485	2,900	3,071	3,435	2,980

The nature of these adjustments is explained in appendix C of Cm. 1021.

British Gas

Mr. Cousins: To ask the Chancellor of the Exchequer, pursuant to the reply given to the hon. Member for Carshalton and Wallington (Mr. Forman) on 18 July, *Official Report*, column *590*, how many market makers were selected to tender for the 54,000,000 British Gas shares sold to S. G. Warburg and Co.; and whether any higher, if conditional, tender was received.

Mr. Norman Lamont: Four market makers, including S. G. Warburg and Co. Ltd., were invited to bid for the shares. No higher tender was received than from Warburgs although an equal, but conditional, bid was received from one other bidder. In those circumstances, the Government accepted the unconditional bid.

Nationalised Industries

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will publish a table showing for each organisation which was classified as a nationalised industry in the 1980 public expenditure White Paper, or has been so classified in a subsequent White Paper, the employment of that organisation as at 31 March 1979 and at each successive 31 March up to 1990.

Mr. Norman Lamont: The information requested is readily available in the individual industries' annual reports and accounts.

Indirect Taxes

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will publish figures showing, for 1987, indirect taxes as a percentage of disposable income for each quintile group of non-retired households ranked by original income, on the same basis as in table G on page 95 of "Economic Trends" No. 422, December 1988.

Mr. Maude: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of the letter in the Library.

Child Care

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate the cost of introducing a tax allowance for child care costs, set against the taxable income of the mother, equal to £50 per week *(a)* per family with children under the age of 16 years and *(b)* per family with at least one child under the age of five years, giving the numbers of each who would benefit from such an allowance.

Mr. Maude: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of the letter in the Library.

Inflation

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will list for each month since 1979 *(a)* retail prices index inflation, *(b)* inflation excluding mortgage interest rates, *(c)* inflation excluding mortgage interest rates and the poll tax, or equivalent, *(d)* the average inflation rate for the European Economic Community and *(e)* the average inflation rate for those countries currently full members of the exchange rate mechanism.

Mr. Norman Lamont: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of the letter in the Library.

Overseas Investment

Mr. Alan W. Williams: To ask the Chancellor of the Exchequer what was the total amount of investment overseas by British companies in each financial year from 1978-79 to the present.

Mr. Norman Lamont *[holding answer 25 July 1990]:* Figures on overseas direct investment by United Kingdom companies over the period 1978-79 to 1989-90 are as follows:

United Kingdom direct investment overseas (including miscellaneous)

	£ million
1978-79	4,236
1979-80	6,123
1980-81	4,821
1981-82	5,631
1982-83	4,888
1983-84	5,132
1984-85	7,713
1985-86	5,931
1986-87	13,559
1987-88	21,196
1988-89	22,973
1989-90	17,142

Source: Economic Trends.

EC Payments

Mr. Bob Cryer: To ask the Chancellor of the Exchequer if he will list the net amounts paid to the EEC for each year from 1979; and what is the estimated amount to be paid in 1990.

Mr. Ryder: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of the letter in the Library.

Marginal Tax Rates

Mrs. Beckett: To ask the Chancellor of the Exchequer how many people face marginal tax rates, both including and excluding social security, of *(a)* over 40 per cent., *(b)* over 50 per cent., *(c)* over 60 per cent., *(d)* over 70 per cent., *(e)* over 80 per cent., *(f)* over 90 per cent. and *(g)* over 100 per cent.: (i) now and (ii) in each year since 1978-79.

Mrs. Gillian Shephard: I have been asked to reply.

Information up to 1989-90 was provided in my reply to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 16 March at columns *400-01*. Estimated numbers facing marginal deduction rates including social security, in the specified ranges for 1990-91 are shown in the table.

Rates	[1] *1990-91 thousands*
100 per cent. and over	—
90-99 per cent.	40
80-89 per cent.	170
70-79 per cent.	200
60-69 per cent.	10
50-59 per cent.	[2]—
40-49 per cent.	130

[1] Projection based on 1985, 1986 and 1987 FES uprated to 1990-91 levels and incorporating DOE guideline community charges announced in January 1990 and including the effect of Community Charge Benefit.

[2] Denotes an estimate of fewer than 2,500.

Excluding social security and national insurance, no taxpayers experience marginal deduction rates of more than 40 per cent.

AGRICULTURE, FISHERIES AND FOOD

Set-aside Scheme

Mr. Bellingham: To ask the Minister of Agriculture, Fisheries and Food to what areas outside the existing pilot scheme in East Anglia he intends to extend the agricultural set-aside scheme.

Mr. Curry: I assume that my hon. Friend is referring to the countryside premium scheme for set-aside land, currently operated by the Countryside Commission in seven eastern counties of England. The question of extending the present scheme would be a matter for my right hon. Friend the Secretary of State for the Environment.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will make an announcement on the arrangements for the third year of the set-aside scheme; and if he will make a statement.

Mr. Gummer: My right hon. Friends and I have reviewed the workings of this scheme in the light of the experience of its first two years. Our policy is that the scheme, which has as its primary purpose the reduction of surplus production of cereals and other crops, should protect the environment and should, where possible, go further and lead to environmental improvements. In general we favour integrating, so far as possible, environmental measures into agricultural policy. We have therefore decided to make a number of amendments to the scheme for 1990-91 and subsequent years.

First, we have decided to require the plant cover on fallow set-aside land to be cut twice a year instead of once as at present with suitable time gaps between cuts. This should achieve an improvement in the appearance of such land.

Secondly, we are extending the list of environmental features that farmers participating in the scheme will have to maintain and protect to include stone walls, vernacular buildings, unimproved grassland, moorland and heath.

Thirdly, we have decided to introduce a limited grazed fallow option. Under this farmers who kept livestock in the base year 1987-88 will be able to graze animals on fallow land up to a limit of the number of livestock units on the holding in the base year. We have also agreed to allow producers of deer or goats to graze these animals on their fallow set-aside land up to a limit of one livestock unit per hectare if they did not have livestock in the base year. This will be of benefit to fibre producers. I am aware that some farmers have in the past been concerned about the possible effects of a grazed fallow option on upland livestock producers, but this limited provision should allay their fears while being very positive environmentally.

Fourthly, equivalent changes will be made to the Countryside Commission's countryside premium scheme which offers additional aid on suitable set-aside land in seven eastern counties for management practices designed to achieve specific environmental and recreational benefits. This will be helpful in the re-creation of wildlife habitats.

The Government have also decided to increase the rates of aid for permanent fallow and rotational fallow, partly to offset the increased costs arising from the new management rules.

New entrants to the scheme will receive the higher rates and will be bound by the new management rules. Existing

participants may also opt to observe the new management rules and receive an appropriate adjustment to rates. Those wishing to continue to observe the old rules may do so but will be paid at existing rates of aid.

The revised rates for permanent and rotational fallow are as follows:

Permanent fallow	*LFA*	*non-LFA*
(i) new participants	202	222
(ii) existing participants under new rules	190	210
(iii) existing participants under old rules	180	200
Rotational fallow		
(i) new participants	182	202
(ii) existing participants under new rules	170	190
(iii) existing participants under old rules	160	180

The rate of aid for grazed fallow will be approximately half the permanent fallow rate. We have also decided to introduce differential rates of aid in order to reflect better the savings made in the setting aside of large proportions of land on larger farms. Farmers who set aside to fallow more than 100 hectares of land and more than 75 per cent. of their area eligible for set-aside will receive lower rates of payment on the hectarage above 100 ha.

Application forms and explanatory literature will be available from local offices of Agriculture Departments on 27 August 1990. All applications should be submitted by 30 September 1990.

An amending statutory instrument incorporating these changes into the existing legislation will be laid before Parliament.

I have placed in the Library a detailed guidance note providing information on the new rules of the scheme.

Horsemeat Products

Mr. Bowis: To ask the Minister of Agriculture, Fisheries and Food what steps are taken to alert consumers to the horsemeat products imported to the United Kingdom; and if he will make a statement.

Mr. Maclean: Horsemeat and horsemeat products are covered by the provisions of the Food Safety Act 1990 and the Food Labelling Regulations 1984. Under the Food Safety Act it is an offence to offer for sale any food that is falsely described or labelled, advertised or presented in a way that is likely to mislead as to its nature, substance or quality. Under the Food Labelling Regulations horsemeat products have to indicate clearly that they contain horsemeat so that consumers are aware of this fact.

Export Subsidies

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what is the total amount spent by the European Commission in export subsidies on agricultural products for each year since 1980; and how much was spent in respect of wheat for each of those years.

Mr. Curry: The expenditure charged to the Community budget on export refunds on agricultural products, excluding refunds on exports for food aid, and on wheat —grain and flour—for each year since 1980 is as follows:

(in mecu)

	Export refunds on agricultural products	*Export refunds on wheat*[1]
1980	5,695	n/a
1981	5,209	n/a
1982	5,054	n/a
1983	5,560	809
1984	6,619	492
1985	6,716	478
1986	7,409	692
[2]1987	9,115	1,662
[3]1988	9,686	1,228
1989	9,633	1,157

[1] Expenditure on wheat not separately available before 1983.
[2] Refers to expenditure incurred in a 10-month period (1 January-31 October 1987).
[3] Refers to expenditure incurred in an 11½-month period (1 November 1987-15 October 1988).
Source: EAGGF annual reports.

Wheat

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what was the total domestic consumption of home-grown wheat in the latest convenient 12-month period.

Mr. Curry: The latest MAFF estimate of total consumption of home-grown wheat within the United Kingdom for the marketing year ended on 30 June 1990 is 10·68 million tonnes.

Pesticides

Mr. Skinner: To ask the Minister of Agriculture, Fisheries and Food what progress he has made on the review of pesticides; and if he will make a statement.

Mr. Maclean: Companies have been required to submit details of data held in support of all pesticides approved prior to 1981. The Advisory Committee on Pesticides has considered the priority to be given to each one and an ordered list will be published shortly.

Tuna

Mr. Morgan: To ask the Minister of Agriculture, Fisheries and Food when he proposes to meet his counterparts in the European Community regarding the banning of imported tuna caught with dolphin by-catches.

Mr. Curry: I have no plans at present. The United Kingdom fully supported the Community's endorsement of the United Nations resolutions against indiscriminate large-scale pelagic drift netting which involved the incidental take of dolphins. Further, the United Kingdom supported this resolution at the recent meeting of the International Whaling Commission. Tuna fishing does not necessarily involve incidental take of dolphins and I am aware that some tuna products are advertised as having been obtained from fisheries that have not involved by-catches of dolphins.

Whales and Dolphins

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food whether he has made representations to his counterpart in the Danish Government concerning the recent slaughter of whales and dolphins in the Faroe Islands.

Mr. Curry: When the International Whaling Commission met this July I again made plain my concern to the Danish authorities about the traditional pilot whale hunt in the Faroe Islands, particularly in relation to improving the humaneness of the hunt.

Dairy Products

Mr. Alfred Morris: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the effect for New Zealand's dairy farmers of the decision taken by the European Commission on 19 July to raise export restitutions on dairy products.

Mr. Curry: It is for the New Zealand Government to assess the likely effect on New Zealand dairy farmers.

Mr. Alfred Morris: To ask the Minister of Agriculture, Fisheries and Food, in the light of the current state of the international dairy market and the negotiations now taking place in Geneva on the general agreement on tariffs and trade Uruguay round, if he will make a statement on the reasons for the decision taken by the European Commission on 19 July to raise export restitutions on dairy products.

Mr. Curry: The Commission acted on its own authority and without consulting member states. We had, however, made it clear on earlier occasions that we were opposed to an increase in export refunds in the dairy sector at this time. The world dairy market is already depressed as a result of declining demands coupled with increasing production and low-priced eastern European exports which have not previously played a significant part in the market. Clearly increasing the level of subsidised exports from the Community is not the right way to tackle our underlying problem of overproduction.

Public Footpaths

Mr. Andrew F. Bennett: To ask the Minister of Agriculture, Fisheries and Food what steps are taken in calculating set-aside payments to take into account public footpaths along the side of or across a field; and by how much a payment varies, between a field of given acreage with a footpath and a similar field without a footpath.

Mr. Curry: Areas of fields not cropped because of farm tracks, pylons, footpaths or broad margins amounting to more than 0·1 of a hectare are not eligible for set-aside payments. Taking the example described, a field without footpaths would contain a slightly higher proportion of land eligible for set-aside and would therefore receive a slightly higher payment than a field of similar size with footpaths amounting to more than 0·1 of a hectare.

Agricultural Dwellings

Mr. Soley: To ask the Minister of Agriculture, Fisheries and Food (1) what action he intends to take to ensure that the Ministry's duty as an independent adviser to local authorities on proposals for agricultural dwellings is not compromised by the commercial advice given by the Agricultural Development Advisory Service;

(2) what action he intends to take to ensure the independence of the Ministry's assessment of the financial viability of proposals for agricultural workers' dwellings.

Mr. Gummer: I refer the hon. Member to the reply given to a question from the hon. Member for South Shields (Dr. Clark) on 3 July at column *493*. I have nothing further to add.

Dioxins

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will place the food surveillance results and information on the advisory level of intake for dioxins that were presented to the Toronto dioxins symposium in 1989 in the Library.

Mr. Gummer: The paper in question gave an overview of the Ministry's programme of work on dioxins in food and included interim results of a survey of levels in fish and milk. These were all below the Department of Health's guideline levels for intake of this substance through the diet.

A full account of this, and the work currently in progress, will be published as a food surveillance paper towards the end of 1991. In the meantime I am placing a copy of the symposium paper in the Library, as requested.

A more detailed consideration of the presence of dioxins in the environment, including food, may be found in pollution paper 27 "Dioxins in the Environment" published by the Department of the Environment last year.

Slaughterhouses

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of man years of his staff involved in advising on hygiene and welfare standards in abattoirs from 1983 onwards; and if he will make a statement.

Mr. Gummer: Local authorities are responsible for enforcing legislation on hygiene and welfare at abattoirs. Officers of my Department visit all abattoirs to advise on hygiene and welfare standards and, in relation to exporting premises, to ensure that Community requirements are observed. The manpower involved for each year since 1983-84 was as follows:

	Man-years
1983-84	53
1984-85	52
1985-86	56
1986-87	45
1987-88	45

For subsequent years, I refer the hon. Member to the reply given to him on 15 March at column *323*.

It is planned to devote additional resources to this work as the industry prepares for the single market.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he has now received the report on general conditions of the visit by European Community inspectors to 14 slaughterhouses in March 1989; and if he will make a statement.

Mr. Gummer: I have nothing further to add to the reply that I gave the hon. Member on 22 March at columns *736-38* and the letter that I sent to him on 23 April.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the slaughterhouses that

were visited by European Community inspectors in March 1989 and 1990; if he will indicate those which had their approvals suspended; and if he will make a statement.

Mr. Gummer: European Community inspectors visited the following slaughterhouses in England and Wales in March 1989 and 1990:

March 1989

England Wales Slaughterhouse (EWS) numbers 8, 23, 32, 44, 53, 60, 77 and 103.

March 1990

EWS 33.

On the question of suspensions, I refer the hon. Member to the reply that I gave him on 23 July.

Tuberculosis

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) what has been the actual cost of his tuberculosis eradication scheme *(a)* in general and *(b)* for badgers for each of the last 10 years; what are his estimates for future expenditure for 1990-91, 1991-92 and 1992-93; and if he will make a statement;

(2) if he will give the number of man years of those employed in his Ministry on *(a)* tuberculosis eradication in general and *(b)* tuberculosis and badgers for each of the last 10 years; and if he will make a statement.

Mr. Gummer: The information requested could be obtained only at disproportionate cost.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his answer to the hon. Member for South Shields of 5 July, *Official Report*, column *687*, how many outbreaks of tuberculosis have been recorded on a county-by-county basis for each year since 1986; if he will indicate, for each year and in each county, how many outbreaks were considered to have connections with badgers; and if he will make a statement.

Mr. Gummer: In a number of counties in the south and west of Great Britain, a significant proportion of the now confirmed cattle TB breakdowns are considered to have connections with badgers.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what percentage of cattle have contracted tuberculosis on a county-by-county basis in each of the last six years; and if he will make a statement.

Mr. Gummer: The table sets out for counties in England and Wales for the years 1986-89 the numbers of tuberculosis reactor cattle slaughtered in which tuberculosis was confirmed, expressed as a percentage of the total number of cattle in the county. Information in the form requested is not available for earlier years.

County	*1986*	*1987*	*1988*	*1989*
Avon	0·006	0·003	0·035	0·042
Bedfordshire	—	—	0·004	—
Cornwall	0·005	0·014	0·011	0·025
Clwyd	—	—	—	0·0005
Derbyshire	—	—	—	0·0005
Devon	0·0009	0·010	0·003	0·002
Dorset	—	0·004	0·003	0·002
Durham	0·008	—	—	—
Dyfed	0·002	0·001	0·003	0·002
Gloucestershire	0·010	0·025	0·024	0·019
Gwent	—	—	—	0·004
Hampshire	0·002	—	0·0008	—
Lancashire	—	0·0007	—	—
Leicestershire	—	—	—	0·0006
Lincolnshire	—	—	—	0·002
Norfolk	0·002	—	—	—
Northumberland	—	—	0·0005	—
Powys	0·002	—	—	0·0004
Somerset	0·0003	0·003	0·0003	—
Staffordshire	0·002	—	—	—
Suffolk	—	—	—	0·003
Surrey	0·006	—	—	—
West Sussex	—	—	—	0·008
Wiltshire	0·0008	0·0009	—	—
Yorkshire	0·0002	—	—	0·0002

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he will introduce, as part of his tuberculosis control programme, areas where badgers are not killed; and if he will make a statement.

Mr. Gummer: Badgers are not killed in the Gloucestershire study area and, at the time of his report, Professor Dunnet considered additional such areas to be unjustified. This possibility has been reconsidered as a means of assessing the effect of any badger control strategy with the same result.

Badgers

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many dead badgers his Ministry has received for each year since 1985; and if he will indicate the causes of their death where known.

Mr. Gummer: The vast majority of badger carcases submitted by the public were the result of road traffic accidents, but records are not kept of the cause of death. The numbers received and examined were:

	Number
1985	1,826
1986	2,060
1987	1,967
1988	2,015
1989	2,085

Committees (Disclosure of Information)

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for South Shields of 23 July, if he will place in the Library copies of the forms that members of *(a)* the Food Advisory Committee, *(b)* the Veterinary Products Committee and *(c)* the consumer panel have to sign concerning the disclosure of information from those committees.

Mr. Gummer: Members of these committees are not asked to sign forms about the disclosure of information.

Bovine Spongiform Encephalopathy

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the effect on the tuberculosis eradication programme of the extra demands on the state veterinary service resulting from BSE.

Mr. Gummer: The tuberculosis eradication programme has not been affected by the work generated by BSE.

Salmonella

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many tests in each of the last six months were undertaken for salmonella on eggs at ports of entry; how many consequently were found to include salmonella-contaminated eggs; and if he will make a statement.

Mr. Gummer: So far this year, I have received no reports of imported consignments contaminated with salmonella enteriditis or typhimurium.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will invoke article 36 of the treaty of Rome to prohibit salmonella-contaminated eggs being imported into the United Kingdom.

Mr. Gummer: As the hon. Gentleman is aware, it would be illegal to attempt to use article 36 to prohibit the import of eggs on such grounds.

Political Advisers

Mr. Cryer: To ask the Minister of Agriculture, Fisheries and Food if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Curry: There is one special adviser, Mr. R. Gueterbock, currently employed by this Department. My Department employs no public relations advisers. Mr. Gueterbock is paid by the Department, but it is not our practice to reveal the salaries of special advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential. The normal civil service rules apply to expenses. In addition, any special adviser may be provided with secretarial assistance.

Land Prices

Mr. Strang: To ask the Minister of Agriculture, Fisheries and Food what was the average price per hectare of average quality arable agricultural land in England on the latest available date; and what was the comparable price in the previous year.

Mr. Curry: Official price statistics of agricultural land do not distinguish between land uses. The bulk of arable production takes place on land grades 1, 2 and 3. The latest available average price of land, including buildings, for these combined grades sold in England is £4,370 per hectare and relates broadly to calendar year 1988; the comparable figure for 1987 is £3,555 per hectare.

Poultry Imports (Portugal)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to counter the import of poultry from Portugal in view of the incidence of Newcastle disease there.

Mr. Gummer: In the absence of harmonised Community rules, current national import conditions require that all poultry imported from Portugal is accompanied by a certificate signed by an official veterinarian confirming that there has been no case of ND in the flock of origin or any hatchery within 20km during the three months prior to export.

In addition such birds are also subject to a period of at least eight weeks post in port followed by a period of at least 12 weeks quarantine isolation under official veterinary supervision.

These safeguards have worked efficiently to prevent the introduction of ND into this country by imported poultry. There have been no outbreaks of ND in Great Britain from any source since 1984.

Rendering Industry

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for South Shields on 23 July, if he will list the dates on which he had meetings with representatives of the United Kingdom rendering industry.

Mr. Gummer: As stated in my earlier reply to the hon. Gentleman, Ministers in this Department frequently meet representatives of the rendering industry. My most recent meeting with the industry was on 11 July, and I also visited a plant belonging to one of the largest United Kingdom renderers on the same day.

Aspartame

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food when he received a dossier of documents concerning the safety and testing of aspartame from Dr. Erik Millstone of Sussex university; what action has been taken to refer them to the committees of experts; and if he will make a statement.

Mr. Gummer: My officials first received a set of documents from Dr. Millstone on 28 September 1989 and have received further documents on two subsequent occasions. All have been passed to the Department of Health to be brought to the attention of the Committee on Toxicity of Chemical in Food, Consumer Products and the Environment in connection with its current review of aspartame. Dr. Millstone has also written to me directly.

NORTHERN IRELAND

Salmon

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether fisheries conservancy board bailiffs and a scientist were authorised to remove salmon for the purpose of stripping eggs from them during the salmon seasons 1987-88, 1988-89 and 1989-90 on the Grillagh river in County Londonderry.

Mr. Brooke: No.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many reports have been received by the Fisheries Conservancy Board of poaching and illegal salmon stripping on the Grillagh, Clady and Maine rivers since November 1988; and what action has been taken.

Mr. Brooke: The Fisheries Conservancy Board receives a substantial number of reports, mostly oral, about poaching throughout its area of responsibility, but, as no central record of reports is maintained, it is not possible to quantify the number received in relation to specific watercourses. All reports are investigated by board staff.

In January 1989 the board received information from a local angling club that there were dead salmon in the Grillagh river. On investigation a board bailiff found a number of dead fish some of which had been cut open. Subsequently allegations were made that board staff were involved in the stripping of salmon and the illegal operation of a hatchery.

Because of the alleged involvement of its staff the Fisheries Conservancy Board referred the investigations to the Royal Ulster Constabulary for investigation. Following the submission of its report the Director of Public Prosecutions directed "No prosecution".

Data Protection

Mr. Cohen: To ask the Secretary of State for Northern Ireland how many subject access requests under the terms of the Data Protection Act his Department has received; what was his estimate of the number of requests that would be received; what consideration he is giving to the subject access fee charged by his Department as a result; and whether he will make a statement.

Mr. Cope: The Northern Ireland Office and the Northern Ireland Departments have received a total of 28 subject access requests since November 1987. The estimated number of requests was 3,800 annually. I have no plans to reconsider subject access fees.

Strangford Lough

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has to issue new leases of the foreshores of Strangford lough; and if he has any plans for its future management under a locally based democratic and representative structure.

Dr. Mawhinney: The issuing of leases of the foreshore of Strangford lough is a matter for the owners. The Crown Estate is the major owner of the foreshore.

The future management of foreshore contained in the Strangford lough area of special scientific interest is a matter between individual owners and occupiers and the Department of the Environment for Northern Ireland. The Department will consult widely regarding the formulation of management plans for Strangford lough in the context of the proposed marine nature reserve.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if he has any proposals for the leasing of the beds of Strangford lough; and what proposals there are for its future management under a democratic representative structure based within the local community.

Dr. Mawhinney: The issuing of leases of the sea bed of Strangford lough is a matter for the owners. The Crown Estate is the major owner of the sea bed. The Department of the Environment for Northern Ireland will consult widely regarding the formulation of management plans for Strangford lough in the context of the proposed marine nature reserve.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he commissioned the Queens university Belfast marine biology station in Portaferry to prepare a survey and report on a management structure for Strangford lough; whether this survey is completed; and if he proposes that this report will be made available to the public.

Dr. Mawhinney: On 9 January 1989, the Department of the Environment for Northern Ireland commissioned the Queen's university, Belfast, to carry out a study of the human and physical factors affecting Strangford lough, especially the natural resources of the lough. The final report has not yet been received. The report will not be published, but much of the material will be used as the basis for a consultation document on the future management of Strangford lough.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland on what dates he declared the area of special scientific interest (part 3) for Strangford lough; how many applicants have since been issued with consents; what is his estimate of the total remaining potential applicants; and if he will make a statement about his proposals to make this area of special scientific interest acceptable to those landowners and users who have not applied for consent.

Dr. Mawhinney: The Strangford lough (part 3) area of special scientific interest (ASSI) was declared on 21 April 1989. Thirty-five applicants have been issued with consents to carry out notifiable operations under article 25 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. It is not possible to estimate the number of remaining potential applicants. The indications are that the ASSI is gaining widespread acceptability with landowners and occupiers.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many consents have been issued by the Department under the ASSI (part 3) for Strangford lough; and how many of these consents were in respect of notifiable operations which are not such as would cause any damage to the scientific interest but which are required by article 10 of the 1989 amending order No. 492 to the Nature Conservation and Amenity Lands (NI) Order 1985.

Dr. Mawhinney: The Department of the Environment for Northern Ireland has issued 35 consents to the carrying out of notifiable operations within the Strangford lough (part 3) area of special scientific interest.

It is a legislative requirement that a single list of notifiable operations should be drawn up for each ASSI as a whole. Each of these operations has the potential to damage the scientific interest in some part of the ASSI but may not cause damage in other parts. The 35 consents to notifiable operations so far issued are for operations which will not damage the scientific interest in the locations concerned.

Accountancy Firms

Mr. Austin Mitchell: To ask the Secretary of State for Northern Ireland (1) whether he has any plans to cease using accountancy firms sued by the Government for negligence;

(2) whether he has any plans to cease using accountancy firms found to be unprofessional by the joint disciplinary scheme;

(3) whether he has any plans to cease using accountancy firms criticised by Department of Trade and Industry inspectors.

Mr. Cope: I refer the hon. Member to my previous reply on 15 January at column *17*.

The Northern Ireland Office and the Northern Ireland Departments are aware of the need, before awarding contracts, to take into account all relevant considerations and to make such inquiries as are necessary to establish the professional competence of the firm concerned. In this connection, close links are maintained with Her Majesty's Treasury and the Department of Trade and Industry and the relevant guidelines on the employment of accountants, accountancy firms and advisors are followed.

Stevens Inquiry

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many persons were arrested as a result of the Stevens inquiry; how many are (1) male and (2) female; how many have been charged with *(a)* murder, *(b)* attempted murder, *(c)* possession of arms and/or ammunition, *(d)* explosives, *(e)* membership of an illegal organisation, *(f)* collection of, or being in possession of, information relating to known or suspected terrorists and *(g)* collection of, or being in possession of, information which might be of use to a terrorist organisation.

Mr. Cope: As a result of the inquiry led by DCC Stevens, 94 persons have been arrested, of whom 59 have either been charged or reported for offences. This includes two females. The requested information on charges is as follows:

Charge	*Number of persons*
Murder	Nil
Attempted murder	Nil
Possession of arms and/or ammunition	9
Explosives	Nil
Membership of an illegal organisation	Nil
Collection, recording or possession of information likely to be useful to terrorists	29

No specific offence exists of collection of or being in possession of information relating to known or suspected terrorists. Where persons were found to be in possession of photographs and so on of known or suspected terrorists they have been charged under section 22(1) of the Northern Ireland (Emergency Provisions) Act 1978.

It should be noted that two of the nine persons charged with possession of arms and/or ammunition are also included in the 29 charged with the collection, recording or possession of information likely to be useful to terrorists.

Milk

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has to change the statutory role of the Northern Ireland Milk Marketing Board; and if he will make a statement about the future of the Milk Marketing Board.

Mr. Brooke: I have no proposals at present to change the statutory role of the Milk Marketing Board for Northern Ireland.

Boyd House, Ards Hospital

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many residents there are in Boyd house at Ards hospital; what is the demand for places at Boyd house; and if he will make a statement about the future of Boyd house.

Mr. Needham: There are 44 residents in Boyd house, with 17 people on the waiting list for admission. The organisation of services at local level is a matter for the health and social services boards. We are not aware of any proposals by the Eastern board relating to the future of Boyd house.

Community Care

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he will introduce the community care reforms in Northern Ireland; and if he will make a statement on community care.

Mr. Needham: The Government's proposals for the development of community care in Northern Ireland are as set out in the policy paper "People First", which the Department of Health and Social Services published in March 1990.

The proposed changes will, however, be introduced more slowly than originally intended. As my right hon. and learned Friend the Secretary of State for Health told the House on 18 July, the Government have decided that it would not be practicable to implement all the reforms simultaneously in April 1991. In particular, the present social security arrangements for people needing care in private or voluntary residential care and nursing homes will continue until April 1993. Since the social security system operates on a national basis, Northern Ireland will follow the new national timetable. This means that health and social services boards will not begin purchasing care on behalf of their clients in residential homes and nursing homes until 1 April 1993.

It is, however, intended to maintain the momentum on developmental work needed to turn the concept of high quality community care into a reality. The Department will be issuing a series of implementation documents on key aspects of the reforms for consultation over the next few weeks. Health and social services boards will be implementing the proposals on arm's length inspection units and complaints procedures from next April; and will have additional time to prepare thoroughly for successful implementation of the other major changes.

Irish Language

Dr. Thomas: To ask the Secretary of State for Northern Ireland what is the total funding made available by his Department each year for the maintenance of the Irish language.

Dr. Mawhinney: Irish is widely taught in schools and colleges of further education in Northern Ireland. It is also available in initial teacher training and in the universities. However, the costs of these forms of support are not held centrally.

In addition, full Irish-medium education is provided in two schools, Bunscoil Phobal Feirste in Belfast and Steelstown primary school in Londonderry. In 1989-90 the running costs for such Irish-medium education were

approximately £367,000. Capital grants have also been made in the past to the Bunscoil amounting to £443,000. A further allocation of £20,000 has been made available to Bunscoil Phobal Feirste to assist in the development and production of curriculum materials in Irish language.

Funding of Irish language projects by the central community relations unit also began last year under the cultural traditions programme and grant in the region of £90,000 was paid. Provision in the present financial year is around £200,000 including support for the Ultach trust.

In addition, funding has been provided for a project at Queen's university, Belfast to research the origins of Irish place names; funding in this financial year is £130,000.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what representations he has made to the Irish Government to release members of the Protestant minority from the need to pass examinations in Irish as a condition of public employment.

Mr. Brooke: I have not raised any matters relating to the Protestant minority in the Republic with the Irish Government. However, questions relating to the language requirement for Northern Ireland residents seeking employment in the education sector in the Irish Republic have been raised.

Mr. Corbyn: To ask the Secretary of State for Northern Ireland what are the reasons for the bans on the use of Irish in prisons *(a)* in correspondence, *(b)* during visits and *(c)* on forms; what is the average time taken to censor Irish language publications for prisoners' use; and what is the practice on the provision of opportunities for Irish sports in prisons in Northern Ireland.

Mr. Cope: I regret that in the time available it has not been possible to provide the information requested. I shall write to the hon. Member as soon as possible.

Lough Neagh

Mr. Sumberg: To ask the Secretary of State for Northern Ireland what quantity of water is abstracted by his Department each day from Lough Neagh; and what effect it has on the water level in the lough and on the flow to the lower River Bann.

Dr. Mawhinney: Water taken from the lough has no material effect on either the level of the lough or the flow to the lower Bann.

The top 25 millimetres (inch) of the lough contain some 9,500 million litres—2,000 million gallons—of water, which is equivalent to about 75 days' supply at peak demand.

The flow from the lough to the lower Bann averages some 8,000 million litres—1,750 million gallons—a day, or some 65 times the net amount abstracted for the public water supply.

The water service of the Department of the Environment for Northern Ireland currently abstracts up to 220 million litres—48 million gallons—a day from Lough Neagh.

Some 96 million litres—21 million gallons—is returned to the lough after use and treatment. The result is a net export of some 124 million litres—27 million gallons—a day.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Northern Ireland if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Cope: No one is presently employed in such a capacity.

Prisoners

Mr. Corbyn: To ask the Secretary of State for Northern Ireland whether republican and loyalist *(a)* remand prisoners and *(b)* convicted prisoners are separated in Northern Ireland prisons.

Mr. Cope: I regret that in the time available it has not been possible to provide the information requested. I shall write to the hon. Member as soon as possible.

Religious Schools

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland whether he has any proposals to grant formal constitutional or statutory guarantees to Protestant and Roman Catholic schools that they will be treated equally as envisaged in paragraph 8.51 of the report of the Standing Advisory Committee on Human Rights (Cm. 1107).

Dr. Mawhinney: As was said when the SACHR report was published on 26 June 1990, it is a document of breadth, sensitivity and complexity whose recommendations need careful consideration before any conclusions are reached.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland whether the framework granted to Roman Catholic schools with the formation of the Council for Catholic Maintained Schools will be extended to Protestant and integrated schools.

Dr. Mawhinney: The vast majority of schools in Northern Ireland, other than the voluntary grammar schools, are either controlled schools or Catholic maintained schools. Since controlled schools are in the ownership and management of the education and library boards, there is no need to establish a further body for them analogous to the Council for Catholic Maintained Schools.

There are a small number of maintained schools still in the ownership of the Protestant churches and there are seven maintained integrated schools. I have no plans at present to establish bodies analogous to the council for these schools.

Universities

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what is the number of Northern Ireland domiciled undergraduate entrants to British universities and Irish universities, outwith Northern Ireland, in each year since 1968.

Dr. Mawhinney: The information is as follows:

Academic year	British Universities	Republic of Ireland Universities
1968-69	326	359
1969-70	418	211
1970-71	508	171
1971-72	569	148
1972-73	754	106
1973-74	746	168
1974-75	674	143
1975-76	716	132
1976-77	681	154
1977-78	753	158
1978-79	764	192
1979-80	767	162
1980-81	884	131
1981-82	835	144
1982-83	813	140
1983-84	954	118
1984-85	944	118
1985-86	996	82
1986-87	1,096	99
1987-88	1,215	61
1988-89	1,288	62

Anglo-Irish Agreement

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland, pursuant to his oral answer to the hon. Member for Antrim North of 19 July, *Official Report*, column 1160, whether it remains the policy of Her Majesty's Government to consider an alternative to and a replacement of the Anglo-Irish Agreement through the present proposed negotiations, in the terms set forth in his recent letters to the right hon. Member for Lagan Valley (Mr. Molyneaux) and the hon. Member for Antrim, North.

Mr. Brooke: I am happy to confirm that the terms of my letters of 4 May to the hon. Gentleman and to the right hon. Member for Lagan Valley (Mr. Molyneaux) do indeed remain the policy of Her Majesty's Government. In the context of discussions about possible future arrangements for the government of Northern Ireland, we would give serious consideration to any implications for the agreement that such arrangements might have, and we would also consider any proposal—including any proposal for an alternative to the agreement—that would advance the underlying objectives of achieving peace, stability and reconciliation.

Ministerial Responsibilities

Mr. Maxwell-Hyslop: To ask the Secretary of State for Northern Ireland which Minister will now carry out the duties allocated to the hon. Member for Eltham (Mr. Bottomley) in the last Cabinet Office document intituled, "A List of Ministerial Responsibilities".

Mr. Brooke: I have decided that these duties will be reallocated as follows.

My noble Friend Lord Skelmersdale will assume responsibility for the Department of Agriculture. I shall myself answer in this House on agriculture matters. In the Department of the Environment, my hon. Friend the Member for Wiltshire, North (Mr. Needham) will take on responsibility for the roads service, the works service and the public record office, to add to his existing responsibilities for planning, urban affairs, the lands service and comprehensive development. My hon. Friend the Member for Peterborough (Dr. Mawhinney) will assume responsibility for housing, local government, historic monuments, conservation, environmental protection, the water service, ordnance survey, the lands registry, the registry of deeds, and transport, including the fire service.

Other ministerial duties remain unchanged. I continue to have overall responsibility for the work of the Northern Ireland Office and the Northern Ireland Departments.

Motorways

Mr. Clifford Forsythe: To ask the Secretary of State for Northern Ireland on how many miles of Northern Ireland motorways central safety barriers are *(a)* up to British and European standard and *(b)* sub-standard; and how soon the sub-standard barriers will be replaced.

Mr. Needham *[holding answer 24 July 1990]:* There are 11 miles of tensioned steel safety barriers which meet British standards on Northern Ireland's 69 miles of motorway. A contract for the provision of a further 3 miles is currently under way. The remaining 55 miles have a non-standard central earth mound barrier which is unique to Northern Ireland. A programme to replace the mound barrier with steel barriers will be completed over a number of years.

AIDS

Mr. Strang: To ask the Secretary of State for Northern Ireland what were the cumulative totals on 31 December 1987, 30 June 1988, 31 December 1988, 30 June 1989, 31 December 1989 and 30 June 1990 of *(a)* people who have died with AIDS *(b)* people with AIDS including those who have died and *(c)* HIV antibody positive persons in Northern Ireland (i) by patient characteristic and (ii) in total.

Mr. Needham *[holding answer 23 July 1990]:* The information requested is as follows:

a. People who have died with AIDS

Date	Male (cumulative)	Female (cumulative)	Total (cumulative)
31 December 1987	3	—	3
30 June 1988	3	—	3
31 December 1988	4	—	4
30 June 1989	9	—	9
31 December 1989	11	—	11
30 June 1990	13	—	13

b. People with AIDS including those who have died

Date	Male (cumulative)	Female (cumulative)	Total (cumulative)
31 December 1987	4	—	4
30 June 1988	7	—	7
31 December 1988	10	—	10
30 June 1989	13	1	14
31 December 1989	14	2	16
30 June 1990	17	2	19

c. HIV antibody-positive persons

i. By patient characteristic:

Date	Homo sexual-Bisexual	Intravenous Drug Abuser (IVDA)		Hamo philiac	Recipient of Blood		Hetero sexual		Undeter mined	
	Male	Male	Female	Male	Male	Female	Male	Female	Male	Female
31 December 1987	17	1	—	16	1	—	4	3	—	—
30 June 1988	19	1	1	16	1	—	4	4	—	—
31 December 1988	22	1	2	16	1	—	4	4	—	—
30 June 1989	26	2	3	16	1	—	5	5	1	—
31 December 1989	27	2	3	16	1	—	6	7	1	—
30 June 1990	[1]35	2	3	16	1	—	6	8	1	—

[1] 1 also IVDA
All columns are cumulative.

ii. In total

Date	Male	Female	Total
31 December 1987	39	3	42
30 June 1988	41	5	46
31 December 1988	44	6	50
30 June 1989	51	8	59
31 December 1989	53	10	63
30 June 1990	61	11	72

All columns are cumulative.

Fair Employment Commission

Mr. William Ross: To ask the Secretary of State for Northern Ireland, pursuant to his answer to the questions from the hon. Member for Londonderry, East of 18 July relating to the Fair Employment Commission, what is his estimate of the cost of answering each of those questions; and by how much this sum is over the limit allowed for the answer of a parliamentary question.

Mr. Needham *[holding answer 24 July 1990]:* Consideration must be given to the cost to public funds in terms of the time and effort required to provide an Answer. It is estimated that the cost of answering the hon. Gentleman's questions would have been in excess of £600.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list in the *Official Report* those firms and employers which are registered with the Northern Ireland Fair Employment Commission in the Moyle district council area or by reference to the postal code or codes which cover that area; and if he will indicate for each such firm and employer the number of employees.

Mr. Needham *[holding answer 24 July 1990]:* The firms listed are those in the Moyle district council area which have been registered by the Fair Employment Commission. The total number of employees is shown opposite the name of the firm.

Registered concerns in Moyle district council area

	Number of employees
Leabank Private Nursing Home 1 Beechwood avenue Ballycastle	33
Old Bushmills Distillery Co. Ltd. Bushmills Co. Antrim	136
Parkmanor Private Nursing Home Quay road Ballycastle	30
Glendun Nursing Home 16 Strandview park Cushendun Co. Antrim	40
Corrymeela Community 5 Drumaroan road Ballycastle	26
Cusick A (Contractors) Ltd. New street Armoy Ballymoney	26
North Antrim Turkeys Ltd. Processing Plant 14-16 Seneiel road Bushmills	66
Ballycastle Chamber of Commerce Community Employment Ltd. 12 Market street Ballycastle	69

Citizens Advice Bureaux

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement on the policies of the Department of Education on citizens advice bureaux in Belfast.

Dr. Mawhinney *[holding answer 25 July 1990]:* The citizens advice bureaux in Belfast, as elsewhere in Northern Ireland and indeed in the rest of the United Kingdom, are voluntary advice-giving agencies independent of the Government and I do not interfere in their operations or determine their policies.

Youth Training

Mr. Hume: To ask the Secretary of State for Northern Ireland whether any funds provided to Derry Youth and Community Workshop under the youth training programme in the last financial year are unaccounted for.

Mr. Needham *[holding answer 25 July 1990]:* The Department of Economic Development has still to receive audited accounts for 1989-90 from the workshop management committee. A recent financial inspection carried out by the youth training programme inspection team has not found any irregularities.

Community Service Grant

Mr. Hume: To ask the Secretary of State for Northern Ireland whether consideration is being given to improving community service grant aid to local authorities who face particular demands from disadvantaged areas.

Dr. Mawhinney *[holding answer 25 July 1990]:* I have no plans to increase the community services grant aid to councils, which stands at £1,935,000 this year.

The hon. Gentleman will appreciate that councils have the ability either to increase their resources from the rates or to alter their priorities in the allocation of their available resources. He can be assured that the allocation of grant to each council is made on as fair and equitable a basis as possible.

Maternity Services

Ms. Harman: To ask the Secretary of State for Northern Ireland what research his Department has funded to assess the safety or the comparative costs of delivery in *(a)* district general hospitals, *(b)* general practitioner maternity units and *(c)* at home; and if he will give the conclusions of each project funded.

Mr. Needham *[holding answer 11 July 1990]:* The Department of Health and Social Services has not funded any research in these areas in recent years, but account is taken of the results of any relevant research undertaken elsewhere.

R-plates

Mr. Colvin: To ask the Secretary of State for Northern Ireland (1) whether any research has been done on the effectiveness of the R-plate scheme for newly qualified drivers in Northern Ireland; and if he will make a statement;

(2) if he will make a statement on the use of R-plates on motor vehicles in Northern Ireland.

Mr. Needham *[holding answer 16 July 1990]:* To date no specific research has been carried out on the effectiveness of the R-plate scheme for newly qualified drivers in Northern Ireland. The R-plate scheme was introduced in Northern Ireland on 1 April 1968. This requires the newly qualified driver to display R (for restricted) plates on the front and rear of the vehicle for a period of 12 months after passing the driving test. R drivers may not exceed a speed of 45 mph. Speed limits for roads of 30 mph and 40 mph must, of course, be obeyed.

The 45 mph speed restriction allows the newly qualified driver to gain experience for one year at lower speeds and warns other drivers that the vehicle is likely to be driven by an inexperienced driver.

Royal Ulster Constabulary accident statistics show that lack of experience in the first five years of drivers and motor-cyclists is a major contributory factor in relation to responsibility for accidents. Drivers are only half as likely to be responsible for an injury accident in the first year —the R-plate year—after passing the driving test as in the second year.

Research is being commissioned to determine whether the R-plate scheme contributes to this effect.

Political Parties (Discussions)

Mr. Andrew MacKay: To ask the Secretary of State for Northern Ireland if he will make a statement on his recent discussions with political parties in the Province.

Mr. Brooke *[pursuant to his reply, 19 July 1990, c. 1157-58]:* Despite a further intensive round of exchanges, it has not yet proved possible to secure final agreement on the basis for holding political talks.

After the holiday period, when all the main potential participants should again be available, I intend to resume my efforts to resolve the outstanding issues. For that purpose I plan to hold further meetings with the political parties and with representatives of the Irish Government in September.

SCOTLAND

Bypasses (A76 and A77)

Mr. Foulkes: To ask the Secretary of State for Scotland if he will give the latest dates when he expects statutory procedures to begin on the bypasses for Mauchline and New Cumnock on the A76 and Maybole and Girvan on the A77.

Lord James Douglas-Hamilton: The road orders for the A76 New Cumnock bypass have been made and the draft compulsory purchase order was published in April 1989 and there is one objection still outstanding. It is intended to publish draft road orders for the A76 Mauchline bypass during this financial year. The options for the A77 Maybole and Girvan schemes are currently the subject of detailed investigation and no date has yet been set for the publication of draft orders.

HIV Infection

Mr. McAllion: To ask the Secretary of State for Scotland what conclusions he has drawn about the likely future incidence of HIV infection in Dundee, following the results of the project to screen pregnant women for HIV infection at Ninewells hospital; and what assessment he has made of the likely funding implications which will arise for Tayside health board.

Mr. Michael Forsyth: The results of an HIV antenatal screening study in Dundee, which is being funded by the medical research council, have not yet been fully collated and assessed, and it is, therefore, too early to draw firm conclusions from them.

It is not feasible at present to assess the likely funding implications which will arise for Tayside health board from the results of the study.

Mr. McAllion: To ask the Secretary of State for Scotland what is the instance of HIV infection in (i) men and (ii) women per 1,000 of population for *(a)* Dundee and *(b)* Scotland, in each year for which figures are available.

Mr. Michael Forsyth: Information on the incidence of HIV infection in men and women per 1,000 of population for Dundee is unavailable. The information for Scotland, based on the numbers of males and females who have been identified and reported to the communicable diseases (Scotland) unit as being HIV antibody positive, is set out in the table:

HIV antibody positive persons

	Number[1]	*Incidence per 1,000 of population*
Male		
1983	42	0·02
1984	128	0·05
1985	226	0·09
1986	307	0·12
1987	221	0·09
1988	133	0·05
1989	108	0·04
Female		
1983	10	<0·01
1984	41	0·01
1985	86	0·03
1986	135	0·05
1987	99	0·04
1988	53	0·02
1989	43	0·01

[1]Does not include 97 cases where the sex was not specified in reports.

Road Accidents

Mr. Foulkes: To ask the Secretary of State for Scotland if he will give the accident and fatal accident figures for each month of 1988, 1989 and any months of 1990 currently available for each stretch of the A77, A74 and A96, for the whole of each road, and on a directly comparable basis.

Lord James Douglas-Hamilton: The information requested for years 1988 and 1989 is provided in the following tables; figures are not available yet for 1990.

1988 and 1989 Accident Rates

				1988	[1]*1989*
A77	North of Ayr	Trunk	Dual 2 + Single 4	0·29	0·37
		Non-Trunk	Single Urban	3·04	2·70
	South of Ayr	Trunk	Single 2	0·43	0·45
		Non-Trunk	Single Urban/Rural	0·64	0·75
A74	North of M74	Trunk	Dual 2 + Single	0·46	0·15
		Non-Trunk	Single Urban	1·65	1·62
	South of M74	Trunk	Dual 2	0·15	0·19
A96	Highland	Trunk	Single	0·27	0·30
	Grampian	Trunk	Mainly Single	0·43	0·37
		Non-Trunk	Dual 2 + Single Urban	4·76	4·34

[1] Based on provisional accident figures and 1988 traffic volumes averaged over relevant section of route.

Note:

Accident rates are expressed in terms of the number of accidents per million vehicle kilometres.

1. Number of fatal accidents on A77, A74 and A96 in years 1988 and 1989

	A77									
	North of Ayr				*South of Ayr*				*Total*	
	Trunk		*Non-trunk (Glasgow)*		*Trunk*		*Non-trunk*			
	1988	*1989*	*1988*	*1989*	*1988*	*1989*	*1988*	*1989*	*1988*	*1989*
January	—	—	—	—	—	—	—	—	—	—
February	—	—	—	—	—	1	—	—	—	1
March	—	1	1	—	—	1	—	1	1	3
April	—	2	—	—	—	—	—	—	—	2
May	1	—	—	—	—	—	—	—	1	—
June	—	1	—	—	—	—	—	—	—	1
July	—	—	—	—	—	—	—	—	—	—
August	—	—	—	—	—	—	—	—	—	—
September	1	1	—	—	—	1	—	—	1	2
October	—	—	—	—	—	—	—	—	—	—
November	1	—	—	—	1	—	—	—	2	—
December	—	1	—	—	—	—	—	—	—	1
Year	3	6	1	—	1	3	—	1	5	10

	A74									
	North of M74				*South of M74*				*Total*	
	Trunk		*Non-trunk (Glasgow)*		*Strathclyde*		*Dumfries and Galloway*			
	1988	*1989*	*1988*	*1989*	*1988*	*1989*	*1988*	*1989*	*1988*	*1989*
January	—	—	1	1	1	—	1	—	3	1
February	—	—	—	—	—	1	1	—	1	1
March	1	—	—	—	—	—	—	—	1	—
April	—	—	1	1	—	—	—	—	1	1
May	—	—	—	1	1	—	—	1	1	2
June	—	—	—	—	—	1	—	—	—	1
July	—	—	—	—	—	—	—	—	—	—
August	—	—	—	1	—	2	—	—	—	3
September	—	—	—	—	1	—	1	—	2	—
October	1	—	—	—	1	—	—	—	2	—

	A74									
	North of M74				South of M74				Total	
	Trunk		Non-trunk (Glasgow)		Strathclyde		Dumfries and Galloway			
	1988	1989	1988	1989	1988	1989	1988	1989	1988	1989
November	—	—	—	—	—	—	—	1	—	1
December	—	—	—	—	—	—	—	2	—	2
Year	2	—	2	4	4	4	3	4	11	12

	A96							
	Highland Trunk		Grampian				Total	
			Trunk		Non-trunk (Aberdeen)			
	1988	1989	1988	1989	1988	1989	1988	1989
January	1	—	1	1	—	—	2	1
February	—	—	1	1	—	—	1	1
March	—	—	2	1	—	1	2	2
April	—	—	3	1	—	—	3	1
May	—	—	—	1	—	—	—	1
June	—	—	1	1	—	—	1	1
July	—	—	—	—	—	—	—	—
August	1	—	—	—	—	—	1	—
September	—	—	3	—	—	—	3	—
October	—	—	3	1	—	—	3	1
November	—	—	2	1	—	—	2	1
December	—	—	3	3	—	—	3	3
Year	2	—	19	11	—	1	21	12

2. Number of accidents on A77, A74 and A96 in years 1988 and 1989

	A77									
	North of Ayr				South of Ayr				Total	
	Trunk		Non-trunk (Glasgow)		Trunk		Non-trunk			
	1988	1989	1988	1989	1988	1989	1988	1989	1988	1989
January	11	7	7	4	1	6	—	1	19	18
February	10	6	5	5	4	4	1	—	20	15
March	7	14	13	5	3	8	1	2	24	29
April	9	8	4	8	5	4	1	1	19	21
May	4	11	9	10	5	1	1	1	19	23
June	3	14	5	16	5	2	—	—	13	32
July	10	11	8	8	5	6	1	1	24	26
August	9	14	17	7	4	6	1	—	31	27
September	3	8	9	10	5	5	—	—	17	23
October	11	12	14	7	4	7	—	—	29	26
November	11	8	10	14	8	4	—	—	29	26
December	13	16	16	10	7	6	—	1	36	33
Year	101	129	117	104	56	59	6	7	280	299

	A74									
	North of M74				South of M74				Total	
	Trunk		Non-trunk (Glasgow)		Strathclyde		Dumfries and Galloway			
	1988	1989	1988	1989	1988	1989	1988	1989	1988	1989
January	1	—	2	8	3	5	5	4	11	17
February	1	—	2	5	2	7	3	3	8	15
March	2	2	6	5	6	5	1	7	15	19
April	2	2	4	4	6	8	3	3	15	17
May	4	—	4	4	2	1	3	4	13	9
June	1	2	2	3	1	6	5	3	9	14
July	5	—	6	3	6	7	8	4	25	14
August	2	1	—	1	4	9	5	6	11	17
September	2	—	6	2	5	6	5	2	18	10
October	5	—	12	2	1	2	7	4	25	8
November	2	1	5	6	4	5	4	9	15	21
December	3	2	4	9	2	3	1	5	10	19
Year	30	10	53	52	42	64	50	54	175	180

	Highland Trunk		A96 Grampian Trunk		Non-trunk (Aberdeen)		Total	
	1988	1989	1988	1989	1988	1989	1988	1989
January	5	4	14	9	17	11	22	15
February	4	5	19	12	21	12	25	17
March	2	2	15	10	17	13	19	15
April	—	2	12	9	17	12	17	14
May	3	3	5	8	8	11	11	14
June	2	1	14	9	15	13	17	14
July	5	1	15	15	16	18	21	19
August	4	3	13	10	16	14	20	17
September	—	2	10	8	13	12	13	14
October	2	3	12	14	15	19	17	22
November	1	2	19	21	21	24	22	26
December	1	4	13	14	18	18	19	22
Year	29	32	161	139	194	177	223	209

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will announce measures to reduce the number of traffic accidents; and if he will make a statement.

Lord James Douglas-Hamilton: The Government are pursuing a wide range of measures in an effort to reduce the number of traffic accidents. These include engineering measures to improve the roads, publicity and advice to engender greater public awareness of the need for care on the roads, and legislation to improve standards of road safety behaviour.

In the last financial year, I committed £1 million to be spent specifically on low-cost accident investigation and prevention (AIP) schemes which funded 70 engineering schemes throughout Scotland. For this financial year I have committed a further £1·2 million to be spent on AIP work and to date 78 schemes have been approved throughout Scotland.

The Scottish Development Department has set up a specialist AIP team which liaises with the AIP teams also recently introduced by regional councils. Their combined efforts should play a major part in achieving the goal the Government have set of a reduction in road casualties by one third by the year 2000. Specific sites that have a bad accident record are looked at in detail with a view to undertaking low-cost engineering remedial works specifically designed to alleviate the particular problems identified. Strategies to bring improvements for routes as a whole are also being prepared.

Regional councils have been asked to set casualty reduction targets for local roads in their transport policies and programmes.

In terms of publicity, 1990 has been designated as Scottish Road Safety Year as part of efforts to tackle major areas of concern in Scotland related to speeding, drinking and driving and child pedestrian accidents. This is in addition to the Government's national campaigns and publications aimed at specific road safety issues. In May the Government announced wide-ranging proposals for the reduction of child casualties on roads, when they published the findings of the report on child pedestrian accidents and crossing behaviour in Scotland. It identified both engineering measures and educational measures aimed at adults, especially parents, and drivers, which would improve road safety. These proposals have been issued to the regional and island councils' roads, education and health service departments. It is envisaged that casualties can best be reduced through the publicity and co-ordinated responses of all these groups.

On the legislative side, responsible road user behaviour is fostered by effective and fair traffic laws. We intend to introduce legislation at the earliest possible opportunity to implement the proposals to improve road traffic law that are set out in the White Paper, "The Road User and the Law". In addition, new legislation has recently come into force on child rear seat belts and we intend to introduce amended regulations for Scotland on road humps.

Heather Moorlands

Sir David Steel: To ask the Secretary of State for Scotland what steps he is taking to preserve heather moorlands in Scotland; and whether he will introduce a moorland management grant analogous to the financial support for forestry and sheep grazing.

Mr. Rifkind: The preservation of heather moorlands in Scotland is encouraged in a number of ways. The farm and conservation grant scheme provides grants for the enclosure of areas of heather moorland to protect them from livestock and muirburn, and heather regeneration and bracken control continue to be eligible for grant. Three of the four mainland environmentally sensitive area schemes contain prescriptions for the retention of existing areas of heather and in all four there is the requirement to make muirburn for good heather management in accordance with the standards set out in the joint DAFS-NCC report entitled "A Guide to Good Muirburn Practice". Heather areas can also be notified as SSSIs by the NCC if the area is of special interest by reason of any of its flora, fauna or geological or physiographical features. I am considering what further measures to preserve heather moorlands may be required.

Local Government Finance

Mr. Dewar: To ask the Secretary of State for Scotland if he will provide an analysis, comparable with table 21.4.8 and with the local authority expenditure in Cm 1015, showing that local authority expenditure in Scotland which falls outside expenditure within his own responsibility.

Mr. Rifkind: The information is as follows:

Local authority expenditure in Scotland on services outwith the responsibility of the Secretary of State for Scotland

£ million

	1984-85 outturn	*1985-86 outturn*	*1986-87 outturn*	*1987-88 outturn*	*1988-89 outturn*	*1989-90 estimated outturn*
Current						
Agriculture, fisheries and food	4	3	4	4	3	3
Trade, industry, energy and employment	7	9	9	9	13	13
Social security	257	299	349	404	423	478
Total	268	310	362	417	439	495
Capital						
Trade, industry, energy and employment	2	1	0	1	0	0
Roads and transport	1	2	2	1	1	1
Total	3	2	2	2	2	1

Dr. Godman: To ask the Secretary of State for Scotland what was the revenue received in 1989-90 from those who were required to pay 20 per cent. of their poll tax; and what is the estimated revenue that will be received in 1990-91 from such payers.

Lord James Douglas-Hamilton: The information requested is not held centrally.

Dr. Godman: To ask the Secretary of State for Scotland if he will make a statement on the poll tax rate of collection he is assuming in determining the level of support for local authorities in 1991-92.

Lord James Douglas-Hamilton: The decision that my right hon. and learned Friend announced yesterday was based on a considered view of what local authorities should reasonably spend next year and of the level of support from central Government that was appropriate. The decision took account in particular of views on these matters that had been expressed to him by the Convention of Scottish Local Authorities, but my right hon. and learned Friend did not accept the convention's suggestion that the taxpayer should be burdened with the consequences of the failure of local authorities to collect the sums due to them.

Mr. David Marshall: To ask the Secretary of State for Scotland when he expects people who had between £8,000 and £16,000 of savings in the financial year 1989-90 and who have applied for a poll tax rebate to have their claims decided; and when he intends to publish full details of how this particular rebate scheme is to be operated.

Lord James Douglas-Hamilton: Draft regulations prescribing the details of the community charge special payments scheme have been the subject of consultation with the Convention of Scottish Local Authorities and will be laid shortly. Responsibility for operating the proposed scheme will rest with local authorities and it will be for them to decide when they are able to make payments to successful claimants.

Water Supply Pipes

Mr. David Marshall: To ask the Secretary of State for Scotland what is the total value of grants paid by each district council in Scotland for the replacement of water supply pipes made of lead during the financial years 1988-89 and 1989-90 and for the current financial year to date.

Lord James Douglas-Hamilton: Replacement of lead plumbing is usually carried out in conjunction with other works, and in these cases it is not possible to identify the cost of the plumbing work separately. Grants payable on applications approved in the years 1988-89 and 1989-90 for the replacement of lead plumbing alone were as in the table; returns have not yet been received for the period from April 1990 onwards.

Private sector improvement grants approved by local authorities
Value of grants involving lead plumbing work only

District	*1988-89 £000*	*1989-90 £000*
Borders		
Berwickshire	—	—
Ettrick and Lauderdale	—	—
Roxburgh	—	—
Tweeddale	—	0·2
Central		
Clackmannan	23·0	19·3
Falkirk	[1]4·3	[1]4·6
Stirling	4·8	2·2
Dumfries and Galloway		
Annandale and Eskdale	2·5	1·3
Nithsdale	3·5	[1]5·5
Stewartry	0·9	1·8
Wigtown	6·2	3·1
Fife		
Dunfermline	3·0	7·7
Kirkcaldy	41·7	102·6
North East Fife	0·4	1·9
Grampian		
Aberdeen	241·7	219·2
Banff and Buchan	11·0	6·4
Gordon	9·8	18·2
Kincardine and Deeside	4·2	8·4
Moray	3·2	2·4
Highland		
Badenoch and Strathspey	6·2	5·3
Caithness	0·1	3·5
Inverness	4·8	8·0
Lochaber	1·2	—
Nairn	0·3	0·3
Ross and Cromarty	7·6	12·2
Skye and Lochalsh	—	—
Sutherland	—	0·7
Lothian		
East Lothian	67·1	36·6
Edinburgh	792·0	993·1
Midlothian	15·9	18·5
West Lothian	30·4	40·8
Strathclyde		
Argyll and Bute	44·4	43·2

District	1988-89 £000	1989-90 £000
Bearsden and Milngavie	43·4	60·0
Clydebank	1·4	3·0
Clydesdale	3·5	3·7
Cumbernauld and Kilsyth	1·0	2·8
Cumnock and Doon Valley	4·1	6·5
Cunninghame	28·5	30·0
Dumbarton	13·2	16·7
East Kilbride	3·6	0·2
Eastwood	97·6	145·0
Glasgow	669·4	666·4
Hamilton	[1]4·1	3·7
Inverclyde	35·2	18·4
Kilmarnock and Loudoun	16·4	15·3
Kyle and Carrick	76·3	65·4
Monklands	21·2	21·8
Motherwell	4·9	3·2
Renfrew	82·8	178·1
Strathkelvin	50·6	65·9
Tayside		
Angus	2·4	7·2
Dundee	—	2·1
Perth and Kinross	74·2	50·4
Islands Councils		
Orkney Islands	7·1	3·2
Shetland Islands	—	—
Western Isles	0·2	0·1

[1] Returns outstanding.

Greater Glasgow Health Board

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list the total number of employees of the Greater Glasgow health board, broken down by categories and grades, at the end of each of the last five financial years.

Mr. Michael Forsyth: This information is not readily available by category and grade for the end of the financial years. Information on grades within categories could be produced only at disproportionate cost.

Public Transport

Mr. Wray: To ask the Secretary of State for Scotland what is, for each year since 1975, the total amount of public funding in (1) roads, (2) railways and (3) airports in Scotland in 1990 moneys.

Lord James Douglas-Hamilton *[holding answer 12 July 1990]:* The information held centrally is given in the table.

I shall write to the hon. Member when the figures for British Rail's direct expenditure in Scotland become available.

Expenditure (£ million) at 1990-91 prices

Financial year	Motorway and trunk roads (1)	Local roads (2)	Railways (3)	Airports (4)	Other transport (5)
1975-76	182	687	27·2	8·4	48·0
1976-77	173	518	23·9	4·4	60·0
1977-78	193	475	23·5	4·7	60·4
1978-79	182	376	29·7	7·7	98·7
1979-80	177	393	32·2	9·2	60·2
1980-81	164	363	38·2	4·9	31·0
1981-82	171	378	37·8	6·3	34·5
1982-83	169	386	39·8	5·6	27·6
1983-84	155	387	39·5	4·8	30·6
1984-85	160	368	44·6	4·7	33·5
1985-86	158	375	37·1	4·3	42·4
1986-87	147	367	37·1	3·7	34·6
1987-88	159	350	32·8	4·1	25·5
1988-89	149	369	34·0	4·0	14·8
1989-90	174	369	30·0	3·2	28·0

Notes:

1. Railways—Support by Strathclyde regional council under section 20 of the Transport Act 1968 for British Rail services in Strathclyde.
2. Airports—Highlands and Islands Airports Ltd.: grant from the Scottish Office to ensure the continuation of operations at eight highlands and islands airports which provide the communities they service with vital social, business and welfare links. Public expenditure figures relating to BAA airports in Scotland are not held centrally.
3. Other public transport investment—Other expenditure by central and local authorities on transport provision. A detailed breakdown of these figures is not available, but they include expenditure on railways (other than section 20 support and British Rail's direct expenditure in Scotland) and expenditure on local authority aerodromes.
4. The expenditure has been converted to 1990-91 prices using GDP deflators.

Health Expenditure

Mr. Tom Clarke: To ask the Secretary of State for Scotland if he will list *(a)* the amounts he indicated to each health board for support finance for the years 1988-89, 1989-90 and 1990-91, *(b)* how much was budgeted by individual boards in those years and *(c)* the actual expenditure for support finance by individual boards for those years.

Mr. Michael Forsyth: Indicative levels were last set centrally for 1988-89. Health boards were asked to set their own targets for 1989-90 and 1990-91. The available information is given in the table:

£ million

Health board	1988-89 Indicative levels	1988-89 Payments	1989-90 Health board expenditure target	1989-90 Payments (provisional)	1990-91 Health board expenditure target (provisional)
Argyll and Clyde	0·308	0·085	0·100	0·159	0·100
Ayrshire and Arran	0·257	0·315	0·505	0·568	0·402
Borders	0·149	0·086	0·041	0·062	0·032
Dumfries and Galloway	0·180	0·168	0·132	0·133	0·120
Fife	0·285	0·534	0·578	0·712	0·561
Forth Valley	0·221	0·259	0·523	0·421	0·585
Grampian	0·511	0·652	0·662	0·664	0·665
Greater Glasgow	0·897	1·224	2·014	0·917	[1]—
Highland	0·510	0·377	0·242	0·242	0·148
Lanarkshire	0·402	0·120	0·060	0·125	0·186
Lothian	0·509	0·651	0·712	0·959	0·710
Orkney	0·015	0·001	0·020	—	0·020
Shetland	0·017	0·017	0·017	0·016	0·018
Tayside	0·361	0·337	0·364	0·314	0·260
Western Isles	0·103	0·075	0·027	0·030	0·075
TOTAL	4·725	4·901	5·997	5·322	3·882

[1]Not available.

Arrests

Ms. Gordon: To ask the Secretary of State for Scotland how many people were arrested by the police in Scotland in 1986, 1988 and 1989.

Lord James Douglas-Hamilton: The information requested is not available.

Gaelic

Dr. Thomas: To ask the Secretary of State for Scotland what is the total funding made available by his Department each year for the maintenance of the Gaelic language.

Mr. Lang: In the current financial year some £306,000 will be provided, by my Department, as grant aid under the provisions of the National Heritage (Scotland) Act 1985 to bodies that support Gaelic. A further £1·2 million will be spent on projects under the specific grants scheme for Gaelic education. From 1992-93 the Scottish Office will provide £8 million for the establishment of a Gaelic television fund which will be used to make an additional 200 hours of Gaelic television programming to be broadcast annually on top of the 100 hours currently transmitted by the television companies in Scotland.

Press Officers

Dr. Thomas: To ask the Secretary of State for Scotland how many press officers are employed by his Department.

Mr. Rifkind: In addition to the director and deputy director of the Scottish Information Office, 21 information officer grades were employed on press office duties at 1 July 1990.

Political Advisers

Mr. Cryer: To ask the Secretary of State for Scotland if he will list the political advisers and public relations advisers currently employed to advise Ministers in his Department, including those persons paid by other organisations and seconded to the Government, giving in every case the source of payment, rate of salary and expenses.

Mr. Rifkind: Two special advisers, Mr. Graeme Carter and Mr. Alan Young, are employed in the Scottish Office to advise Ministers on political matters. They are employed and paid directly by my Department. It is not our practice to reveal salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are, therefore, confidential. Expenses are payable to them at the normal civil service rates.

There are no public relations advisers on the staffing strength of the Scottish Office either paid directly or on secondment from another organisation.

In respect of the privatisation of the electricity supply industry, two public relations companies are retained by the Department jointly with the two Scottish electricity companies to provide marketing public relations advice —PR Consultants Scotland and Citigate Communications Ltd.. Details of the contracts are commercially confidential.

Community Care

Dr. Godman: To ask the Secretary of State for Scotland (1) if he plans to meet representatives of *(a)* voluntary agencies representing carers and the elderly, *(b)* the nursing and medical professions and *(c)* the directors of social work departments to discuss the implications of the delayed implementation of the care in the community proposals;

(2) if he will make a statement on the expenditure implications of the delay in the implementation of the care in the community proposals.

Mr. Lang: I shall write to the hon. Member as soon as possible.

Dr. Godman: To ask the Secretary of State for Scotland if he will make a statement on the effect on closure proposals for hospitals housing elderly patients of the delayed implementation of the care in the community proposals.

Mr. Michael Forsyth: As with all hospital closures, proposals submitted by health boards to close hospitals housing elderly patients will be considered on their merits, and the availability of suitable alternative care will be one of the factors taken into account.

Dr. Godman: To ask the Secretary of State for Scotland if he plans to meet representatives of the Convention of Scottish Local Authorities to discuss the delayed implementation of the care in the community proposals.

Mr. Lang: I shall consider carefully any request from the Convention of Scottish Local Authorities to discuss the revised programme for the implementation of the Government's proposals for community care.

EC Structural Funds

Dr. Godman: To ask the Secretary of State for Scotland (1) what proportion of European Community structural funds aimed at correcting regional and national imbalances was given to projects within *(a)* Strathclyde and *(b)* Scotland in each of the last seven years; and what level of such funding is expected for (i) Strathclyde and (ii) Scotland in 1990-91 and 1991-92;

(2) what action he has taken to enable Scotland to obtain a full share of European structural funds up to and beyond 1992.

Mr. Lang: I shall write to the hon. Member as soon as possible.

Sexual Abuse

Mr. Wray: To ask the Secretary of State for Scotland what specialised centres Her Majesty's Government support with public funds for young women sexually abused in *(a)* Scotland, *(b)* Edinburgh, *(c)* Glasgow and *(d)* Aberdeen.

Mr. Lang: My Department provides core funding in the form of grant assistance under the Social Work (Scotland) Act 1968 to a number of voluntary organisations, including Scottish Women's Aid, which support local organisations providing accommodation for women who are the victims of domestic violence and other forms of abuse. Direct funding of local projects in this and other fields of social work is primarily the concern of local authorities; projects in certain urban areas may also be eligible for support under the centrally funded urban programme. No accommodation funded in this way is provided specifically for young women who are sexually abused.

Mental Handicap

Dr. Godman: To ask the Secretary of State for Scotland what requirements a health board, social work department or any other relevant body employs in respect of the assessments of the suitability of *(a)* the owner, *(b)* the manager and *(c)* anyone holding a position of responsibility in a private nursing home for those suffering from mental handicaps.

Mr. Michael Forsyth: The registration and inspection of private nursing homes are the responsibility of health boards and are governed by the Nursing Homes Registration (Scotland) Act 1938 and the regulations made thereunder, the Nursing Homes Registration (Scotland) Regulations 1988.

Health boards may refuse to register an applicant if they are satisfied that he, or any person employed by him at the home, is not a fit person, whether by reason of age, conduct or otherwise.

Dr. Godman: To ask the Secretary of State for Scotland whether he will undertake a review of the arrangements by which the suitability of persons engaged in the ownership and management of private nursing homes for people with mental handicaps are assessed and monitored; and if he will make a statement.

Mr. Michael Forsyth: No. I am satisfied with the current arrangements whereby under the Nursing Homes Registration (Scotland) Act 1938 health boards have a responsibility for assessing the suitability of applicants for registration to run a nursing home and their employees.

Dr. Godman: To ask the Secretary of State for Scotland what assessments health boards and other relevant bodies are required to make in the event of *(a)* a change of ownership and *(b)* a change of management in respect of a privately owned nursing home for those with mental handicaps.

Mr. Michael Forsyth: The registration and inspection of private nursing homes are governed by the Nursing Homes Registration (Scotland) Act 1938 and the regulations made thereunder, the Nursing Homes Registration (Scotland) Regulations 1988.

In the case of a change of ownership a fresh application for registration must be made to the health board.

Where the management changes the change must be notified within 72 hours to the health board, which requires to be satisfied that the person employed is a fit person by reason of age, conduct, qualification or otherwise.

Heart Disease

Dr. Godman: To ask the Secretary of State for Scotland what is the current rate of electro-cardiogram testing for heart diseases per 1,000 of population in each of the health board areas.

Mr. Michael Forsyth: The information requested is not available centrally.

Dr. Godman: To ask the Secretary of State for Scotland what is the number of staff trained and employed in electro-cardiagram testing for heart disease by each of the health boards.

Mr. Michael Forsyth: This information is not available centrally.

Road System

Mr. Snape: To ask the Secretary of State for Scotland if he will list the units or project teams responsible for the road system in Scotland together with their addresses, directors, and the last prior professional appointment of those directors.

Lord James Douglas-Hamilton: There are two project teams located within the Scottish Office roads directorate, New St. Andrew's house, Edinburgh, which have responsibility for the preparation and management of major trunk road schemes in Scotland. The project directors are Mr. R. D. Udall and Mr. J. A. Howison whose prior professional appointments were as principal engineers within the Scottish Development Department's chief road engineer's office.

Intensive Care Units

Dr. Godman: To ask the Secretary of State for Scotland how many intensive care units there are; and what is the total number of beds in such units which have *(a)* a one-to-one nurse to patient relationship, *(b)* at least five beds per unit, *(c)* more than 250 admissions per annum and *(d)* full-time residential care.

Mr. Michael Forsyth: I shall write to the hon. Member.

Traffic Wardens

Dr. Godman: To ask the Secretary of State for Scotland if he has any plans to transfer the functions of traffic wardens to the private sector.

Lord James Douglas-Hamilton: We have no such plans.

Hospital Closures

Dr. Godman: To ask the Secretary of State for Scotland if he will direct health boards to suspend all plans for closure of geriatric, psychiatric and mental hospitals until April 1993.

Mr. Michael Forsyth: I am aware that some boards are considering changes in the pattern of geriatric services which will ultimately require ministerial approval. Formal proposals will come forward in due course and each will be considered on its merits. There are, however, no closure submissions before me at the moment.

Brook Advisory Centre, Edinburgh

Mr. Wray: To ask the Secretary of State for Scotland what discussions he has had with national health service authorities in Scotland regarding alternative arrangements for pregnant women presently served by the Edinburgh Brook Advisory Centre in the event of its closure.

Mr. Michael Forsyth: None.

Mr. Wray: To ask the Secretary of State for Scotland if he will make a statement regarding community health education and the role played by the outreach team of the Brook Advisory Centre of Edinburgh.

Lord James Douglas-Hamilton: I shall write to the hon. Member as soon as possible.

Prisoner Statistics

Dr. Godman: To ask the Secretary of State for Scotland what is his estimate of the number of mentally ill or disturbed men and women who are currently serving terms of imprisonment.

Lord James Douglas-Hamilton: I refer the hon. Member to the answer I gave on 2 April 1990 to the hon. Member for Monklands, West (Mr. Clarke) at columns *361-62*.

Dr. Godman: To ask the Secretary of State for Scotland what action he is taking to facilitate the transfer of mentally ill and disturbed prisoners to mental hospitals.

Lord James Douglas-Hamilton: None. I believe that the existing arrangements for the transfer to suitable hospitals of prisoners requiring in-patient treatment for mental disorder under sections 70 to 72 of the Mental Health (Scotland) Act 1984 are functioning satisfactorily.

Psychiatric Patients

Dr. Godman: To ask the Secretary of State for Scotland how many psychiatric patients have been discharged from psychiatric hospitals and long-stay mental hospitals in the last year for which records are available; and how many more have been referred to the care of local authorities.

Mr. Michael Forsyth: I shall write to the hon. Member as soon as possible.

Labour Statistics

Dr. Godman: To ask the Secretary of State for Scotland what was the number of unemployed claimants in *(a)* Greenock and Port Glasgow and *(b)* Strathclyde on 1 January 1983 and 1 January 1990; and what is the current number.

Mr. Lang: I shall write to the hon. Member as soon as possible.

Private Tenancies

Dr. Godman: To ask the Secretary of State for Scotland if he will give figures for rents for private tenancies by local authority area.

Lord James Douglas-Hamilton: This information is not available for all private tenancies. Information is held centrally only in respect of the average rent of tenancies where the rent has been registered by the rent officer.

Average registered rents for the calendar year 1989 are set out in the table:

Area	*Average registered rent £/annum*
Borders	
Berwickshire	1,327·50
Ettrick and Lauderdale	1,025·84
Roxburgh	922·36
Tweeddale	1,443·70
Central	
Clackmannan	850·00
Falkirk	339·20
Stirling	1,476·66
Dumfries and Galloway	
Annandale and Eskdale	1,167·28
Nithsdale	1,427·73
Stewartry	1,330·22
Wigtown	1,534·75
Fife	
Dunfermline	1,584·65
Kirkcaldy	1,667·34
North East Fife	1,508·72
Grampian	
City of Aberdeen	1,332·90
Banff and Buchan	1,302·89
Gordon	1,645·26
Kincardine and Deeside	1,782·48
Moray	1,597·38
Highland	
Badenoch and Strathspey	1,879·09
Caithness	1,088·32
Inverness	955·03
Lochaber	1,167·20
Nairn	724·80

Area	Average registered rent £/annum
Ross and Cromarty	1,117·22
Skye and Lochalsh	1,020·00
Sutherland	905·00
Lothian	
East Lothian	1,604·31
City of Edinburgh	1,448·92
Midlothian	1,255·30
West Lothian	1,897·43
Strathclyde	
Argyll	1,198·67
Bearsden and Milngavie	1,840·00
Clydebank	835·21
Cumbernauld and Kilsyth	[1]—
Cumnock and Doon Valley	772·40
Cunninghame	1,124·26
Dumbarton	777·54
East Kilbride	2,489·33
Eastwood	1,302·85
City of Glasgow	1,023·77
Hamilton	983·50
Inverclyde	1,337·89
Kilmarnock and Loudon	1,096·66
Kyle and Carrick	1,624·12
Lanark	1,400·15
Monklands	979·09
Motherwell	1,154·62
Renfrew	1,308·82
Strathkelvin	1,478·40
Tayside	
Angus	1,327·04
City of Dundee	1,211·77
Perth and Kinross	1,259·80
Islands Councils	
Orkney Islands	1,300·00
Shetland Islands	817·20
Western Isles	[1]—

[1] No rents registered.

Derelict Land

Dr. Godman: To ask the Secretary of State for Scotland what is the total area of land recovered from dereliction in each district authority area during the last five years; if any formerly listed buildings were demolished in any recovery programmes; what is the present area of dereliction in each district authority area; and by how much the extent of derelict areas has changed, over the past five years, in each of these district authority areas.

Lord James Douglas-Hamilton: Of the four pieces of information requested, three are not collected centrally. As for present levels of dereliction, I refer the hon. Gentleman to the reply I gave to the hon. Member for Angus, East (Mr. Welsh) on 24 April at column *59*.

Junior Hospital Doctors

Mr. Wray: To ask the Secretary of State for Scotland when he last met representatives of the British Medical Association in Scotland to discuss the problem of junior doctors' working hours; and if he will make a statement.

Mr. Michael Forsyth: My right hon. and learned Friend and I have not formally met representatives of the British Medical Association to discuss junior doctors' hours of work.

Local Authorities (Capital Receipts)

Dr. Godman: To ask the Secretary of State for Scotland if he will lift restrictions preventing local authorities from diverting money from capital receipts into the building of houses.

Lord James Douglas-Hamilton: There are no restrictions that debar local authorities from using the capital receipts arising from the sale of assets, including council houses, to which the housing revenue account applies for the purpose of financing the construction of new council houses. Within the aggregate levels of the appropriate consent to incur capital expenditure issued by my right hon. and learned Friend under section 94 of the Local Government (Scotland) Act 1973, local authorities are free to determine their own priorities for council housing investment.

Waste Producers

Dr. Godman: To ask the Secretary of State for Scotland what is his estimated cost for regulating producers of waste *(a)* in Strathclyde and *(b)* in Scotland.

Lord James Douglas-Hamilton: Regulatory responsibility is shared between district and islands councils, river purification boards, the Department of Agriculture and Fisheries for Scotland and Her Majesty's industrial pollution inspectorate. Expenditure figures to cover all those activities are not available centrally.

Heart Disease and Lung Cancer

Dr. Godman: To ask the Secretary of State for Scotland what are the latest statistics concerning *(a)* deaths and *(b)* sufferers from (i) heart disease and (ii) lung cancer in each of the health board areas; and what were the comparable figures in 1975, 1980 and 1985.

Mr. Michael Forsyth: The figures that are held centrally are as follows:

Deaths

Health board of residence	Heart disease 1975	1980	1985	[1]1989	Lung cancer 1975	1980	1985	[1]1989
Argyll and Clyde	1,936	2,016	1,922	1,846	307	312	368	397
Ayrshire and Arran	1,601	1,790	1,775	1,571	232	258	277	321
Borders	545	494	520	486	64	78	84	74
Dumfries and Galloway	617	684	689	716	91	85	83	109
Fife	1,398	1,360	1,506	1,432	229	244	243	243
Forth Valley	997	1,008	1,079	1,062	132	183	230	203
Grampian	1,772	1,873	1,978	1,866	266	291	327	318
Greater Glasgow	4,568	4,510	4,298	4,233	1,018	1,085	1,152	1,075
Highland	819	850	833	796	88	113	126	109
Lanarkshire	1,960	2,185	2,272	2,194	325	357	412	411

Health board of residence	Heart disease 1975	1980	1985	[1]1989	Lung cancer 1975	1980	1985	[1]1989
Lothian	2,874	2,890	3,057	2,791	578	615	650	604
Orkney	93	82	91	89	9	10	14	12
Shetland	74	86	70	91	9	11	12	8
Tayside	1,826	1,757	1,779	1,755	291	288	303	323
Western Isles	190	183	152	166	11	21	26	27
Scotland	21,270	21,768	22,021	21,094	3,650	3,951	4,307	4,234

[1] Provisional figures.

Sufferers

Number of Patients Discharged after In-Patient Care for Heart Disease

Health Board of Residence	Year of Discharge 1975	1980	1985	1988
Argyll and Clyde	3,027	3,432	3,941	4,722
Ayrshire and Arran	2,127	2,736	3,400	3,883
Borders	564	732	1,184	1,422
Dumfries and Galloway	985	1,021	1,613	2,078
Fife	1,810	2,414	3,069	3,506
Forth Valley	1,426	1,770	2,773	2,986
Grampian	3,799	3,708	4,821	5,836
Greater Glasgow	9,128	9,502	12,321	14,328
Highland	934	1,130	1,759	2,029
Lanarkshire	3,240	4,227	5,561	6,005
Lothian	5,860	6,400	9,015	9,496
Orkney	91	66	93	146
Shetland	55	55	126	140
Tayside	3,811	4,405	5,601	6,054
Western Isles	138	210	287	276
Outside Scotland[1]	1,452	505	562	510
TOTAL	38,447	42,313	56,126	63,417

[1] includes 'Not Known' and 'No fixed abode'.

Note: The figures shown are the only available statistics on the number of people who suffer from heart disease. When interpreting these figures it should be borne in mind that someone who suffers from heart disease could have several episodes of in-patient care in any particular year.

Number of New Registrations of Lung Cancer

Health Board of Residence	1975	1980	1985	[1]1988
Argyll and Clyde	326	349	435	426
Ayrshire and Arran	252	278	322	300
Borders	69	99	93	69
Dumfries and Galloway	93	95	103	116
Fife	267	292	271	279
Forth Valley	155	224	260	227
Grampian	323	364	379	385
Greater Glasgow	1,151	1,258	1,248	1,076
Highland	106	73	132	93
Lanarkshire	349	407	432	442
Lothian	668	725	750	654
Orkney	9	7	12	12
Shetland	9	7	9	13
Tayside	316	292	354	375
Western Isles	13	8	16	16
Scotland	4,106	4,478	4,816	4,483

[1] Provisional figures

Note:

The Scottish cancer register provides information on the number of new cases of cancer diagnosed each year in Scotland. The figures shown are, therefore, estimates of the incidence of cancer. Prevalence figures are not immediately available.

Job Creation

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will announce measures to create more jobs in Scotland; and if he will make a statement.

Mr. Lang; I shall write to the hon. Member as soon as possible.

NHS Trusts

Dr. Godman: To ask the Secretary of State for Scotland if he will extend the consultation period in relation to the submission of views to him regarding hospitals becoming self-governing trusts; if he will list the individuals and organisations to whom copies of the application prospectus have been sent; what is the total cost of the production, printing and distribution of the prospectus; and if he will make a statement.

Mr. Michael Forsyth: I shall write to the hon. Member as soon as possible.

Empty Properties (Health Boards)

Dr. Godman: To ask the Secretary of State for Scotland what percentage of empty properties owned by health boards in *(a)* Strathclyde and *(b)* Scotland as a whole (i)

is currently empty awaiting sale, (ii) has been empty for more than six months and (iii) has been empty for a year or more.

Mr. Michael Forsyth: This information is not available in the form requested.

Young People (Sex Education)

Mr. Wray: To ask the Secretary of State for Scotland if he will make a statement about teaching of safe sex to young people by specialised professional centres.

Mr. Michael Forsyth: The teaching of safe sex to young people is undertaken by a wide range of organisations. At national level the Scottish Health Education Group (SHEG) produces educational material which aims to provide young people with information and advice to help heighten awareness of the risks and problems sexual relationships can cause, particularly in relation to HIV infection and AIDS. The group is about to undertake fresh research that will explore perceptions of sexual health among young people in the 16 to 25 age group to ascertain the need for new health education material in this area.

At the local level, health board family planning clinics play a valuable role in providing free and accurate contraceptive advice and information on the need for safe sexual practices. Doctors and practice nurses also have a role to play in this area. The school system also undertakes an important role in the delivery of sex education. A joint SHEG/Scottish Consultative Committee on the Curriculum working party on health education in schools has recently reviewed the structure of health education programmes for the 10 to 14 age group: this review has included extended consideration of the treatment of sexuality and relationships. The working party's report, which advocates the concept of the health-promoting school, is expected to be published in September. In addition, of course, parents have a direct responsibility for the instruction of their children in the matter of sex education.

Voluntary organisations also operate at both the national and local levels and contribute to the teaching of safe sex to young people.

Slaughterhouses

Dr. David Clark: To ask the Secretary of State for Scotland if he will list the slaughterhouses that were visited by European Community inspectors in 1989 and 1990; if he will indicate which have had their approval suspended; and if he will make a statement.

Lord James Douglas-Hamilton: The following slaughter houses in Scotland were visited by EC inspectors in 1989 and 1990:

1989
Inverurie Scotch Meat Company Ltd., Inverurie
David A. Hall Ltd., Broxburn
British Beef Company Ltd., Hawick
G. D. Vivers and Sons, Annan
Dundee Public Abattoir, Dundee
Mathers (Inverurie) Ltd., Inverurie

1990
Aberdeen Meat Marketing Company Ltd., Banchory
Inverurie Scotch Meat Company Ltd., Inverurie
McIntosh Donald, Portlethen
Buchan Meat Producers Ltd., Turriff
William Watt, Strathaven
J. Kelly and Sons (Meat) Ltd., Larkhall
Scotbeef (Meat Packers) Ltd., Bridge of Allan

Two of the slaughterhouses listed are currently suspended from engaging in intra-Community trade in sheepmeat. The suspension is applied until structural or operational requirements are attended to and it would not be appropriate to identify those plants that may be suspended at any one time.

Dr. David Clark: To ask the Secretary of State for Scotland if he will place in the Library a list of abbatoirs in Scotland indicating which are European Community approved and which have had their European Community licences suspended.

Lord James Douglas-Hamilton: The information is as follows:

Borders Region
*British Beef Company Ltd, Hawick
Scottish Borders Abattoir 1980 Ltd, Galashiels
FMC (Meat) Ltd, Kelso

Central Region
*Scotbeef (Meat Packers) Ltd, Bridge of Allan
Duncan Stevenson, Dunblane

Dumfries and Galloway Region
*G. D. Vivers and Sons, Annan
*United Meat Packers (Scotland) Ltd, Lockerbie
*FMC (Meat) Ltd, Dumfries
Lockerbie Abattoir Ltd, Lockerbie
Castle Douglas Abattoir, Castle Douglas
Robinson-Wyllie Ltd, Newton Stewart
Rhins Bacon Company (1953) Ltd, Stranraer

Fife Region
St. Andrews Abattoir Company Ltd, St. Andrews

Grampian Region
*Buchan Meat Producers Ltd, Turriff
*Inverurie Scotch Meat Company Ltd, Inverurie
*Mathers (Inverurie) Ltd, Inverurie
*Aberdeen Meat Marketing Company Ltd, Banchory
*McIntosh Donald, Portlethen
*Grampian Country Pork Ltd, Buckie
Moray Abattoir Company Ltd, Elgin
FMC (Meat) Ltd, Forres
Grantown on Spey Abattoir, Grantown on Spey

Highland Region
Thurso Slaughterhouse Company Ltd, Thurso
Wick Abattoir, Wick
John M. Munro Ltd, Dingwall
Grants of Dornoch Ltd, Dornoch
Portree Slaughterhouse, Isle of Skye

Lothian Region
*Gorgie Public Abattoir, Edinburgh
*Euroscot (Meat) Exports Ltd, Bathgate
*David A. Hall Ltd, Broxburn
Messrs R. Y. Henderson and Son, Linlithgow

Strathclyde Region
*Highland Meats Ltd, Saltcoats
*William Watt, Strathaven
*Glasgow Abattoir Company Ltd, Glasgow
*J Kelly and Sons (Meat) Ltd, Larkhall
*Buitelaar (Kilmarnock) Ltd, Kilmarnock
*Sandyford Abattoir (Paisley) Company, Paisley
Cambletown, Abattoir, Cambletown
Rothesay Abattoir, Rothesay
Biggar Auctions Market Company Ltd, Biggar
J Ramsay and Sons, Carluke
Robertson Bros, Ardrossan
James Craig (Abattoir) Ltd, Ayr
James Chapman (Butchers) Ltd, Shotts
Wishaw Abattoir Ltd, Wishaw
Ballevulin Slaughterhouse, Isle of Tiree
Ballygrant Slaughterhouse, Islay

Mull Slaughterhouse, Isle of Mull
Scarnish Slaughterhouse, Isle of Tiree
Blackwaterfoot Slaughterhouse, Arran

Tayside Region
*E C Matheson and Sons Ltd, Brechin
*Dundee Public Abattoir, Dundee
*FMC (Meat) Ltd, Perth
Strathmore Meat Ltd, Forfar
H W Irvine, Blairgowrie

Orkney Islands
*Hatson Slaughterhouse, St Ola
Pierowall Slaughterhouse, Westray
Stronsay Slaughterhouse, Stronsay

Shetland Islands
Boddam Slaughterhouse, Boddam
Laxfirth Slaughterhouse, Laxfirth
Mid Yell Slaughterhouse, Mid Yell
Vementry Slaughterhouse, Sandsting

Western Isles
Stornoway Abattoir, Stornoway
Craigston Slaughterhouse, Isle of Barra
Leverburgh Slaughterhouse, Isle of Harris
Locheport Slaughterhouse, North Uist
Strombane Slaughterhouse, Lochmaddy, North Uist

Note:—All abattoirs which are EC approved are denoted by an asterisk.

Two of the abattoirs listed are currently suspended from engaging in intra-Community trade in sheepmeat. The suspension is applied until structural or operational requirements are attended to and it would not be appropriate to identify those plants that may be suspended at any one time.

Scottish Natural Heritage

Mr. Macdonald: To ask the Secretary of State for Scotland how many posts will be required by the proposed natural heritage agency; and if he will make a statement.

Lord James Douglas-Hamilton: Scottish Natural Heritage will inherit the staff of the Countryside Commission for Scotland and the Nature Conservancy Council for Scotland. I am not yet in a position to quantify the total complement of staff which the new body will require.

Agricultural Land

Mr. Strang: To ask the Secretary of State for Scotland what was the average price per hectare of average quality arable agricultural land in Scotland on the latest available date; and what was the comparable price in the previous year.

Lord James Douglas-Hamilton: Agricultural land price statistics do not differentiate between land qualities or distinguish arable land from other types of agricultural land. The average prices of farms sold with vacant possession and remaining in agriculture during 1987 and 1988, the latest years for which complete records are available, were as follows:

	1987 (£ per hectare)	*1988 (£ per hectare)*
All farms	848	758
Lowground farms	1,130	994

Heart Operations

Mr. Allan Stewart: To ask the Secretary of State for Scotland what is the average length of time patients in the Greater Glasgow health board area must wait before receiving coronary heart bypass operations.

Mr. Michael Forsyth: During the financial year 1989-90, the median waiting time for coronary heart bypass operations in hospitals in the Greater Glasgow health board area was 63 days for urgent cases and 167 days for routine cases.

Forestry

Mr. Ron Davies: To ask the Secretary of State for Scotland whether he intends to introduce legislation relating to the United Kingdom forestry industry.

Lord James Douglas-Hamilton: The Government have no plans to introduce legislation relating to the United Kingdom forestry industry.

Dr. Thomas: To ask the Secretary of State for Scotland whether, following the European Commission report on forest damage in Europe, his Department intends to raise in the European Community the issue of forestry policy in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: The European Community does not have a common forestry policy. Responsibility for forestry policy rests with the individual member states.

Firearms

Mr. Kirkwood: To ask the Secretary of State for Scotland what category of certificate has been issued to cover the firearms displayed on HMS Plymouth on the River Clyde at Glasgow.

Lord James Douglas-Hamilton: I shall write to the hon. Member as soon as possible.

Special Olympics Games

Mr. David Marshall: To ask the Secretary of State for Scotland why was it decided that no Scottish Office Minister should attend the opening ceremony of the European Special Olympics Games in Glasgow on Saturday 21 July.

Mr. Michael Forsyth: It had been planned that a Scottish Office Minister would attend, but in the event because of circumstances arising none was able to do so.

Rating Valuation

Mr. Jack: To ask the Secretary of State for Scotland what was the cost per domestic dwelling of carrying out the last valuation exercise for rating purposes in Scotland.

Lord James Douglas-Hamilton: This information is not available. The 1985 revaluation in Scotland covered both domestic and non-domestic property and the cost of valuing different classes of property is not separately identifiable.

Milk

Sir Hector Monro: To ask the Secretary of State for Scotland if he will take steps to prevent in the future the sale of untreated or unpasteurised milk in Scotland; and if he will make a statement.

Mr. Rifkind: The present restrictions in Scotland on the retail sale of raw milk for human consumption have, since their introduction in 1983, been fully justified by the dramatic decline in the incidence of reported milk-borne infections.

Proposals have recently been received from the EC Commission aimed at generally improving the health rules and standards for the production and marketing of raw milk across the Community. They seek to establish microbiological and antibiotic residue levels, but, as presently drafted, would not of themselves outlaw the sale of raw milk that met the prescribed standards.

These proposals, which, if adopted, would not come into force until 1993, are presently the subject of public consultation, but our aim in any discussions on them will be to maintain the high public health standard of milk which we have achieved.

Water Pollution

Mr. David Marshall: To ask the Secretary of State for Scotland when he intends fully to implement the recommendations of the 1984 SDD report regarding ferruginous discharges into rivers and streams.

Lord James Douglas-Hamilton: While the Scottish Development Department (SDD) did not produce any report on this subject in 1984, it was reviewed in a report "Water Pollution Control in Scotland—Recent Developments" published in August 1983. This report did not make any specific recommendations regarding ferruginous discharges, but if the hon. Member would care to write to me with details of his particular concerns, his letter will receive careful attention.

Bed-and-Breakfast Establishments

Sir Hector Monro: To ask the Secretary of State for Scotland when he intends to make regulations exempting small bed-and-breakfast establishments in Scotland from non-domestic rates; and if he will make a statement.

Mr. Rifkind: As I announced on 19 July I have decided, having considered the many responses received to the consultation paper on this subject, to prescribe that dwellinghouses that are made available for letting as bed-and-breakfast accommodation to no more than six persons per night are to be included within the statutory definition of domestic subjects. This will ensure that the occupiers of such premises are not liable for non-domestic rates. The relevant regulations—the Abolition of Domestic Rates (Domestic and Part Residential Subjects) (No. 2) (Scotland) Regulations 1990—have been laid before Parliament today.

These regulations implement our proposal for clarifying the boundary between domestic and non-domestic subjects in the case of bed-and-breakfast establishments, thus ensuring the consistent treatment of such premises for rating purposes. I am confident that they will be welcomed by the operators of many small establishments, especially in rural areas.

Scottish Bus Group

Mr. Allan Stewart: To ask the Secretary of State for Scotland if he will make available the prices paid for individual subsidiaries of the Scottish Bus Group.

Lord James Douglas-Hamilton: I refer my hon. Friend to the answer given today by my hon. Friend the Minister of State, Department of Transport about the publication of sale prices of the subsidiaries of the National Bus Company. Sale prices of the subsidiaries of the Scottish Bus Group will be made available in due course once privatisation has been completed.

A1 (Roadworks)

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the timing of proposed works to the A1 road at Pencraig hill in East Lothian.

Lord James Douglas-Hamilton *[holding answer 25 July 1990]:* A report has been received from Lothian regional council which considers the provision of crawler lanes on a short section of dual carriageway at Pencraig hill to prevent the build-up of "platoons" of traffic behind slow-moving vehicles at this location. The scheme will now be reviewed by the new A1 steering group which is required to identify a programme of overtaking opportunity schemes between Edinburgh and Morpeth. In the first instance, the group will require to identify five overtaking opportunity schemes by next spring for early implementation, and Pencraig hill will be considered in this context.

Written Answers to Questions

Thursday 6 September 1990

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Power

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement of current Government policy in respect of the activities of the International Atomic Energy Agency and Euratom in the implementation of safeguards for nuclear material designated for peaceful uses through the continuous surveillance of nuclear facilities and materials.

Mr. Baldry: I have been asked to reply.

The Government's policy continues to be that all civil nuclear material held in the United Kingdom is subject to Euratom safeguards under the Euratom treaty of 1957 and to the terms of the United Kingdom—Euratom—IAEA safeguards agreement of 6 September 1976—IAEA INFCIRC 263.

ENERGY

Nuclear Incidents (Reporting)

Dr. Thomas: To ask the Secretary of State for Energy what nuclear incidents his Department has reported to the International Atomic Energy Agency's incident reporting system since the United Kingdom joined in March 1986; and what is the average time gap between an incident being reported by the relevant United Kingdom operator to his Department and subsequently conveyed to the incident reporting system.

Mr. Baldry: In the United Kingdom, the Health and Safety Executive's nuclear installations inspectorate co-ordinates reports to the International Atomic Energy Agency's incident reporting system. To date 53 such events in the United Kingdom have been reported. The time gap between the incident being reported by the operator and its subsequent transmission to the IAEA is usually about three days.

The primary aim of the International Atomic Energy Agency's incident reporting system is to improve safety by analysing the causes of unusual events and providing operational feedback to member states. Such events are therefore selected for reporting on the basis of the lessons that can be learned from them rather than the consequences associated with them. This system is, of course, additional to two IAEA conventions—on the early notification of nuclear accidents and on mutual assistance in the case of a nuclear accident—which were adopted by the general conference in September 1986.

Wind Turbine

Dr. Thomas: To ask the Secretary of State for Energy if his Department has assessed the viability of the new wind turbine developed by Alastair Reed Associates, Glasgow; and if he will make a statement.

Mr. Moynihan: My Department has not been approached by Alastair Reed Associates, and their wind turbine has not been assessed.

Radioactive Waste Management

Dr. Thomas: To ask the Secretary of State for Energy what safeguards arrangements currently apply to United Kingdom-produced spent reactor fuel and reprocessed plutonium.

Mr. Baldry: All civil spent reactor fuel and plutonium is subject to Euratom safeguards under the Euratom treaty of 1957 and to the terms of the UK-Euratom-IAEA safeguards agreement of 6 September 1976—IAEA INFCIRC 263.

Heating Conversion System

Dr. Thomas: To ask the Secretary of State for Energy whether his Department or the energy technology support unit at Harwell has assessed the energy-saving potential of the TRI SOL heating conversion system; and if he will make a statement.

Mr. Moynihan: The TRI SOL heating system is the subject of a project under the European Communities' former demonstration programme for energy technologies. The project is expected to be completed in December 1990 and the results of an assessment of it should be available from the Commission of the European Communities in 1991.

Hinkley Point C

Mr. Dobson: To ask the Secretary of State for Energy if he will publish the report of the Hinkley Point C inquiry before he announces his decision and before the House rises for the summer adjournment.

Mr. Wakeham *[pursuant to his replies, 2 July 1990, c. 431 and 20 July 1990, c. 760-61]:* I have today decided to grant consent under section 36 of the Electricity Act 1989 and to direct that planning permission should be given pursuant to section 90(2) of the Town and Country Planning Act 1990 to Nuclear Electric plc for the extension of the Hinkley Point nuclear power stations by the construction and operation of an additional PWR generation station to be known as Hinkley Point C.

My decision on whether Nuclear Electric plc will be given the necessary financial approval to allow the project to proceed will depend upon the outcome of the review of nuclear policy scheduled for 1994 which I announced to the House in my statement of 9 November 1989.

Copies of my decision letter together with the inspector's report are being placed in the Libraries of the House.

A copy of my decision letter and the inspector's conclusions and recommendations will be available from the Vote Office.

AGRICULTURE, FISHERIES AND FOOD

Rendering Industry

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for South Shields on 23 July, if he will list the dates on which he had meetings with representatives of the United Kingdom rendering industry.

Mr. Gummer: As stated in my earlier reply to the hon. Gentleman, Ministers in this Department frequently meet representatives of the rendering industry. My most recent meeting with the industry was on 11 July, and I also visited a plant belonging to one of the largest United Kingdom renderers on the same day.

OVERSEAS DEVELOPMENT

India

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total amount of United Kingdom bilateral aid spent on energy projects in India since 1980.

Mrs. Chalker *[holding answer 26 June 1990]:* United Kingdom financial aid for energy projects, including coal mining and oil and natural gas, in India has been £477 million since 1980, including estimated expenditure for 1989. In addition, expenditure on technical assistance has totalled £31 million in the same period.

Written Answers to Questions

Friday 7 September 1990

DEFENCE

Gulf Forces

Sir Geoffrey Finsberg: To ask the Secretary of State for Defence what contribution the United Kingdom has made to the Western European Union forces in the Gulf; what is the extent of the contributions made or promised by the other eight member nations; and what additional steps he expects the Western European Union to take in support of the United Nations operations there.

Mr. Archie Hamilton: All Western European Union member countries have undertaken to contribute to the multinational effort in the Gulf region, either directly or indirectly, and to co-ordinate fully their activities with other forces taking part in the implementation of United Nations Security Council resolutions 661 and 665. On current plans they will deploy more than 30 naval vessels to the Gulf area by the end of September. The United Kingdom has deployed four destroyers/frigates, three mine counter-measures vessels and their command ship, and four Royal Fleet Auxiliary vessels in support of the multinational naval effort.

ENERGY

Reprocessing Plants

Dr. Thomas: To ask the Secretary of State for Energy when the most recent meeting of the large-scale commercial reprocessing plant safeguards group took place; what issues were discussed; and whether the large-scale commercial reprocessing plant group intends to present a report on the future of safeguarding of large reprocessing plants to the forthcoming quinquennial review conference of the nuclear non-proliferation treaty.

Mr. Baldry: The most recent meeting of the large-scale commerical reprocessing plants group, the third plenary, was held in Avignon between 18 and 22 June this year. A paper on the large-scale commercial reprocessing group was also presented at the Institute of Nuclear Materials management conference held in Los Angeles between 16 and 19 July. A copy of the paper, which describes the current activities and interests of the large-scale commercial reprocessing group, has been placed in the Library of the House. As the work of the large-scale commercial reprocessing plant group is not yet complete, no report was presented to the non-proliferation treaty review conference.

Written Answers to Questions

Monday 15 October 1990

ENVIRONMENT

Local Government Finance

Mr. Meacher: To ask the Secretary of State for the Environment what is the current percentage collection rate by each local authority for the poll tax; what is the shortfall in revenue; and by how much poll tax rates would have to be increased in each case to compensate for the loss of revenue from non-payment.

Mr. Portillo: The Government have no comprehensive information on current collection rates. We shall be receiving details of collection rates at 30 September 1990 from local authorities and this information will be collated and made available to the local authority associations in the same way as was the information for 30 June.

Mr. David Nicholson: To ask the Secretary of State for the Environment if he will publish in the *Official Report* the latest figures he has for actual spending in 1989-90 and planned spending in 1990-91 for *(a)* each of the London boroughs, *(b)* the metropolitan districts of Salford, Stockport, Trafford, Sefton, Wirral, Coventry, Sandwell, Bradford and Leeds and *(c)* the shire counties of Cambridgeshire, Devon, Dorset, Gloucestershire, Hereford and Worcestershire, Kent, Oxfordshire, Somerset and Wiltshire.

Mr. Key: The available information is as follows:

Net revenue expenditure provisional outturn 1989-90 and budget estimates 1990-91

	Provisional outturn 1989-90 £'000s	*Budget estimates 1990-91 £'000s*
Cambridgeshire	304,500	335,093
Devon	456,617	519,332
Dorset	273,158	304,476
Gloucestershire	241,871	274,190
Hereford and Worcester	292,162	320,493
Kent	661,425	760,000
Oxfordshire	247,861	291,554
Somerset	234,537	250,951
Wiltshire	261,404	285,110
Salford	151,658	163,400
Stockport	141,575	168,761
Trafford	107,869	130,610
Sefton	146,770	179,143
Wirral	191,520	218,160
Coventry	192,636	218,115
Sandwell	187,208	223,558
Bradford	297,477	331,843
Leeds	358,442	422,348
City of London	76,160	67,873
Camden	147,683	180,685
Greenwich	99,721	221,596
Hackney	135,825	236,000
Islington	127,107	195,118
Kensington and Chelsea	65,004	117,458
Lewisham	117,997	207,292
Southwark	159,513	231,020
Tower Hamlets	124,538	212,471
Wandsworth	92,579	242,772
Westminster	106,317	173,617
Barking and Dagenham	85,292	99,852
Barnet	150,595	169,842
Bexley	118,358	124,602
Brent	228,953	238,444
Bromley	134,747	150,238
Croydon	165,362	189,838
Ealing	197,583	222,964
Enfield	153,003	170,417
Harrow	112,640	126,455
Havering	119,620	133,290
Hillingdon	138,020	155,194
Kingston-Upon-Thames	76,805	83,679
Merton	91,290	117,016
Newham	204,721	213,940
Redbridge	114,644	132,619
Richmond-Upon-Thames	81,034	90,376
Sutton	91,909	105,360
Waltham Forest	167,193	183,019

In 1990-91 information for capped authorities shows the position after capping.

Information is not yet available from Hammersmith and Fulham, Lambeth, Haringey and Hounslow.

Mr. Irvine: To ask the Secretary of State for the Environment, what was *(a)* the capital expenditure and *(b)* the revenue expenditure of (i) Baleigh district council, (ii) Forest Heath district council, (iii) Ipswich borough council, (iv) Mid-Suffolk district council, (v) St. Edmundsbury district council, (vi) Suffolk Coastal district council, (vii) Waveney district council and (viii) Suffolk county council in each year from (1) 1985-86 and (2) to 1990-91.

Mr. Key: The information is as follows:

Total expenditure[1] final outturn 1985-86 to 1989-90. Net revenue expenditure[2] provisional outturn 1989-90 and budget estimates 1990-91

	Final Outturn 1985-86 £'000	*Final Outturn 1986-87 £'000*	*Final Outturn 1987-88 £'000*	*Final Outturn 1988-89 £'000*	*Provisional Outturn 1989-90 £'000*	*Budget Estimate 1990-91 £'000*
Suffolk	197,896	218,200	230,942	254,492	276,116	318,718
Babergh	3,061	2,520	3,088	3,557	3,534	4,636
Forest Heath	2,540	1,968	1,983	2,275	3,031	3,781
Ipswich	7,934	8,865	10,292	10,997	14,982	17,782
Mid Suffolk	3,010	2,807	3,274	3,368	3,783	6,064
St. Edmundsbury	3,181	3,296	3,283	2,546	4,095	5,020
Suffolk Coastal	4,101	3,978	4,758	4,744	6,300	9,081
Waveney	5,244	5,275	5,874	6,574	7,230	8,229

Gross capital expenditure 1985-86 to 1990-91

	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	1989-1990 £'000	1990-91 £'000
Suffolk	18,079	24,605	24,703	35,173	34,995	44,330
Babergh	3,792	4,999	2,736	5,814	7,149	7,146
Forest Heath	2,112	2,474	4,217	5,117	7,669	6,653
Ipswich	15,486	14,615	10,203	18,993	22,549	17,193
Mid Suffolk	6,007	6,237	6,757	6,834	8,650	7,712
St. Edmundsbury	8,821	7,391	8,183	7,304	12,956	14,100
Suffolk Coastal	3,250	4,789	6,298	6,897	9,166	6,084
Waveney	5,306	5,991	6,771	8,333	8,343	11,114

[1]Total expenditure as defined in the rate support grant system.
[2]Net revenue expenditure as defined in revenue support grant system.

Mr. Irvine: To ask the Secretary of State for the Environment if he will detail the amounts received by *(a)* Baleigh district council, *(b)* Forest Heath district council, *(c)* Ipswich borough council, *(d)* Mid-Suffolk district council, *(e)* St. Edmundsbury district council, *(f)* Suffolk coastal district council, *(g)* Waveney district council, *(h)* Suffolk county council by way of (i) rate revenue support grant, (ii) specific grants, (iii) non-domestic rates and (iv) domestic rates and community charge in each year from (1) 1985-86 to 1990-91.

Mr. Key: The information is as follows:

Rate Support Grant 1985-86 to 1989-90

	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	1989-90 £'000
Suffolk	71,583	70,640	75,740	78,863	71,898
Babergh	2,212	2,456	2,318	2,182	1,096
Forest Heath	1,748	1,820	1,818	1,684	1,761
Ipswich	4,834	4,778	3,482	3,027	3,384
Mid Suffolk	2,086	2,312	2,269	2,115	2,134
St. Edmundsbury	2,341	2,445	2,489	2,363	2,390
Suffolk Coastal	2,833	3,137	2,807	2,289	2,663
Waveney	4,221	4,528	4,606	4,721	4,927

Relevant Specific Grants 1985-86 to 1989-90

	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	1989-90 £'000
Suffolk	16,629	19,098	21,485	23,787	25,564
Babergh	787	821	863	1,003	1,013
Forest Heath	273	287	332	332	368
Ipswich	1,984	2,139	2,573	2,558	2,811
Mid Suffolk	669	754	818	885	1,013
St. Edmundsbury	524	555	664	677	828
Suffolk Coastal	1,240	1,310	1,531	1,583	1,844
Waveney	1,578	1,749	2,048	2,119	2,367

Domestic rates 1985-86 to 1989-90

	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	1989-90 £'000
Babergh	8,814	10,724	11,596	12,882	14,428
Forest Heath	5,367	6,601	7,086	7,933	9,108
Ipswich	14,438	17,013	18,956	20,757	24,102
Mid Suffolk	7,853	9,646	10,599	11,778	13,544
St. Edmundsbury	9,312	11,312	12,395	13,908	15,353
Suffolk Coastal	13,394	16,433	18,403	20,590	22,858
Waveney	11,275	13,549	15,058	16,529	18,379

Non-domestic rates 1985-86 to 1989-90

	1985-86 £'000	1986-87 £'000	1987-88 £'000	1988-89 £'000	1989-90 £'000
Babergh	6,321	7,531	8,044	8,743	9,725
Forest Heath	4,818	5,845	6,401	7,160	8,142
Ipswich	18,102	20,965	22,806	24,731	28,445
Mid Suffolk	5,513	6,586	7,129	7,817	8,913
St. Edmundsbury	9,524	11,287	12,344	13,649	14,985
Suffolk Coastal	10,276	12,397	13,628	15,568	17,185
Waveney	7,409	8,721	9,575	10,524	11,618

1990-91	Revenue support grant £'000	Specific grants within AEF £'000	Community charge income £'000	Income from non-domestic rate pool £'000
Suffolk	0	29,169	0	0
Babergh	8,409	124	19,666	17,525
Forest Heath	5,366	113	11,740	9,902
Ipswich	14,458	255	40,682	26,633
Mid Suffolk	8,403	103	19,582	16,976
St. Edmundsbury	9,623	173	22,556	20,192
Suffolk Coastal	11,272	142	30,208	22,253
Waveney	11,894	256	28,297	23,966

Notes:
1. Domestic rates gross of rate rebates but net of rate relief grant.
2. Community charge income gross of charge benefits and transitional relief grant.
3. Income from the non-domestic rate pool is distributed in proportion to relevant population (£292·51 per adult). It is not comparable with income from non-domestic ratepayers in earlier years.

Ms. Harman: To ask the Secretary of State for the Environment if he will publish a table showing the relationship of community charge to rates in the manner of his answer to the hon. Member for Ealing, Acton (Sir G. Young) on 19 June, *Official Report*, column 480, using actual rates of community charge set by local authorities.

Mr. Key: The analyses already provided offer the most valid illustration of the distributional effects of the introduction of the community charge system. Use of actual community charges would not provide a proper comparison with 1989-90 rates since increases in local authority spending mean that the community charge is raising 30 per cent. more revenue than was raised by domestic rates.

Local Government Superannuation Regulations

Mr. Thurnham: To ask the Secretary of State for the Environment what representations he has received on the implementation of the Local Government Superannuation (Amendment) Regulations 1990; and if he will make a statement.

Mr. Heathcoat-Amory: The Local Government Superannuation (Amendment) Regulations 1990 came into force on 17 September. Comments on the draft regulations were invited from interested parties in April, and 14 replies were received. These included a detailed response from the United Kingdom steering committee on behalf of local authorities in England and Wales.

Archaeological Funds

Mr. Dalyell: To ask the Secretary of State for the Environment, pursuant to his answer of 18 July, *Official Report*, column *562*, what consideration he has given to the most appropriate measures for protecting archaeological finds made on unscheduled sites.

Mr. Trippier: My Department is currently discussing this issue with English Heritage.

Nature Conservation Grants

Ms. Walley: To ask the Secretary of State for the Environment what arrangements will be made arising from the proposed reorganisation of the Nature Conservancy Council to co-ordinate applications for nature conservation grants for projects with a Great Britain interest or which relate to more than one country; and whether the Joint Nature Conservation Committee will take a co-ordinating role.

Mr. Trippier: The Government has already made it clear that the new agencies should agree efficient procedures for dealing with applications for nature conservation grants which cover more than one agency's interests, in order to prevent duplication of funding and to avoid unnecessary work for applicants. Grants are an executive function for the country agencies themselves and there is no need for any statutory or other formal provision for involvement by the Joint Nature Conservation Committee.

Water Quality

Ms. Walley: To ask the Secretary of State for the Environment (1) if he will list each nitrate derogation which has been granted to each water company in England and Wales, giving the date when each derogation was issued and the expiry date;

(2) if he will list each centre of population which receives drinking water which is in breach of European Community nitrate limits.

Mr. Heathcoat-Amory: Derogations for nitrate which were granted in 1985 were withdrawn by the government in 1988. For those supplies which breach the EC and national standard for nitrate, or where there has been a past breach which is likely to recur, my right hon. Friend the Secretary of State has accepted an undertaking from the water company under section 20 of the Water Act 1989 to secure compliance with the standard. All supplies will comply by 1995 at the latest. Those supplies which do not meet the standard in the interim are not considered to endanger health. Copies of the undertakings by the water service companies are available in the Library.

I am arranging for copies of the undertakings my right hon. Friend has accepted from the statutory water companies to be placed in the Library.

Undertakings accepted by my right hon. Friend the Secretary of State for Wales are a matter for the Welsh Office.

Ms. Walley: To ask the Secretary of State for the Environment further to his reply of 19 July, *Official Report*, column *729*, if he will give details and results of all surveys of groundwater contamination in Staffordshire undertaken by the National Rivers Authority.

Mr. Heathcoat-Amory: The National Rivers Authority has a network of 75 regularly measured groundwater quality monitoring points in Staffordshire. The network particularly covers the triassic sandstone aquifer which is a major source of public water supplies in the county. The data collected from the monitoring surveys is lodged on the public Water Act register which is held at the authority's Severn Trent region's office.

Personal Data

Mr. Cohen: To ask the Secretary of State for the Environment (1) what steps he has taken to ensure that the chargepayer's privacy is adequately protected when information is disclosed by a community charge registration office or charging authority without the knowledge or consent of the charge payer; and if he will make a statement;

(2) whether he will introduce regulations to provide that a community charges registration officer should not disclose information about a charge payer to another community charges registration officer without the knowledge or informed and express consent of the charge payer; and whether he will make a statement.

Mr. Key: Community charges registration officers and charging authorities may only make use of information they have obtained in carrying out their statutory functions in accordance with their powers under the Local Government Finance Act 1988, and are bound by the provisions of the Data Protection Act 1984. There is no intention to alter this position.

Mr. Cohen: To ask the Secretary of State for the Environment whether his Department will take positive steps to discuss with the Data Protection Registrar, all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Christopher Patten: I am reminding my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Blue-green Algae

Ms. Walley: To ask the Secretary of State for the Environment what advice he has given to local authorities concerning advice to the general public of health hazards associated with blue-green algae.

Mr. Heathcoat-Amory: Advice from the Department of Health and the Ministry of Agriculture, Fisheries and Food is included in the standard letters sent by the National Rivers Authority to chief environmental health officers, medical officers of environmental health and site owners when particular water bodies are identified as being likely to develop potentially toxic algal blooms. This advice is also included in a leaflet containing information on the dangers associated with blue-green algae published by the National Rivers Authority on 6 June. The wide distribution given to this leaflet included environmental health officers as well as owners and users of recreational water facilities.

Ms. Walley: To ask the Secretary of State for the Environment if he will give details of all research currently undertaken into blue-green algae.

Mr. Heathcoat-Amory: As part of the work of its task group on blue-green algae, the National Rivers Authority has undertaken a comprehensive survey of research into this field, both in this country and overseas. Details are included in the report published by the National Rivers Authority on 1 October. The report makes a number of detailed recommendations for further research which are being carefully considered.

Home Ownership

Mr. Moate: To ask the Secretary of State for the Environment what is the level of home ownership currently *(a)* in number and *(b)* as a percentage of all housing; and what are the comparable figures for 1980, 1970 and 1960.

Mr. Michael Spicer: The information is as follows:

	England		*United Kingdom*	
	Owner-occupied dwellings (millions)	*per cent. of all dwellings*	*Owner-occupied dwellings (millions)*	*per cent. of all dwellings*
December 1960	6·4	45	7·0	42
December 1970	8·2	51	9·5	49
December 1980	10·3	57	11·9	55
December 1989	13·2	68	15·3	66
June 1990	13·3	69	n.a.	n.a.

n.a. = not available.

Landfill Gas

Ms. Walley: To ask the Secretary of State for the Environment, further to his answer of 19 July, *Official Report*, column *726*, when he intends to publish the results of Her Majesty's inspectorate of pollution's survey into landfill sites to determine those with the potential to generate landfill gas; and which sites have been and are being monitored in Staffordshire.

Mr. Trippier: The results of the survey are expected to be published in the near future. The survey has identified 22 gassing or potentially gassing sites in Staffordshire. It would be for Staffordshire county council as the waste disposal authority to provide any details about the number of sites currently being monitored.

Voluntary Agencies

Mr. Kirkwood: To ask the Secretary of State for the Environment how many voluntary agencies, who in 1989 received Government funding under section 73 of the Housing Act 1985, did not do so in the current year.

Mr. Michael Spicer: Fourteen. However, the following 23 organisations received section 73 grant for the first time this year:

Brighton Housing Trust
Centrepoint (Soho)
Chester Lodgings and Support Group
Coventry Day Centre
Housing Aid for Youth, Blyth
Key House Project, Keighley
Leicester Night Shelter
Lodgers
The London Connection
St. Martin in the Fields Social Care Unit
The National Foster Care Association
Newark Young Single Homeless Trust
North Lambeth Day Centre
The Passage Day Centre, Westminster
The Portsmouth Housing Trust
Reading Emergency Accommodation Project
Riverpoint Single Homeless Ltd., London
St Basil's Centre, Birmingham
The Sisters of Charity of St. Vincent de Paul, London
Thames Reach, London
Threshold, Hammersmith
West End Co-ordinated Voluntary Services for Homeless Single People, London
Yeldall Christian Centre.

Mr. Kirkwood: To ask the Secretary of State for the Environment what further criteria were used to determine which voluntary agencies received funding in the current year in addition to section 73 of the Housing Act 1985.

Mr. Michael Spicer: I refer the hon. Member to the reply that I gave to my hon. Friend the Member for Bedfordshire, North (Sir T. Skeet), on 5 June, at column *485*.

Palace of Westminster (Cleaning)

Mr. Moate: To ask the Secretary of State for the Environment if he will make a further statement on the timetable for the cleaning of the exterior of the inner courtyards of the Palace of Westminster.

Mr. Key: The work to repair and clean the stonework in the courtyards is due to begin in 1994-95 following the completion of the work to the Victoria tower.

Rents

Mr. Austin Mitchell: To ask the Secretary of State for the Environment what is the typical gross rate of return on uncontrolled rents of private residences in the private sector in *(a)* central London and *(b)* north-west England as a percentage of the capital value of the asset.

Mr. Michael Spicer: We do not yet have sufficient information on the level of rents being charged for assured tenancies to serve as a basis for estimates of the rate of return on capital. A survey intended to provide such information is currently in hand.

Environment Protection (Local Government Spending)

Ms. Walley: To ask the Secretary of State for the Environment what account the autumn statement on standard spending assessment will take of the necessary expenditure incurred by local authorities on *(a)* pollution control, *(b)* enforcement, *(c)* prevention, *(d)* training of staff and *(e)* all extra duties to be conferred following the enactment of the Environmental Protection Bill.

Mr. Portillo: Extra duties falling to local authorities were one element in my right hon. Friend's decision to increase aggregate external finance for local authorities by 12·8 per cent. for 1991-92. He expects to make his proposals for standard spending assessments, including control totals for service blocks, in the next few weeks.

Peatlands

Mr. Moate: To ask the Secretary of State for the Environment when he expects to reach conclusions about measures necessary to conserve peatlands; if he is satisfied that the current options offer sufficient scope to accommodate both continued peat extraction and conservation; and if he will make a statement.

Mr. Trippier: The noble Lord Reay's response to the debate on peatland issues, which took place in another place on 9 May 1990, indicated that there were a considerable number of matters to be addressed. Work on these is progressing both in my Department and elsewhere, but information on some key aspects is not yet available. My right hon. Friend the Secretary of State hopes to be able to make a statement about measures necessary to conserve peatlands during the first half of 1991.

Amphibians

Mr. Dalyell: To ask the Secretary of State for the Environment if he will make a statement on his efforts in the last three months to establish the extent of the changes in the population of frogs and other amphibians over the last decade; and if he will detail the effect on frogs of habitat loss and pesticides.

Mr. Trippier: The Nature Conservancy Council (NCC) has commissioned Leicester Polytechnic to undertake an inquiry to provide information on the current status of widespread species of amphibians and reptiles.

Provisional information shows that the status of the frog has continued to improve during the 1980s; it has increased in seven of the NCC's regions and not changed appreciably in the other eight. The crested newt has done least well of the species studied, but the rate of decline has slowed. The toad, the smooth newt and the palmate newt have more or less held their own nationally during the 1980s.

In instances where frog numbers had declined, and where the reasons for decline were given, 88 per cent. of correspondents mentioned habitat loss. Nobody specifically mentioned pesticides.

City Grant

Mr. Corbyn: To ask the Secretary of State for the Environment if he will list by region, and date of completion, all projects completed where city grant has been paid, the name of company, the amount of private investment and the amount of grant paid for these projects.

Mr. Atkins: The information requested is shown in the following table. Although some schemes are physically complete some of them are still incurring expenditure and in those cases final claims are still to come. A further 54 schemes are currently under construction.

Completed City Grant Schemes

Region and project name	*Project completion date*	*City grant paid*	*Private expenditure*
West Midlands			
Constitution Hill T. S. Gandhi Esq.	1 September 1990	67,933	284,000
Garrison Lane, Industrial Development Birmingham J. A. Elliott (Developments) Ltd.	30 March 1990	570,000	2,906,000
Startpoint Industrial Development Pentos plc	9 March 1990	283,000	850,000
Walsall Chamber of Commerce Walsall Chamber of Commerce	7 June 1990	25,593	281,000
Windmill Lane, Smethwick McLean in the Inner Cities Ltd.	1 May 1990	748,922	2,286,000
		1,695,448	6,607,000
North West			
Hazel Avenue and Acme Mill Housing Development Brackenlea Ltd.	30 April 1990	490,158	2,915,000
Oozebooth Mill Euro Jeans Ltd.	11 May 1990	142,000	441,000
Prospect Mills Housing Tay Homes (Northern) Ltd	26 March 1990	649,773	1,593,000
		1,281,931	4,949,000
Northern			
Ascot Court, Phase 3, Farringdon Two Castles Ltd.	6 October 1989	100,800	403,000
Ascot Court, Sunderland, Phase 4 Two Castles Ltd.	18 December 1989	52,360	307,800
Coach Lane, North Shields Nomad Properties plc	10 November 1989	88,892	442,600
Dean Street, Newcastle Avatar Ltd.	27 February 1990	351,000	896,000
Former Walkers Department Store Onix Construction Ltd.	31 March 1990	128,485	412,485
Grosvenor Mews, North Shields R. A. Construction Ltd.	28 February 1990	64,620	253,000
West Row, Stockton Glynns Estates (Cleveland) Ltd.	20 August 1990	96,772	425,000
		882,929	3,139,885
Yorkshire and Humberside			
175 Arundel Gate Manor Developments (Chesterfield) Ltd.	16 January 1990	233,353	856,000
Maxi's Chinese Restaurant Maxi's (Yorkshire) Co. Ltd.	30 November 1989	74,000	614,000
Site 2, Ringway Industrial Centre Slough Properties Ltd.	2 March 1990	204,639	565,000
Victoria Buildings Lynthorpe Property and Development Ltd.	22 November 1989	72,790	224,000
		584,782	2,259,000
London			
Ackermans Chocolates Ltd. Ackermans Chocolates Ltd.	31 January 1990	70,000	280,000
		70,000	280,000
East Midlands			
8 Stanford Street, Notts Rushcliffe Developments Ltd.	30 September 1989	305,500	1,159,000
Lamberts Factory Office Development Pickering Developments Ltd.	31 August 1990	709,333	2,594,000
Pilcher Gate, Nottingham James McArtney Architects	9 March 1990	58,717	627,000
Rutland Square Hotel Rutland Square Hotels Ltd.	20 October 1989	738,000	2,478,000
St. Johns Corner Provident Mutual Life Assurance Assoc.	13 July 1990	294,639	5,078,000
		2,106,189	11,936,000
Merseyside			
Former Huntley and Palmer Building Anglo International Holdings Ltd.	31 December 1989	334,690	1,307,000

Region and project name	*Project completion date*	*City grant paid*	*Private expenditure*
		334,690	1,307,000
Grand Total		6,955,969	30,477,885

Sunday Markets

Mr. Pawsey: To ask the Secretary of State for the Environment (1) what representations he has received about the effects on residents of the introduction of Sunday markets;

(2) whether he intends to take any action to control the spread of Sunday markets.

Mr. Michael Spicer: The Department has received a small number of representations about Sunday markets during the last 12 months. The representations have commonly raised issues relating to noise nuisance, traffic congestion, permitted development rights, unauthorised operators, and amenity.

Local authorities already have a variety of statutory powers to control markets, and my right hon. Friend has no plans for further legislation.

Planning Applications

Mr. Dalyell: To ask the Secretary of State for the Environment what estimate he has made of the pressure on the resources of the NCC of their increased volume of planning applications coming from the south-east of England; and if he will make a statement.

Mr. Trippier: The Nature Conservancy Council (NCC) has drawn attention to this pressure in the corporate planning documents submitted this year. It will be taken into account when determining the grant-in-aid to be made available to the Nature Conservancy Council for England next year.

Development Corporations

Mr. Blunkett: To ask the Secretary of State for the Environment whether his proposed guidelines to the chairmen of development corporations will include arrangements relating to compulsory purchase powers in respect of land acquisition; and if he will make a statement.

Mr. Portillo: The guidance will contain advice on handling any conflicts of interest which may appear to arise from the use of compulsory purchase powers by an urban development corporation.

Mr. Blunkett: To ask the Secretary of State for the Environment (1) what steps his Department has taken to ensure that the procedures adopted for the letting of contracts or the offering of consultancies by the Sheffield development corporation have conformed with the procedures outlined in his answer of 20 December 1989, *Official Report*, column *329;* and if he will make a statement;

(2) what steps his Department takes to ensure that all development corporations are following the procedures laid down in regulations arising out of the Local Government Act 1988 or similar previous enactments relating to competitive tendering, together with appropriate EC directives; and if he will make a statement.

Mr. Portillo: Guidance on the competitive tendering requirements of the Local Government Act 1988 and EC directives was issued to all UDCs, including Sheffield, in December 1988. The Department monitors compliance through arrangements for project approval, post implementation sampling of projects, and the work of external auditors appointed by the Secretary of State.

Mr. Blunkett: To ask the Secretary of State for the Environment (1) if he will now publish the report of the investigation into the running of Sheffield development corporation; and if he will make a statement;

(2) if he intends to take any action arising from the recommendations of the inquiry into the operation of the Sheffield development corporation in respect of separating out potential conflict of interest arising out of appointments held in companies or organisations who may have a commercial or other similar relationship with the development corporation, to review the membership of the Sheffield development corporation board; and if he will make a statement.

Mr. Portillo: Those who gave evidence to Sir John Garlick's inquiry did so in confidence. I do not therefore believe that it would be fair or appropriate to publish the report.

On 29 August, I issued the following statement:

"Earlier this year my Department received from Mr. Keith Beaumont, the Chief Executive of Sheffield Development Corporation, a letter criticising the Chairman's role in the conduct of the Corporation's business.

"The letter was sent by Mr. Beaumont quite properly in his role as the Corporation's Accounting Officer. I thought it right to ask Sir John Garlick, a former Permanent Secretary of this Department, who as a Member of the Board of London Docklands Corporation is familiar with UDC procedures, to look into the matters raised and report to me as quickly as possible. He has now done so.

"I am satisfied that Mr. Sykes has performed his role as Chairman with complete honesty and integrity. Sir John found no grounds whatever for thinking Mr. Sykes had attempted to secure improper financial gain through his role as SDC Chairman—nor had Mr. Beaumont made any such suggestion.

"Mr. Sykes has tremendous enthusiasm for and commitment to the regeneration of the Lower Don Valley and has my full support in continuing as Chairman of the Development Corporation.

"Sir John did however find a number of shortcomings in the way Corporation business had been conducted. Some of these were the responsibility of the Chairman, others of SDC officers. Sir John also concluded that some criticism could be made of the Department for not ensuring that the most effective guidance was available to the Chairman.

"The shortcomings in the conduct of SDC business were in four areas:

(1) The holding of Chairmanship of Hallamshire Investments plc concurrently with SDC Chairmanship. Mr. Sykes was instrumental in establishing Hallamshire Investments plc which is a joint public/private sector investment company set up with the specific objective of investing in the regeneration of Sheffield. Mr. Sykes is non-executive Chairman of Hallamshire, but has no financial interest in the company and is not involved in its investment decisions. On this basis my Department agreed, after discussion with Mr. Sykes, that he could properly retain the Chairmanship. This was an exception to the

normal rule that Development Corporation Chairmen give up Chairmanships of companies which operate in their area.

"Sir John found no evidence of harm or wrongdoing but concluded that, given the nature of the company's activities, for one person to hold the chairmanship of both Hallamshire Investments and the SDC was inconsistent with the need to avoid situations where public duties and private interests conflict or where there could be a suspicion of conflict. Sir John also found that my Department's views on his retention of the Chairmanship of Hallamshire Investments and of certain other business interests may have left the Chairman confused as to exactly what constraints applied to his activities, particularly in relation to Hallamshire Investments.

(2) "The Chairman's business interests. Mr. Sykes has a wide range of business interests both inside and outside Sheffield. He has been entirely open about these to the Department since his appointment and has in general followed the guidance given to Development Corporation Chairmen which is designed to ensure that there can be no conflict or suspicion of conflict between public and private interests.

"Sir John was satisfied that the Chairman had no wish deliberately to disobey the rules and indeed noted that on several occasions he was at pains to ensure that he was acting entirely properly. But Sir John found a few occasions when a clear distance was not kept between his public and private activities and when as a result a suspicion of conflict might have arisen. He found no evidence whatever of any financial impropriety or wrongdoing.

(3) "Appointment of consultants to the SDC. The rules governing the appointment of consultants to public bodies are strict. Competitive tender is required in all but exceptional circumstances and the Corporation's systems need to be able to ensure and demonstrate that value for money is being achieved.

"Sir John told me that, in his wish to ensure that the SDC had access to high quality advice, the Chairman had, he judged pressed too hard for the appointment of a particular consultant. Sir John noted however that it was a matter of judgment as to how far it was reasonable for a Chairman to press for the appointment of a particular individual or firm, and that his own judgment in this case was inevitably subjective. He also noted that SDC officers had been slow in making progress on the appointment of any candidate in the particular case.

"Sir John also criticised the SDC's systems for selecting, appointing and subsequently monitoring consultancy appointments. These were the responsibility of the Chief Executive. Again Sir John found no evidence of financial impropriety or wrongdoing, but noted the need for proper observance of procedures and adequate systems to ensure that the SDC always obtained best value for money.

(4) "Use of SDC facilities. Mr. Sykes' personal staff of two full time secretaries and one part time assistant work on both SDC and non-SDC business. The SDC pays for one full time member of staff, Mr. Sykes for the other two.

"Sir John found no evidence that the SDC paid for more secretarial time than it should under this arrangement. Indeed the SDC may well, on balance have gained. But he regarded the arrangement which the SDC had entered into as untidy and open to abuse.

"Sir John emphasised that he found no evidence of actual harm arising from any of these matters. But noted that a continuation of what had happened in the past could lead to justifiable criticisms in future.

"I have discussed these findings with Mr. Sykes and with my officials. Mr. Sykes entirely recognises the procedures and standards involved in public business and the need for the SDC to improve its official systems and procedures. He and his board have given me an assurance that the Corporation will maintain the highest possible standards in future. The Corporation is also taking steps to review its systems and procedures.

"As far as Sir John's criticism of the Department is concerned, I am making arrangements to strengthen the guidance given to all Chairmen and board members. Detailed guidance will be given to cover the difficult issues that can arise for a Chairman who has a range of local business interests. Local knowledge and connections can in themselves be of considerable value to an urban development corporation. But a clear distance needs to be kept between the activities of the public body and private business interests to avoid any suspicion of a conflict of interest.

"As far as the Chairmanship of Hallamshire Investments is concerned, I am satisfied that Mr. Sykes behaved entirely properly in continuing to hold both Chairmanships after the first discussions with the Department. But we both accept Sir John's conclusion that, given the nature of the company's activities, there are difficulties in one man holding the Chairmanships of both the SDC and Hallamshire. Mr. Sykes has therefore told me that he will be talking to the Board of Hallamshire Investments with a view to resigning his Chairmanship.

"I am most grateful to Sir John for the speed and thoroughness with which he has completed his work. I am happy that the Corporation will now be able to get on with its vital work of regenerating the Lower Don Valley. The Corporation has made excellent progress so far in securing environmental and economic improvements. I confidently expect that positive change to continue and accelerate over the next few years".

Mr. Blunkett: To ask the Secretary of State for the Environment if he has anything to add to his answer of 20 December 1990, *Official Report*, column *329*, in respect of the practice adopted by the development corporations in the letting of contracts or the funding of consultancies, following the statement issued by the Minister of State on 29 August in respect of the investigation which had been undertaken into the running of the Sheffield Development Corporation; and if he will make a statement on the new guidance to be given to the chairmen of development corporations in respect of the separation of public and private interest.

Mr. Portillo: I have nothing to add to the answer given by my right hon. Friend on 20 December 1989. When the Department's revised guidance to UDC chairmen and board members on handling conflicts of interest is issued a copy will be placed in the Library.

Mr. Blunkett: To ask the Secretary of State for the Environment whether, in the guidelines to be issued to development corporation chairmen, advice will be given on *(a)* the appointment of staff without public advertisement or interview for the post concerned, *(b)* the separation of payment from public and private funds for those employed by, or paid on behalf of, the development corporation and *(c)* the calling of ad hoc and unminuted meetings of selected members of the board of development corporations for discussion of business to be considered by the whole of the board membership; and if he will make a statement.

Mr. Portillo: All urban development corporations have been advised that staff should be recruited on merit on the basis of fair and open competition and in accordance with the standards expected of public sector employers. My Department will shortly issue guidance on the separation of payment from public and private funds for those employed by or paid by UDCs. Arrangements relating to meetings of a UDC board are a matter for the corporation to determine.

Mr. Blunkett: To ask the Secretary of State for the Environment when officials of his Department were notified of suggestions of impropriety or concerns relating to the procedural or other conduct of the workings of the

Sheffield development corporation about which he subsequently initiated inquiries; what action was taken at that time as a consequence of the reference made; and if he will make a statement.

Mr. Portillo: In July 1989 a member of the public expressed concern about the conduct of SDC's affairs. In September that year the chief executive raised similar concerns informally with the Department. In neither case did the Department consider that there was any evidence of impropriety.

At the end of May this year, the chief executive wrote to the Department criticising the chairman's role in the conduct of the corporation's business, and my right hon. Friend the Secretary of State asked Sir John Garlick to carry out a formal investigation. That investigation found no grounds whatever for thinking that the chairman had attempted to secure improper financial gain through his role as SDC chairman.

Mr. Blunkett: To ask the Secretary of State for the Environment whether development corporations are now to be made subject to the provisions of the compulsory competitive tendering legislation contained in regulations arising out of the Local Government Act 1988; and if he will make a statement.

Mr. Portillo: Urban development corporations have always been subject to the provisions of parts I and II of the Local Government Act 1988.

Nature Conservancy Council

Mr. Dalyell: To ask the Secretary of State for the Environment (1) what further resources he has made available for successor agencies to the Nature Conservancy Council in addition to his estimate of the notional cost required to perform the new range of statutory duties;

(2) pursuant to his reply of 25 July, *Official Report*, column 453, if he will make it his policy that the final additional costs of reorganisation of the Nature Conservancy Council will be made available to Parliament before the Environmental Protection Bill concludes its parliamentary stages;

(3) what funding he proposes to enable successor agencies to the Nature Conservancy Council to carry forward new initiatives to enhance nature conservation;

(4) what is his latest estimate of the increase in staff numbers and resources as a result of the Nature Conservancy Council being split into four separate agencies;

(5) what percentage of the agreed posts in successor authorities to the Nature Conservancy Council, on current estimates, will be staffed by April 1991.

Mr. Trippier: The Government have made an extra £1·4 million available in the current financial year to cover initial reorganisation costs. Detailed work on the cost of reorganisation in 1991-92 has been carried out by the existing agencies and the relevant Government Departments. It is already the Government's intention to make the main results of this work available to Parliament very shortly and before the Environmental Protection Bill concludes its parliamentary stages.

The Government's statement will include details of the manpower requirements of the new agencies and the outcome of the current work being undertaken by the Nature Conservancy Council and Countryside Commission to meet those requirements by assigning existing staff to the new agencies. Any vacancies which remain will be filled by trawls or recruitment and every effort will be made to complete this process before 1 April 1991.

Decisions about the total resources to be made available to the successor agencies to cover all their responsibilities in 1991-92 will be taken within the timetable and context of the annual public expenditure round.

Mr. Dalyell: To ask the Secretary of State for the Environment if he will state the number of grants given by the Nature Conservancy Council in the year ending 31 March 1990 for the management of land which is not SSSI and not related to net profits forgone, and the total cost of such grants.

Mr. Trippier: This information could be provided only at disproportionate cost.

Mr. Dalyell: To ask the Secretary of State for the Environment on what dates in 1988, 1989, and 1990 he met the chairman of the Nature Conservancy Council to discuss formally his proposed changes in the Nature Conservancy Council.

Mr. Trippier: The Secretary of State or his predecessor, as well as other Ministers, met the chairman of the Nature Conservancy Council on a number of occasions in 1989 and 1990 to discuss the Government's proposals to reorganise the Nature Conservancy Council.

Restrictive Covenants

Mr. Pawsey: To ask the Secretary of State for the Environment what weight his inspectors attach to restrictive covenants when considering and determining planning appeals.

Mr. Michael Spicer: The weight to be attached to any relevant planning consideration is a matter for the inspector to assess within the particular circumstances of each appeal.

Nitrogen Oxide Abatement

Mr. Dalyell: To ask the Secretary of State for the Environment, pursuant to his answer of 26 July, *Official Report*, column 387, if he will make a statement on the final report into evaluation of nitrogen oxide abatement technologies for large combustion plant.

Mr. Trippier: My Department has not yet received the final report.

Kurdish Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for the Environment what finance has been made available to local authorities in London to assist the needs of Kurdish asylum seekers in the past two years.

Mr. Key: The Department has to date made payments of £790,174 to London boroughs on the basis of initial claims under the terms of the scheme of special financial assistance established in January 1990 for London local authorities which incurred in 1989-90 extra expenditure directly as a result of the influx of Turkish asylum seekers

into the United Kingdom in April, May and June 1989. Final audited claims are due to be submitted to the Department by 31 December 1990. The housing investment programme allocations made to the London authorities for 1990-91 took account of the housing capital needs related to the arrival of refugees, including Turkish asylum seekers.

Next Steps

Dr. Marek: To ask the Secretary of State for the Environment if he will list the management consultancies *(a)* his Department and *(b)* the executive agencies for which he is responsible have employed in connection with the Next Steps agency programme; and if he will list the task for which they were employed, and the fee paid.

Mr. Chris Patten: Consultants have been employed on eight occasions to advise on the development of financial and management systems for my Department's agencies and agency candidates. Details of the individual contracts are commercially confidential.

Water Undertakers (Land Disposals)

Mr. Spearing: To ask the Secretary of State for the Environment if he will publish a list of land disposals by regional water undertakers, stating in each case the reasons for the disposal of each parcel of land.

Mr. Heathcoat-Amory: No. The Department does not hold this information since land disposals do not normally require the Secretary of State's specific approval. Customers interests in disposals are protected by the Director General of Water Services. Proposed disposals in National Parks, the Broads, areas of outstanding natural beauty and sites of special scientific interest must be cleared by the Countryside Commission, and, in the case of SSSIs, the Nature Conservancy Council. Water undertakers as private companies can exercise their commercial judgment on disposals, subject to meeting their obligations under the Water Act 1989.

Community Charge

Mr. French: To ask the Secretary of State for the Environment if he will take steps to end the entitlement of the mature student spouse of a top income tax rate payer to pay the reduced rate of 20 per cent. community charge.

Mr. Key: Pursuant to the reply given on Tuesday 24 July at column *182*, a student for the purposes of the community charge is defined by reference to the nature of the studies undertaken not the source or level of income available. The administrative cost of assessing the resources of all students and their spouses would far outweigh the increased charge revenue collected to the disadvantage of all chargepayers and taxpayers and would serve only to create new anomalies.

House of Commons Crypt

Mr. Dalyell: To ask the Secretary of State for the Environment what is the result of the work of a team from his Department and English Heritage in investigating the stonework round the crypt font in the Palace of Westminster.

Mr. Key: Work to solve the problem of damp penetration which has caused the deterioration of the marble is proceeding on two fronts.

Recent excavations by English Heritage have revealed evidence of a pre-Victorian culvert running parallel to the south wall of St. Stephen's Hall. The culvert is damp leading to the thought that it may be drawing up ground water. English Heritage's proposals are now awaited for further excavations to try to establish the relationship, if any, of the culvert to the dampness in the Chapel.

Consultant architects have also been considering the means of preventing the seepage of moisture through the stonework. Because of the pressure of the rising ground water they do not recommend the application of a damp proof outer membrane. Instead they propose the construction of a new waterproof retaining wall. This will be considered together with the results of English Heritage's further work.

Mr. Dalyell: To ask the Secretary of State for the Environment if he will make a statement on his Department's discussions with the sculpture conservation department of the Tate gallery on the progress of the restoration of the purbeck marble in the Crypt of the House of Commons.

Mr. Key: The head of sculpture conservation at the Tate gallery visited the Crypt Chapel in January 1990 when he saw at first hand the complexity of the conservation problem under consideration. It was agreed that before any action could be taken within the Chapel, the source and entry route of the ground water has to be established.

OVERSEAS DEVELOPMENT

Overseas Aid

63. **Mr. Wigley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the level of United Kingdom overseas aid and the ways in which it is allocated; and if he will make a statement.

Mrs. Chalker: Increasingly people who talk to me about aid recognise the importance of aid supporting sound economic policies and good government, and doing more to tackle the key issues of poverty, population and the environment.

Sheep Farming

67. **Mr. Geraint Howells:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy in respect of aid to encourage sheep farming in the third world.

Mrs. Chalker: Sheep play an important role in the livelihoods of many poor communities, as they exist on marginal land and produce a range of products which provide subsistence and cash income.

ODA supports activities which directly or indirectly enhance sustainable sheep production in developing countries, priority being given to nutrition, health and breeding in the context of land use systems.

Bangladesh

68. **Mr. Madden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total amount of aid to Bangladesh granted over each of the past three years.

Mrs. Chalker: Gross disbursements of bilateral official development assistance provided by the United Kingdom to Bangladesh over the calendar years 1987, 1988 and 1989 amounted to £31·6 million, £44·9 million and £52·9 million respectively. In addition the share of aid given through multilateral institutions, and attributed to the United Kingdom was £25·3 million in 1987 and £27·2 million in 1988. Figures for 1989 are not yet available.

Tigray

69. **Mr. Cousins:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he propposes to take to assist the work of the Relief Society of Tigray.

Mrs. Chalker: We have committed emergency aid worth over £35 million to Ethiopia since the beginning of 1989. This includes the provision of 5,859 tonnes of sorghum, and other relief assistance, totalling some £6·18 million for the hungry in those areas of northern Ethiopia where the Relief Society of Tigray works. A further 2,500 tonnes of wheat valued at £0·733 million is currently on its way to Tigray.

Animal Conservation

70. **Mr. Tony Banks:** To ask the Secretary of State for Foreign and Commonwealth Affairs what animal conservation projects are currently being considered by his Department for funding.

Mrs. Chalker: Several possible projects are under consideration of which animal conservation would be an important element. They include the following:

Anguilla: Coastal zone inventory.
Belize: Coastal zone inventory.
British Virgin Islands: Coastal zone inventory.
Cameroon: Environmental advice.
Egypt: Study of impact of pollution on acquatic communities, Lake Manzala; Ecological studies, Lake Maryut.
Kenya: Further support for Kenya Wildlife Service.
Madagascar and Mauritius: Creation of nature reserve areas on off-shore islets.
Namibia: Fisheries resource management.
Nigeria: Conservation adviser, conservation education programme.
Tanzania: Support for Ruaha game park.

Zambia

72. **Mr. Spearing:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list any requests he has received from the Government of Zambia for specific items of aid since July.

Mrs. Chalker: Since July of this year, the Government of Zambia have formally requested:

(a) extension of earlier assistance to the Central Statistical Office;

(b) assistance with rehabilitation of Lusaka urban district council water supply, sanitation and other utilities;
(c) provision of fisheries instructors;
(d) a second phase of assistance under the Central Province district development project; and
(e) payment of the first £5 million tranche of a £30 million programme aid grant in support of economic adjustment.

Items (b) and (c) are under consideration, the former in company with other donors. The remaining requests have been accepted and implementation is in hand.

Brazil

73. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals Her Majesty's Government have to increase aid to Brazil to tackle environmental problems.

Mrs. Chalker: Under the memorandum of understanding on environmental co-operation, signed in July 1989, we have agreed four projects with the Brazilian authorities with a total cost to Her Majesty's Government of £4·6 million. We expect to agree a further four projects soon. We are discussing a number of further proposals with the Brazilian authorities.

As part of our programme of environmental assistance, we are also supporting—as a tripartite initiative, involving the Brazilian Government and ICI—a conference on the theme of "Ecological Restoration for Forest Conservation". It will be held in Brasilia from 30 October to 1 November 1990. I am looking forward to the conference and I will be taking the opportunity whilst in Brazil of discussing with the Brazilian authorities, including their Secretary for the Environment, our present and proposed programme of environmental projects.

Emergency Relief

74. **Sir Fergus Montgomery:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on emergency relief aid expended under the United Kingdom's aid programme.

Mrs. Chalker: Providing immediate and effective humanitarian assistance is one of the key areas of the aid programme. Last year we spent over £61 million in disaster relief, help for refugees and emergency food aid.

Natural History Museum (Collections)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the discussions of the right hon. Member for Wallasey (Mrs. Chalker) over the summer with Dr. Neil Chalmers, Dr. John Peake and other officials of the natural history museum about the future of the collections relative to the Overseas Development Administration.

Mrs. Chalker: My recent visit to the natural history museum was informative and useful. Working particularly with our Natural Resources Institute, the museum will play a valuable role in ODA's research and development programmes for developing countries and identify new opportunities for fruitful collaboration. The institute and museum will pursue these opportunities and I will be kept informed of developments.

Biological Diversity (Study)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the letter of 9 July from the Minister for Overseas Development to the hon. Member for Linlithgow, if she will make a statement on the interim results of the strategic study she has commissioned on biological diversity in marine environments, with particular reference to work on reefs.

Mrs. Chalker: We are studying the first draft of the report that we commissioned on marine biological diversity. I shall let the hon. Member know the outcome.

Bophuthatswana

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many housing projects in Bophuthatswana have been assisted by the Overseas Development Administration;

(2) what community development projects are being assisted by the Overseas Development Administration in Bophuthatswana;

(3) if the British awards scheme has funded academic support at South African universities for any students from Bophuthatswana;

(4) what proportion of British aid to black South Africans is directed to Bophuthatswana;

(5) how many scholarships and training awards in Britain are being provided for undergraduates and postgraduates from Bophuthatswana.

Mrs. Chalker: While we and other countries, with the exception of South Africa itself, do not recognise Bophuthatswana as an independent state, assistance has been approved since April 1989 for 12 community development projects located within that territory. We see no reason, however, to keep records of the geographical origin of those receiving help under scholarship and housing assistance programmes which are intended to benefit disadvantaged black people throughout South Africa.

Overseas Aid Annual Review (Cost)

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost was to public funds of publishing the 1990 overseas aid annual review; and how many copies were printed.

Mrs. Chalker: 15,000 copies were produced at a total cost of £76,504·90, a unit cost of £5·10.

Cambodia

Mr. Lester: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 June, *Official Report*, column 682, if he will make a statement about Britain's current humanitarian and other assistance to the people of Cambodia.

Mrs. Chalker: I am monitoring the situation closely and announced that I would make up to £100,000 available for British non-government organisations to help civil war displaced people inside Cambodia. My officials are in touch with interested NGOs about this.

Since 1988-89 under the Overseas Development Administration's joint funding scheme we have committed

£565,000 in support of 12 humanitarian assistance projects carried out by non-government organisations. We currently have a number of other NGO project proposals under consideration and expect to receive more applications. In addition we have allocated £1·25 million to support programmes in Cambodia carried out by the United Nation's Children's Fund, the World Food Programme and the World Health Organisation; these include provision of safe water supplies, food for work schemes, primary health care, education and assistance for agricultural development. We have also provided nearly £15 million since 1979 in assistance for refugees on the Thai-Cambodian border.

For the future, we are ready to consider with other donors, initially in a reconvened Paris International Conference on Cambodia, how refugee repatriation and development/reconstruction needs might best be met in the context of a comprehensive political settlement.

PRIME MINISTER

Spanish Fishermen

Mr. Teddy Taylor: To ask the Prime Minister if she will make a further statement on the implications of the European Court of Justice decision on interim relief to Spanish fishermen from the 1988 Act; and if she will consider submitting all future draft bills to the court for its consideration with a view to avoiding administrative complexities involved with interim relief.

The Prime Minister: I have nothing to add to my earlier answers on the subject of the European Court of Justice's decision on interim relief. I have no plans to take up my hon. Friend's suggestion.

Waverley Housing Trust

Sir David Steel: To ask the Prime Minister what guidance is given to civil servants concerning the scope of advice and information given to local authority officials prior to the passage of relevant legislation through Parliament; and whether she will make a statement concerning advice surrounding the establishment of the Waverley Housing Trust.

The Prime Minister: Civil servants may give information and advice to outside organisations and individuals concerning the Government's policies, consistent with the general rules governing conduct and the requirements of statute regarding the disclosure of information. Where information is given about policies whose implementation is dependent on the passage of legislation through Parliament, this would be made clear.

I shall ask my right hon. and learned Friend the Secretary of State for Scotland to write to the right hon. Member once his information into contacts between civil servants and those who established the Waverley Housing Trust is complete.

Children

Mr. Parry: To ask the Prime Minister if she will accept the invitation to attend the world summit for children to be held at the United Nations on 29 and 30 September.

Mr. Rooker: To ask the Prime Minister if she proposes to accept the invitation to attend the United Nations world summit for children in New York during September.

The Prime Minister: I attended the world summit for children in New York on 29 and 30 September where I gave an address on the role of the family in child development.

Mr. Wray: To ask the Prime Minister which new initiative designed to protect British children in the areas of *(a)* health, *(b)* education rights and *(c)* environment Her Majesty's Government are taking as a result of the recent New York international conference.

The Prime Minister: The United Nations world summit for children drew upon the experience of developed countries in drawing up an action plan for improving the health and welfare of all children. We have already made substantial progress in most of the areas mentioned and are undertaking a number of relevant initiatives which, where appropriate, we will be progressing in co-operation with overseas countries.

Examples in the field of health care include the treatment and prevention of AIDS, childhood immunisation programmes aimed at controlling infectious diseases and better nutrition for pregnant mothers and young children.

In the United Kingdom rights to education are already provided for in legislation. Section 8 of the 1944 Education Act places a duty on local education authorities to "secure provision of Primary and Secondary schools". Futhermore, British education aims to develop fully the abilities of all children, with compulsory school starting at 5 years of age.

The White Paper "This Common Inheritance", which sets out the Government's environmental policies for the next decade and beyond, emphasises our duty to protect the environment for the benefit of future generations.

Mr. Wray: To ask the Prime Minister what specific measures Her Majesty's Government are proposing in order *(a)* to help children in the Third world in the areas of health and education and *(b)* to combat child labour exploitation both at home and abroad; and if she will make a statement.

The Prime Minister: Through our aid programme we provide a great deal of assistance to children, both through our bilateral programme, and multilaterally through organisations such as UNICEF and WHO. Our policy is to support the development of health care services for all the family as the best way of improving child health.

In education, we support programmes of assistance to educational institutions in the developing world covering school buildings, training of teachers, the provision of materials and educational planning.

The Government deplore the exploitation of children for economic purposes. However in many countries children in the cities and the countryside have to work in order to survive. Widespread exploitation of children can only be overcome by the alleviation of poverty and by more appropriate policies for economic growth and social development. We are assisting in this through our aid programme.

PRIME MINISTER

Science Policy

Mr. Dalyell: To ask the Prime Minister if she will make a statement on the visits she has made during the recess in her capacity as Minister for co-ordinating science policy in appropriate cases.

The Prime Minister: On 28 September I hosted a seminar given by young scientists on the following subjects, antibody engineering, novel materials, collision physics: human genetic disease, enzymology and astronomy.

Personal Data

Mr. Cohen: To ask the Prime Minister whether the Government will take positive steps to discuss with the Data Protection Registrar all legislation that impacts on the use, collection, processing or holding of personal data; and whether she will make a statement.

The Prime Minister: My colleagues in charge of Departments have been asked to ensure that officials are aware of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

European Community

Mr. Sillars: To ask the Prime Minister what discussions she has had with other heads of Government in the European Community about the enlargement of the Community territorially.

The Prime Minister: Heads of Government reaffirmed at their meeting in November 1989 that there should be no decisions on EC enlargement until the work on the single market has been completed. However I have made clear on many occasions our view that the Community should remain open to all the countries of Europe once they are democratic and ready to join.

Child Benefit

Mr. Peter Bottomley: To ask the Prime Minister what assessment she has made of the benefits child benefit has given to families on income support since it was introduced.

The Prime Minister: Families on income support do not gain any overall financial advantage from child benefit because it is taken fully into account in the assessment of their income support entitlement. As my right hon. Friend the Secretary of State for Social Security has indicated on many occasions, this is one of the factors he has to take into account when he reviews the level of child benefit.

Company Cars

Mr. Austin Mitchell: To ask the Prime Minister whether the Government will introduce legislation to *(a)* disallow business expenditure on the supply or running costs of passenger cars other than light vans as a business expense and (b) charge the full cost of such vehicles to the keeper for income tax purposes; and if she will provide an estimate of the revenue yield in each case.

The Prime Minister: I have noted the hon. Member's suggestion. The detailed information needed to give estimates of yield is not available.

Correspondence

Mr. Austin Mitchell: To ask the Prime Minister whether she will make it her policy that the Private Office will in future return to the sender all requests addressed to her for intervention at departmental level with a request to make representations direct to those concerned.

The Prime Minister: No.

Mr. Austin Mitchell: To ask the Prime Minister if she will make it her policy to release to the press any letters she receives asking for favours or intervention with Departments of State.

The Prime Minister: No.

Mr. Colin Wallace

Mr. Dalyell: To ask the Prime Minister if she will place in the Library a copy of her reply to the letter sent to her on 21 July by Mr. Colin Wallace, 14 Dalloway road, Arundel, about the Calcutt inquiry.

The Prime Minister: No. It is not my normal practice to do so.

Nautical Archaeology

Mr. Onslow: To ask the Prime Minister whether she has now completed her review of Departmental responsibilities for nautical archaeology; and if she will make a statement.

The Prime Minister: We have completed the review of Departmental responsibilities for nautical archaeology. We have now proposed, in paragraph 9.36 of the White Paper "This Common Inheritance", that my right hon. Friend the Secretary of State for the Environment should assume responsibility for the protection of historic wrecks in English waters, and that similar transfers of responsibility should take place in Scotland, Wales and Northern Ireland. This will bring together control of archaeology on land with that under water. We will be responding more fully to the Joint Nautical Archaeology Policy Committee on the other matters raised in its report, "Heritage at Sea".

Gulf Crisis

Mr. Wray: To ask the Prime Minister if she will take urgent steps to help those Third world countries which as a direct consequence of the Gulf crisis are in danger of economic hardship.

The Prime Minister: The best way to help countries damaged by the Gulf crisis is to bring an end to the Iraqi occupation of Kuwait and restore stability to the region. Britain has made a very substantial contribution to that effort, including the decision to send over 15,000 servicemen to the Gulf. We have also contributed to the cost of resettling refugees and shall also contribute to the European Community's special programme of assistance to Jordan, Egypt and Turkey. But the bulk of assistance to affected countries will need to come through adjustment assistance to be given by the International Monetary Fund and the World Bank and from those countries which are not participating in the military effort.

Mr. Wray: To ask the Prime Minister if she will list the Third world countries in Asia, Africa and Latin America

most seriously affected *(a)* by the oil price increases and *(b)* by the trade embargo ordered by the United Nations as a consequence of the Gulf crisis.

The Prime Minister: The economies of Egypt, Jordan and Turkey have been most directly affected by Iraq's invasion of Kuwait and the consequent application of UN sanctions against Iraq.

All net oil-importing countries are being adversely affected by the increase in oil prices, but there is no single measure of which are the most seriously affected. This will depend on the source and volume of their oil imports and access to alternative energy sources, as well as on the initial strength of their economies and their ability to adjust to the new situation.

Veterans

Mr. Fraser: To ask the Prime Minister if she will create a veterans' Department.

The Prime Minister: No. The Government and everyone in this country recognise the immense debt of gratitude owed to war veterans and other ex-Service personnel. It is essential that departments deal with their affairs efficiently. However, although it might seem convenient to have a separate Department of veterans' affairs, I do not believe that this would result in better service and it could have the effect of confusing responsibilities which at present fall clearly on each departmental Minister.

EMPLOYMENT

Personal Data

Mr. Cohen: To ask the Secretary of State for Employment whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Jackson: I am reminding my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act.

Channel Tunnel

Mr. Pawsey: To ask the Secretary of State for Employment if he will make a statement on the safety record of companies working on the channel tunnel project.

Mr. Forth: The Government and Health and Safety Executive have made clear their concern about accidents on the channel tunnel project. The contractors are now engaged in a programme of implementing the recommedations made in the HSE's accident prevention advisory unit's recent audit of safety management on the project. The HSE is monitoring this process carefully.

Mr. Pawsey: To ask the Secretary of State for Employment what arrangements are made for the Health and Safety Executive to inspect the channel tunnel workings.

Mr. Forth: It is for the Health and Safety Executive to make arrangements for inspections of the channel tunnel workings. Inspectors visit the workings regularly to inspect and monitor conditions and to investigate incidents and accidents.

Mr. Pawsey: To ask the Secretary of State for Employment whether his Department has indentified any additional safety measures which might be introducted on the channel tunnel project to make working safer.

Mr. Forth: Responsibility for health and safety on the channel tunnel project rests with the employers.

The Health and Safety Executive's (HSE) accident prevention advisory unit carried out an audit of the management of health and safety on the channel tunnel project in May 1990. The contractors have accepted the recommendations of the audit and are now engaged in a programme of implementing them. HSE is monitoring that process carefully. HSE inspectors continue to visit the channel tunnel sites and will continue to take whatever action is necessary to maintain and develop safety standards.

Social Attitudes Survey

Mrs. Gorman: To ask the Secretary of State for Employment when he expects the British social attitudes survey to be completed; and when he expects it to be published.

Mr. Jackson: The British social attitudes survey takes place annually in the early spring. The results of each survey are published approximately 18 months after the field work. The results of the 1990 survey, which covers questions on the child care needs of working women as referred to in the reply from my right hon. and learned Friend the Secretary of State for Employment on 24 July at columns 195-96 will be published in November 1991.

Iraqis (Training)

Mr. Austin Mitchell: To ask the Secretary of State for Employment how many Iraqis have been in Britain for industrial training in each year since 1980.

Mr. Forth: The number of work permits issued under the training and work experience scheme since 1984 are given below. Statistics for issues prior to April 1984 are not available. Records of approvals for the work element of sandwich courses are not kept by nationality.

	Number
1 April 1984 to 31 December 1984	6
1 January 1985 to 31 December 1985	12
1 January 1986 to 31 December 1986	7
1 January 1987 to 31 December 1987	4
1 January 1988 to 31 December 1988	6
1 January 1989 to 31 December 1989	6
1 January 1990 to 31 August 1990	5

"Hard Labour"

Mr. Dunnachie: To ask the Secretary of State for Employment if his Department has considered the report "Hard Labour", prepared by the National Association of Citizens Advice Bureaux; and if he will make a statement.

Mr. Forth: I have considered this report. I believe that the existing provisions of employment legislation strike a fair balance between safeguarding the rights of employees and avoiding excessive burdens on business which would discourage the growth of job opportunities.

Unemployment (Costs)

Mr. Dunnachie: To ask the Secretary of State for Employment if his Department has considered the estimates of the costs of unemployment assessed by the unemployment unit; and if he will make a statement.

Mr. Jackson: My Department has not considered the estimates in any detail as we do not accept the analysis on which they are based.

Earnings

Mr. Meacher: To ask the Secretary of State for Employment what was the level of national average earnings for *(a)* men, *(b)* women and *(c)* all workers (i) at current prices and (ii) at 1990 prices for each year since 1970; and what was the level of medium earnings for *(a)* men, *(b)* women and *(c)* all workers for each of these years.

Mr. Jackson: Information on the earnings of full-time adult employees in Great Britain in April of each year is published in table 15 of Part A of the annual new earnings survey reports. Figures for males and females combined are readily available only from 1983 onwards and are given in table 17 of the recently published part A of the 1990 survey report. Information on the retail prices index (all items) to convert the figures to 1990 prices is published in table 6.4 of *Employment Gazette* for April 1990, and table 26 of the annual supplement to *Economic Trends* for April of each earlier year.

ATTORNEY-GENERAL

Statutes

56. **Mr. Spearing:** To ask the Attorney-General what steps he takes to ensure that his Department obtains up-to-date information on statutes and orders in force.

The Attorney General: The Departments for which I am responsible obtain such up-to-date information both from Her Majesty's Stationery Office and from commercial publishers.

Guinness Trial

Mr. Austin Mitchell: To ask the Attorney-General whether he will refer to the Court of Appeal the sentence on Mr. Gerald Ronson, in the Guinness trial, on grounds of leniency.

The Attorney-General: No. I did not consider the sentence to have been unduly lenient, which is the criterion specified in Section 36 of the Criminal Justice Act 1988 as governing my power to refer sentences to the Court of Appeal.

"Another Blood Libel"

Mr. Janner: To ask the Attorney-General what consideration has been given by the Crown prosecution service to initiating proceedings in respect of the leaflet "Another Blood Libel", published by the Campaign for Gentile-Jewish Reconciliation.

The Attorney-General: I understand that the Board of Deputies of British Jews have forwarded a leaflet entitled "Another Blood Libel or Ritual Murder", to the police with a request that an investigation leading to criminal proceedings is begun.

Before the Crown prosecution service can consider initiating proceedings it is necessary for a police investigation to produce evidence as to the individual or individuals responsible for publication or distribution of the leaflet. No file of evidence has yet been received by the Crown prosecution service but should one be forwarded then full and careful consideration will be given to the institution of criminal proceedings. The Law Officers and the Director of Public Prosecutions regard the publication and distribution of material which offends against the provisions of part III of the Public Order Act 1986 as a serious matter.

EDUCATION AND SCIENCE

ERASMUS Project

Mr. Andrew Welsh: To ask the Secretary of State for Education and Science how many students in the academic year 1990-91 have applied and how many have been accepted, to take part in the ERASMUS project.4

Mr. Alan Howarth: Student mobility under ERASMUS takes place largely within inter-university co-operation programmes for which higher education institutions apply direct to the European Commission for funding. For 1990-91, the Commission has approved for support 1,748 ICPs involving 1,100 insitutions and 44,484 student exchanges. This includes 375 United Kingdom led ICPs and 8,857 UK students who will spend a period of their study in another European Community country.

Information is not available on the number of student exchanges proposed in ICP applications made to the Commission or on the number of students not involved in an ICP who are assisted as "free movers" under ERASMUS.

Special Needs Teaching

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science whether he will make a statement on the impact of local management of schools in special needs teaching.

Mr. Fallon: Local management of schools was introduced in April this year. We are monitoring its effects carefully. I expect the introduction of LMS to benefit all school provision, including that for special needs.

Teachers (Pay)

Mrs. Gorman: To ask the Secretary of State for Education and Science when he next expects to meet the teaching unions to discuss local arrangements for pay.

Mr. Eggar: My right hon. Friend has met each of the six teacher unions on several occasions to discuss the Government's proposals for new teachers' pay negotiating machinery. He has no immediate plans for further meetings.

University Accommodation

Mr. Dunnachie: To ask the Secretary of State for Education and Science if he will make a statement on student accommodation in Scottish universities.

Mr. Alan Howarth: The provision of accommodation for students in universities is a matter for the institutions themselves. Universities are autonomous and therefore responsible for deciding their own funding priorities within the total resources at their disposal. I pay tribute to the efforts made by university accommodation services to help students find suitable accommodation.

Funds Allocation (Local Authorities)

Mr. French: To ask the Secretary of State for Education and Science what guidelines he has recently issued on the criteria applied by local education authorities in allocating funds.

Mr. Fallon: The last major set of guidelines issued was in circular 7/88, published in September 1988. My right hon. Friend expects to issue a draft circular for consultation later this year.

Trafford (Secondary Schools)

Mr. Tony Lloyd: To ask the Secretary of State for Education and Science what recent discussions he has had with Trafford council about the selection procedures for Trafford's secondary schools.

Mr. Fallon: No recent discussions have taken place, but officials from the Department have been in correspondence with the authority over its selection procedures.

TVEI

Mr. John Evans: To ask the Secretary of State for Education and Science if he will make a statement on his assessment of the technical and vocational education initiative scheme's operation in St. Helens.

Mr. Eggar: I understand that the pilot TVEI scheme in St. Helens went well, producing effective curriculum changes with good practice in teaching and learning styles.

City Technology Colleges

Mr. Bowis: To ask the Secretary of State for Education and Science what are the latest figures for the numbers of applications for all approvals of city technology colleges.

Mr. Fallon: My right hon. Friend has to date agreed with sponsors to establish 14 city technology colleges. Proposals to establish a 15th city technology college at Bristol are currently subject to consultation with the local education authority and other interested parties.

Open Enrolment

Mr. Anthony Coombs: To ask the Secretary of State for Education and Science if he will make a statement on the implementation of open enrolment in secondary schools.

Mr. Fallon: The provisions of the Education Reform Act 1988 relating to school admissions came into effect for all secondary schools on 4 August this year. These provisions do away with the artificial limits placed by some local education authorities on the number of pupils admitted to particular schools, thus increasing parents' chances of securing a place for their child at the school of their choice. Following the introduction of pupil-led funding the "more open enrolment" provisions also provide a clear incentive for schools to raise educational standards.

Pupils (Attainment)

Mr. Thurnham: To ask the Secretary of State for Education and Science what measures he is taking to improve the educational attainment of school pupils; and if he will make a statement.

Mr. Eggar: The national curriculum is central to the Government's drive to raise standards of achievement in schools. It will provide pupils with a framework of clear objectives, matched with regular assessment against national standards. We have already introduced the first national curriculum requirements for English, maths, science and technology, and early feedback from Her Majesty's inspectorate is encouraging. Preparatory work on the remaining national curriculum subjects is well in hand.

Schools (Local Management)

Mr. Flynn: To ask the Secretary of State for Education and Science what representations he has received regarding local management of schools; and if he will make a statement.

Mr. Fallon: My right hon. Friend continues to receive representations from governing bodies, headteachers, parents and others about local management of schools. Many of these welcome the opportunities which delegated budgeting brings them.

Sport and Physical Recreation

Mr. Pendry: To ask the Secretary of State for Education and Science what steps his Department will take to protect the position of sport and physical recreation in the national curriculum for pupils aged 14 to 16 years.

Mr. Eggar: Physical education, which includes sport, will be a compulsory part of the curriculum in all maintained schools for the first time under the requirements of the national curriculum. My right hon. Friend has asked the National Curriculum Council for advice on increasing flexibility in the curriculum framework for 14 to 16-year-olds. Their advice will be submitted in early November. Whatever the outcome of this consultation, we expect the great majority of pupils in this age group to undertake some form of physical education.

Sport

Mr. Pendry: To ask the Secretary for State for Education and Science what progress has been made by his Department's working group on sport in the national curriculum; and when its interim report will be published.

Mr. Eggar: The national curriculum working group on physical education is working towards production of its interim report, which is to be submitted to my right hon. Friends the Secretaries of State for Education and Science and for Wales by 31 December 1990.

Teacher Vacancies (Newham)

Mr. Tony Banks: To ask the Secretary of State for Education and Science if he will make a statement about current levels of teacher vacancies in the London borough of Newham.

Mr. Fallon: Data provided by the London borough of Newham for the Department's September survey shows that there were 13 secondary vacancies and no primary vacancies at the beginning of the new school year.

Higher Education

Mr. Andrew F. Bennett: To ask the Secretary of State for Education and Science if he will make a statement about the number of 16 and 17-year-olds remaining in full-time education.

Mr. Tim Eggar: Trends in the numbers of 16 and 17-year-olds in full-time education in England are shown in the following table.

Age	1979-80		1987-88		1989-90[1]	
	Numbers (thousands)	Participation rate Per cent.	Numbers (thousands)	Participation rate Per cent.	Numbers (thousands)	Participation rate Per cent.
16	322	42	350	48	349	55
17	204	27	237	33	264	39
16 and 17	526	34	587	41	613	47

[1] Provisional.

Personal Data

Mr. Cohen: To ask the Secretary of State for Education and Science whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Eggar: I am reminding my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984. The Department expects to issue guidance shortly on the responsibilities of school governors under the Data Protection Act 1984.

Local Education Authorities

Sir Thomas Arnold: To ask the Secretary of State for Education and Science whether he reviews cases where a local education authority refuses to comply with the recommendations of the local government ombudsman.

Mr. Fallon: No. The Commission for Local Administration in England is entirely independent of central and local government. Part II of the Local Government and Housing Act 1989 made new provision for cases where the local government ombudsman is not satisfied with the action which a local authority is taking in response to a report.

Honours Degrees

Mr. Kirkwood: To ask the Secretary of State for Education and Science what representations he has received concerning the provisions of four-year honours degrees.

Mr. Alan Howarth: None. The length of degree courses is essentially a matter for individual higher education institutions and validating bodies.

Iraqi Students

Mr. Austin Mitchell: To ask the Secretary of State for Education and Science how many Iraqi students have been in British institutions of (a) secondary and (b) tertiary education in each of the years from 1980 to 1990.

Mr. Alan Howarth: The numbers of students from Iraq enrolled on courses in publicly-funded institutions of further and higher education in Great Britain between 1980 and 1989 are as follows:

Academic Year	Students
1980-81	2,218
1981-82	2,018
1982-83	2,239
1983-84	1,845
1984-85	1,559
1985-86	1,378
1986-87	1,420
1987-88	1,255
1988-89	918

Figures for 1989-90 are still being collated. Comparable information on secondary education is not held centrally.

Literacy (Devon)

Mr. Speller: To ask the Secretary of State for Education and Science if he will give the literacy levels of primary school children in Devon from current statistics and those of 10 and 20 years ago.

Mr. Eggar: Information on the literacy levels of primary school children in Devon is not available centrally.

Research Projects

Mr. Dunnachie: To ask the Secretary of State for Education and Science if he will list research projects currently being undertaken into reducing hypertension and improving treatments for cardiac failure; and if he will make a statement.

Mr. Alan Howarth: The Government fund medical research primarily through the Medical Research Council. I am arranging to place in the Library a list of the main projects relating to hypertension and cardiac failure currently supported by the MRC. Other relevant research may also be supported by university departments and medical schools, and the health authorities.

Mr. Dunnachie: To ask the Secretary of State for Education and Science if he will take steps to prevent the closure of the blood pressure research unit at the Western infirmary, Glasgow; and if he will make a statement.

Mr. Alan Howarth: The unit is funded by the Medical Research Council. The council receives grant in aid from this Department. Under the terms of its royal charter, it is for the council to decide what research to support. I understand that the council has not taken a decision about the future of the Glasgow unit.

Grant-maintained Schools

Ms. Armstrong: To ask the Secretary of State for Education and Science if he will list those grant-maintained schools that have been visited by Her Majesty's inspectors and the dates on which they were visited.

Mr. Eggar *[holding answer 23 July 1990]:* Up to June 1990, the following grant-maintained schools had been visited by Her Majesty's inspectors. The last date of visit is given.

Queensbury School, Beds	May 1990
Hendon School, Barnet	June 1990
Queen Elizabeth's, Barnet	June 1990
Baverstock School, Birmingham	February 1990
Small Heath School, Birmingham	June 1990
St James CE School, Bolton	January 1990
Colyton GS, Devon	March 1990
Old Swinford Hospital School, Dudley	March 1990
London Oratory School	February 1990
Wilmington Girls School, Kent	February 1990
Castle Hall School, Kirklees	January 1990
Heckmondwike GS, Kirklees	June 1990
Bacup and Rawtenstall Grammar School, Lancs	January 1990
King's School, Grantham	June 1990
Queen Elizabeth GS, Lincs	June 1990
Skegness GS	November 1989
Wilson's School, Sutton	May 1990
Audenshaw School, Tameside	February 1990
Bankfield School, Cheshire	March 1990
Southlands School, Berkshire	June 1990
Cardinal Vaughan School, London	June 1990

City Technology Colleges (Private Donations)

Mr. Straw: To ask the Secretary of State for Education and Science what is the total amount of private donations to city technology colleges, including planned and proposed colleges *(a)* pledged, *(b)* confirmed, *(c)* committed, and *(d)* actually paid over and showing in each case the nature of donations in kind rather than cash.

Mr. MacGregor *[holding answer 25 July 1990]:* The total value of private donations for announced projects in the CTC programme currently stands at some £31·5 million. To date, £8·636 million has already been paid over —£7·081 million in cash and £1·555 million in kind. In addition, some £6 million has been promised for possible further projects not yet announced, the support of curriculum development work and other work by the City Technology Colleges Trust. I regard these resources as representing the firm commitment of the private sector to date.

Football Licensing Authority

Mr. Tom Pendry: To ask the Secretary of State for Education and Science when he expects the inspectorate required by the Football Licensing Authority for the exercise of its functions to be in place; and what will be its terms of reference.

Mr. John Patten: I have been asked to reply.

The appointment of the inspectorate and the formulation of its terms of refernce are the responsibility of the Football Licensing Authority. I understand, however, that advertisements have been commissioned by the authority to appear at around the end of October. Applications will then be processed and appointments made as soon as possible. The role of the inspectorate will be to inform and advise the authority on matters relating to the licensing of sports grounds at which designated football matches are played, and to the exercise by local authorities, in relation to those sports grounds, of their functions under the Safety of Sports Grounds Act 1975.

TRANSPORT

A12

Mr. Irvine: To ask the Secretary of State for Transport what were the traffic flows along the A12 between *(a)* the M25 interchange and Chelmsford, *(b)* Chelmsford and Witham, *(c)* Witham and Colchester and *(d)* Colchester and Ipswich for each year from 1985 to 1989; and if he will indicate the division between heavy goods vehicles and other traffic.

Mr. Chope: Information is not available in exactly the format requested. However, representative data are available for daily traffic flows between the following points on the A12 trunk road:

	1985	*1986*	*1987*	*1988*	*1989*
M-25 Margaretting	40,000	49,000	54,000	59,000	62,000
Boreham-Hatfield Peverel	42,000	44,000	56,000	58,000	62,000
Feering-Marks Tey	34,000	38,000	52,000	53,000	58,000
Marks Tey-Stanway	41,000	46,000	52,000	57,000	63,000
Four Sisters	26,000	29,000	32,000	31,000	32,000

Heavy goods vehicles accounted for approximately 15-20 per cent. of these daily traffic flows.

London Underground

Mr. Moate: To ask the Secretary of State for Transport if he will publish a table showing the level of investment in the London Underground system in each year from 1974 to date, and in which year it ceased to be the responsibility of the Greater London council.

Mr. Freeman: The figures for investment in the Underground since 1974 are as follows:

Year	*Cash*	*Real (1990-91 prices)*
	£ million	*£ million*
1974	36·3	162·7
1975	43·4	155·7
1976	49·9	154·2
1977	43·6	116·0

Year	Cash £ million	Real (1990-91 prices) £ million
1978	46·8	115·1
1979	65·0	141·0
1980	77·9	143·2
1981	90·9	149·1
1982	81·8	123·7
1983	109·8	158·9
1984-85	[1]117·0	[1]158·9
1985-86	135·1	135·1
1986-87	171·2	212·6
1987-88	212·9	256·1
1988-89	206·2	233·9
1989-90	307·3	327·2
[2]1990-91	400·0	

[1] Annualised equivalents figure of a 15-month total of £156 million (cash) and £211·8 million (real).
[2] Planned figure.

The London Regional Transport Act came into force in 1984. However, the level of the Underground's funding for 1984-85 was determined by the GLC. On current estimates, Underground investment in 1990-91 will be two and a half times higher, in real terms, than in 1984-85.

Mr. John Marshall: To ask the Secretary of State for Transport what surveys have been made of the impact of the opening of the channel tunnel in 1993 and of the Waterloo link upon the numbers travelling by the Northern line.

Mr. Freeman: A survey carried out by Halcrow Fox for British Rail in 1989 estimated the numbers of channel tunnel passengers that would be using the Underground. London Underground is making use of the resulting data in its strategic planning.

Airport Capacity

Mr. Moate: To ask the Secretary of State for Transport whether the working party he has established to examine the Civil Aviation Authority's report on runway capacity in the south-east will be examining only the range of options set out in that report; and if he will make his policy that greenfield sites for major new airports in the south-east will not be considered.

Mr. McLoughlin: My right hon. Friend explained in his reply of 17 July to a parliamentary question from my hon. Friend the Member for Saffron Walden (Mr. Haselhurst) his intention that the working group should address the wider implications of airport development for the options identified by the Civil Aviation Authority, in addition to examining the contribution of regional airports to meeting demand. My right hon. Friend had earlier agreed with the authority's judgment that the development of a major airport on a completely new site in the south-east was unlikely to be realistic or acceptable.

Railway Investment

Mr. Moate: To ask the Secretary of State for Transport if he will publish a table showing the level of railway investment on a comparable basis in each year from 1974 to date.

Mr. Freeman: British Railways Board's railway investment is as follows, in constant 1990-91 prices:

	£ million
1974	492
1975	534
1976	506
1977	502
1978	484
1979	489
1980	512
1981	432
1982	362
1983	353
[1]1984-85	421
1985-86	504
1986-87	486
1987-88	601
1988-89	612
1989-90	741

[1]1984-85 was a 15-month accounting period. The 12-month equivalent is given; the actual figure (in 1990-91 prices) was £526 million.

Note: Railway investment includes track, signalling, locomotives, rolling stock, stations and railway facilities. Expenditure by subsidiaries, and on non-operational land and continuously welded rail (CWR), are excluded. Figures are drawn from BR Annual Reports and Accounts, adjusted to exclude CWR between 1974 and 1979, and adjusted to 1990-91 prices using published GDP deflators.

Summerley Coal Aston Airstrip (Accidents)

Mr. Harry Barnes: To ask the Secretary of State for Transport if he will arrange for the air accidents investigation branch to investigate and report upon the two separate aircraft accidents at the Summerley Coal Aston airstrip in Derbyshire on 24 July; and if he will make a statement.

Mr. McLoughlin: The air investigation branch has completed its investigations into the two unconnected light aircraft accidents at Coal Aston airstrip, Derbyshire on 24 July 1990.

The first accident occurred when the pilot of a Cessna 150 aircraft landed with excessive speed and bounced heavily causing the nose landing gear to collapse. The second accident occurred when a Piper Tomahawk aircraft, operated by the United States Air Force Flying Club failed to accelerate to a safe flying speed within the reduced runway length used. There were no injuries sustained in either accident.

Full details of the AAIB investigations will be published in the next AAIB Bulletin on 7 November.

Oil Spillages (Protection Equipment)

Mr. Macdonald: To ask the Secretary of State for Transport if he will give details of the stockpile of equipment, particularly oil absorbent booms or barrier booms, held in Scotland at Cambusbarron; and how long it would take to transport this equipment to protect Loch Roag in the western isles in the event of an oil spillage.

Mr. McLoughlin: The Cambusbarron stockpile is one of three centrally located stockpiles of specialist equipment for shoreline clean-up of oil pollution maintained by the marine pollution control unit (MPCU) and available at short notice to local authorites who have accepted primary responsibility for beach cleaning. A list of all directly owned or contracted counter-pollution resources available to the MCPU, including the Cambusbarron stockpile, is held in the House of Commons Library. Equipment from the Cambusbarron stockpile could be deployed to Loch

Roag within 10 to 17 hours from Callout, depending on the availability of suitable aircraft and vessels. Additional equipment relevant to a particular incident could also be deployed as necessary from the other MPCU stockpiles or from commercial sources.

Taxis

Mr. Corbett: To ask the Secretary of State for Transport what plans he has, subsequent to his announcement of 11 May 1989, *Official Report*, column *486*, to propose changes in legislation concerning taxi and private hire car vehicles.

Mr. McLoughlin: The Government have no such legislative changes to propose at this stage.

Minch Oil Spill Exercise

Mr. Macdonald: To ask the Secretary of State for Transport if he will make public the results of analysis of the marine pollution unit oil spill exercise carried out in the Minch on 4 and 5 July.

Mr. McLoughlin: The marine pollution control unit (MPCU) oil spill exercise carried out in the Minch on 4 and 5 July 1990 was the latest in a continuing series of annual live exercises designed to activate and test contingency plans to deal with oil spillages from ships. These objectives were successfully achieved by the exercise. Some minor lessons were learned with regard to communications and certain aspects of on-scene command and control. These have been taken into account.

Airports (Safety)

Mr. Spearing: To ask the Secretary of State for Transport which statutory body or part of his Department is responsible for advising *(a)* him and *(b)* local authorities on the safety of people on the ground outside the statutory safety and air zones of new or expanding airports.

Mr. McLoughlin: The Civil Aviation Authority has the statutory responsibility for the safety regulation of civil aviation. The primary purpose of its safety regulation group, which comprises some 750 professional and other staff, is to minimise the probability of aircraft having accidents or incidents. By so doing, the authority also protects people on the ground.

Bus Routes (London)

Mr. Spearing: To ask the Secretary of State for Transport what consideration he has given to requiring tendering for bus route contracts for London Regional Transport to be published in the same manner as other areas; and if he will make a statement.

Mr. Freeman: Under the London Regional Transport Act 1984, the tendering of bus routes in London and the decision on whether to publish successful tender bids are matters for London Transport. While the Government have no immediate plans to amend this legislation, the point raised by the hon. Gentleman will be considered in the context of our plans to deregulate the London bus market.

HEALTH

Hospital Catering Costs

Mr. Tony Lloyd: To ask the Secretary of State for Health what information he has on the cost of food in hospitals, per patient, excluding special diets and supplementary food and labour costs, but including all meals and beverages, for each district health area in England.

Mr. Dorrell: The Department collects the average cost of provisions per patient per day for each hospital annually. These figures exclude labour costs but include special diets and supplementary food. They will be published for 1987-88 and 1988-89 as part of the additional health service indicators which will be placed in the Library later this month.

Friern Barnet Psychiatric Hospital

Mr. Chris Smith: To ask the Secretary of State for Health what funds have been allocated to date by North East Thames regional health authority on reprovision of facilities for patients currently resident at Friern Barnet psychiatric hospital; and what funds are scheduled to be spent between the present time and September 1991.

Mr. Dorrell: The allocation of funds for the reprovision of care for the mentally ill, is a matter for the individual health authorities concerned.

Water Supply

Mr. Simon Hughes: To ask the Secretary of State for Health what advice he has received from the chief medical officer of the possible dangers to public health from the presence of viruses in water mains; and if he will make a statement.

Mr. Dorrell: Viruses are removed from mains water during the process of water treatment. These treatment processes are designed to ensure that the water supply meets microbiological standards and is not therefore a risk to public health.

Mr. Simon Hughes: To ask the Secretary of State for Health what assessment he has made of the possible dangers to public health from viruses in water mains and from leakage of harmful organisms and viruses from *(a)* water mains and *(b)* sewage pipes to (i) water services and (ii) land; and if he will make a statement.

Mr. Dorrell: As drinking water conveyed in water mains is treated to remove harmful organisms and viruses, leakages do not present a risk to public health. Potentially harmful organisms leaked from sewage pipes will be attenuated by natural decay and dilution, thus minimising the risk to public health. No land is free from naturally occurring bacteria or viruses and any additional risk from leaked sewage, unless in sufficient quantity to cause flood conditions, is minor.

Mr. Simon Hughes: To ask the Secretary of State for Health what assessment he has made of the possible damages to public health from *(a)* the flushing of water mains and *(b)* the reduction of water pressure in respect of any harmful organisms or viruses which may be present in water mains; and if he will make a statement.

Mr. Dorrell: As flushing is done with disinfected mains water which is flushed into sewers or surface water drains, there is no risk to public health. Following any significant drop in mains pressure due to some loss of integrity of a distribution system it is routine procedure for pipes into which contaminated water may have entered to be disinfected and flushed. The water is then sampled and analysed before it is returend to the public supply. Reductions in pressure for operational purposes are controlled to prevent contamination and minimise the risk to public health.

Kidney Dialysis

Sir Michael McNair-Wilson: To ask the Secretary of State for Health how many children under 10 years of age are receiving kidney dialysis per million of the population; how many he estimates could benefit from this treatment who are not getting it; and what was the number in 1985 of children under 10 years of age receiving kidney dialysis per million of the population.

Mr. Dorrell: According to information provided by the European Dialysis and Transplant Association, the number of children in the United Kingdom under 10 years of age receiving treatment for end stage renal failure was as follows:

At 31 December 1985:
185 children, of whom 35 (5·0 per million population) were receiving dialysis
At 31 December 1988:
212 children, of whom 32 (4·3 per million population) were receiving dialysis

The rate per million population is based on the number of children in the relevant age group. The latest year for which statistics are available is 1988.

It is not possible to provide accurate information on the number of children who could benefit from this treatment, but we are not aware of any children requiring renal reaplacement therapy who are not receiving it.

Diabetic Kidney Patients

Sir Michael McNair-Wilson: To ask the Secretary of State for Health what percentage of diabetic kidney patients are receiving treatment; and whether any patients in this category have been refused care.

Mr. Dorrell: Information is not available in the form requested. According to information provided by the European Dialysis and Transplant Association, the number of diabetic patients receiving treatment in the United Kingdom for end stage renal failure at 31 December 1988 was approximately 800.

Romanian Orphans

Mr. Thurnham: To ask the Secretary of State for Health if he will issue guidance to local authorities on the charges to be levied on parents for documents required to adopt Romanian orphans; and if he will make a statement.

Mrs. Virginia Bottomley: Local authorities have been advised that they can charge prospective adopters to cover the costs of assessment and preparation of reports in connection with the adoption of children from overseas. The charges made are a matter for the authorities. The local authority associations are considering whether there is any advice which they can offer to authorities about the level of charges.

South-East Thames Region

Mr. Moate: To ask the Secretary of State for Health what are the figures for revenue and capital expended in the South East Thames region hospital service in each year on a comparable basis since 1974.

Mr. Dorrell: Information on the expenditure by the South East Thames regional health authority and the district health authorities (and their predecessor authorities) comprising the South East Thames region, derived from annual accounts submitted to the Department in cash and at constant prices, is shown in the table. Over such a long period the figures are not entirely comparable.

Total revenue and capital expenditure on Hospital and Community Health Services (HCHS)—South East Thames Region

£'000s

Year	*Revenue Expenditure (Cash)*	*(1989-90 Prices)*	*Capital Expenditure (Cash)*	*(1989-90 Prices)*
1974-75	208,755	877,512	19,970	83,945
1975-76	279,572	934,623	25,625	85,666
1976-77	321,373	947,915	23,529	69,401
1977-78	356,258	923,139	17,539	45,447
1978-79	395,880	926,656	23,026	53,898
1979-80	471,151	944,300	25,992	52,094
1980-81	603,001	1,021,261	35,138	59,511
1981-82	662,702	1,022,291	39,422	60,813
1982-83	700,421	1,007,717	46,327	66,652
1983-84	739,438	1,016,387	51,988	71,460
1984-85	772,108	1,011,045	49,853	65,281
1985-86	807,525	1,003,624	55,181	68,581
1986-87	857,088	1,030,203	76,517	91,972
1987-88	928,872	1,059,685	91,148	103,984
1988-89	1,039,270	1,106,823	92,284	98,282
[1]1989-90	1,116,191	1,116,191	103,905	103,905

[1] Provisional figures—as yet subject to audit.

Notes:

1. The figures for earlier years have been expressed at 1989-90 prices by the use of the Gross Domestic Product deflator.
2. HCHS covers all health authorities' services including hospital, community health, patient transport (i.e., ambulance) and blood transfusion. Expenditure on family practitioner services is excluded. However, the figures prior to 1 April 1985 include small elements related to the administrative expenses of family practitioner committees (FPCs).
3. The figures from 1987-88 exclude an element for the costs of the London Ambulance Service which in earlier years was shared by all four Thames RHAs.
4. Capital expenditure for particular authorities and regions tends to fluctuate year on year mainly reflecting changes in the pattern of capital investment throughout the country.

HEALTH

Hospices

Mr. Wigley: To ask the Secretary of State for Health how many hospices there are in each of the counties of England; and what is his policy regarding the expansion of hospice provision in England.

Mrs. Virginia Bottomley: Information is not available in the form requested. The following table gives an analysis by health district. The Government value the contribution made by the hospice movement to improving services for people with a terminal illness and their families. We expect health authorities to take the lead in planning and co-ordinating such services, in consultation with hospices and other interested organisations.

Hospice in-patient units

Health district	*Existing*	*Number Proposed*
Airedale	2	0
Aylesbury Vale	1	0
Barking, Havering and Brentwood	1	0
Barnet	0	2
Barnsley	0	0
Basildon and Thurrock	0	1
Basingstoke and North Hampshire	0	1
Bassetlaw	0	1
Bath	1	0
Bexley	0	0
Blackburn, Hyndburn and Ribble Valley	1	0
Blackpool, Wyre and Fylde	1	0
Bloomsbury	1	0
Bolton	0	1
Bradford	0	0
Brighton	2	1
Bristol and Weston	0	0
Bromley	1	0
Bromsgrove and Redditch	0	0
Burnley, Pendle and Rossendale	0	0
Bury	0	1
Calderdale	1	0
Camberwell	0	0
Cambridge	2	0
Canterbury and Thanet	1	—
Central Birmingham	—	
Central Manchester	—	
Central Nottinghamshire	—	1
Cheltenham and District	1	—
Chester	1	—
Chichester	2	—
Chorley and South Ribble	—	—
City and Hackney	1	—
Cornwall and Isles of Scilly	3	—
Coventry	—	
Crewe	—	1
Croydon	—	—
Darlington	—	—
Dartford and Gravesham	1	1
Dewsbury	—	—
Doncaster	—	1
Dudley	—	—
Durham	—	1
Ealing	1	—
East Berkshire	1	—
East Birmingham	—	—
Eastbourne	2	—
East Cumbria	—	1
East Dorset	1	2
East Hertfordshire	—	1
East Suffolk	1	—
East Surrey	1	—
East Yorkshire	—	—
Enfield	—	—
Exeter	1	1
Frenchay	—	—

Hospice in-patient units

Health district	*Existing*	*Number Proposed*
Gateshead	—	—
Gloucester	—	—
Great Yarmouth and Waveney	1	—
Greenwich	—	1
Grimsby	1	—
Halton	—	—
Hampstead	1	—
Haringey	—	—
Harrogate	1	—
Harrow	—	—
Hartlepool	1	—
Hastings	1	—
Herefordshire	2	—
Hillingdon	3	1
Hounslow and Spelthorne	—	—
Huddersfield	1	—
Hull	—	1
Huntingdon	—	—
Isle of Wight	1	—
Islington	—	—
Kettering	—	1
Kidderminster	—	—
Kingston and Esher	1	—
Lancaster	1	—
Leeds Eastern	3	—
Leeds Western	—	—
Leicestershire	2	—
Lewisham and North Southwark	—	—
Liverpool	1	—
Maccelesfield	1	—
Maidstone	—	1
Medway	1	—
Merton and Sutton	1	—
Mid-Downs	1	—
Mid-Essex	1	—
Mid-Staffordshire	—	—
Mid-Surrey	—	—
Milton Keynes	1	—
Newcastle	2	—
Newham	—	—
Northallerton	—	—
Northampton	1	—
North Bedfordshire	1	1
North Birmingham	—	—
North Derbyshire	1	—
North Devon	—	—
North East Essex	1	—
North Hertfordshire	—	1
North Lincolnshire	1	—
North Manchester	—	1
North Staffordshire	1	—
North Tees	1	—
North Tyneside	—	—
Northumberland	—	—
North Warwickshire	—	1
North West Durham	—	—
North West Hertfordshire	1	—
North West Surrey	1	—
Norwich	1	—
Nottingham	1	—
Oldham	—	1
Oxfordshire	2	1
Parkside	2	—
Peterborough	—	—
Plymouth	1	—
Pontefract	—	1
Portsmouth and South-East Hampshire	1	1
Preston	1	—
Redbridge	—	—
Richmond, Twickenham and Roehampton	—	—
Riverside	—	1
Rochdale	1	—
Rotherham	—	1
Rugby	—	—
St Helen's and Knowsley	1	—
Salford	2	—

Hospice in-patient units

Health district	*Existing*	*Number Proposed*
Salisbury	1	—
Sandwell	—	—
Scarborough	1	—
Scunthorpe	1	—
Sheffield	1	—
Shropshire	1	—
Solihull	1	—
Somerset	2	—
Southampton and South-West Hampshire	1	1
South Bedfordshire	1	1
South Birmingham	2	—
South Cumbria	1	—
South East Kent	—	—
South East Staffordshire	1	—
Southend	1	—
South Derbyshire	1	1
South Lincolnshire	—	—
South Manchester	1	—
Southmead	2	—
Southport and Formby	—	1
South Sefton	1	—
South Tees	—	1
South Tyneside	—	—
South Warwickshire	1	—
South West Durham	—	—
South West Hertfordshire	1	1
South West Surrey	1	—
Stockport	—	—
Sunderland	1	—
Swindon	1	—
Tameside and Glossop	—	—
Torbay	1	—
Tower Hamlets	1	—
Trafford	—	—
Tunbridge Wells	—	—
Wakefield	1	—
Walsall	—	—
Waltham Forest	1	—
Wandsworth	—	—
Warrington	1	—
West Berkshire	2	1
West Birmingham	1	—
West Cumbria	1	—
West Dorset	—	—
West Essex	—	1
West Lambeth	1	—
West Lancashire	1	—
West Norfolk and Wisbech	—	1
West Suffolk	—	1
West Surrey and North East Hampshire	1	—
Wigan	1	—
Winchester	1	—
Wirral	1	—
Wolverhampton	1	—
Worcester and District	—	—
Worthing District	1	—
Wycombe	—	1
York	1	—
Special Health Authorities	3	—
TOTAL	128	44

Northern Region

Ms. Armstrong: To ask the Secretary of State for Health what total sum has been made available for the distinction awards to hospital consultants in the northern region in the financial year 1988-89 and in the current financial year; and how much will be available in the 1990-91 financial year.

Mrs. Virginia Bottomley: No specific sum is allocated to authorities for the payment of distinction awards. Health authorities are expected to meet the cost of distinction awards from their own resources.

Health Education

Mr. Andrew Bowden: To ask the Secretary of State for Health what plans he has to increase the funding of organisations working with elderly people to enable them to develop additional health education programmes.

Mr. Dorrell: The Department grant-aids a number of voluntary organisations under section 64 of the Health Services and Public Health Act 1968, several of which include a health education element in their programmes. The overall funding available through this source will be increased to £15,680,000 for the financial year 1991-92. We are currently receiving applications for funding, all of which will be carefully considered. It is too early to say at this stage what proportion of the overall funding will be allocated to organisations working with and for elderly people.

Mr. Andrew Bowden: To ask the Secretary of State for Health what will be the total saving to the Health Education Authority arising from the ending of the health in old age programme.

Mr. Dorrell: During 1990-91 £106,000 will be spent by the Health Education Authority on its health in old age programme. The ending of the Programme is not intended to achieve a financial saving, but to enable the Authority to utilise its resources more effectively by addressing the health education needs of elderly people across the whole range of its activities rather than by being restricted to a specific programme. It is too early to say what resources the Authority will devote to the health education needs of elderly people in 1991-92 and beyond.

Mr. Andrew Bowden: To ask the Secretary of State for Health what representations he has received concerning the future of the age well programme.

Mr. Dorrell: Officials are in discussion with Age Concern, who have responsibility for the age well programme, to discuss its future. We are not aware of any representations other than those made by the hon. Member.

Consultants

Ms. Armstrong: To ask the Secretary of State for Health if he will list the amount of distinction awards paid to consultants in each of the health authorities in the Northern region for the last five years.

Mrs. Virginia Bottomley: Information on the amount of distinction awards paid, as given in a footnote to the annual accounts of the Northern Regional Health Authority (RHA) and the district health authorities comprising the Northern region, is shown in the table.

Northern Region—Medical and Dental Consultants Distinction Awards
National Health Service Staff

	1985-86 £ *(cash)*	*1986-87* £ *(cash)*	*1987-88* £ *(cash)*	*1988-89* £ *(cash)*	[1] *1989-90* £ *(cash)*
Northern RHA	49,910	24,580	26,720	20,280	33,030
Hartlepool	38,848	37,862	37,412	32,107	28,261
North Tees	105,967	103,333	121,653	131,614	131,048
South Tees	198,514	172,333	220,474	227,172	227,187
East Cumbria	110,142	122,868	157,775	187,120	178,712
South Cumbria	109,420	77,509	83,556	88,922	n/g
West Cumbria	84,001	93,706	101,939	103,750	95,124
Darlington	n/g	56,768	n/g	n/g	n/g
Durham	66,280	103,005	n/g	95,727	63,824
NW Durham	43,316	35,532	38,123	35,051	53,836
SW Durham	46,210	62,348	58,220	49,705	43,764
Northumberland	97,217	125,181	136,574	153,078	118,341
Gateshead	50,316	71,533	77,370	97,511	104,482
Newcastle	703,120	755,680	784,866	986,739	1,292,602
North Tyneside	26,151	18,785	35,958	47,338	75,779
South Tyneside	25,648	29,257	31,592	42,456	87,931
Sunderland	102,596	138,534	168,635	160,714	172,934

[1] 1989-90 figures are "provisional" in that the annual accounts for that year are as yet subject to audit.
n/g—Not given.

Ms. Armstrong: To ask the Secretary of State for Health (1) what was the number of hospital consultants who received top-up bonuses in each health authority in the Northern region in the financial year 1988-89 and in the current financial year;

(2) what sums have been made available for top-up bonuses to hospital consultants in each health authority in the Northern region in the financial year 1988-89 and in the current financial year; and how much will be budgeted for each authority for the 1990-91 financial year.

Mrs. Virginia Bottomley: NHS hospital consultants do not receive "top-up bonuses".

Menopause Services

Mrs. Gorman: To ask the Secretary of State for Health if he will place in the Library copies of the guidance notes issued by his Department asking health authorities to balance the services provided by specialist clinics and those provided by general practitioners as they relate to the menopause.

Mrs. Virginia Bottomley: The guidance referred to in my reply to my hon. Friend on 24 July at column *176*, relates to family planning services. No specific guidance has been issued on menopause clinics. The provision of services for the women concerned is a matter for local health authorities to determine in the light of local needs and priorities.

Social Services (Unallocated Cases)

Mr. Vaz: To ask the Secretary of State for Health if he will list the number of unallocated cases for each social services area.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply I gave the hon. Members for Bridgend (Mr. Griffiths), for Mid-Staffordshire (Mrs. Heal), for Renfrew, West and Inverclyde (Mr. Graham) and for Newcastle upon Tyne North (Mr. Henderson) on 3 July at column *535*.

DES/Stilboestrol

Miss Emma Nicholson: To ask the Secretary of State for Health (1) if he will meet the representatives of the DES/Stilboestrol Action Group in England;

(2) if his Department plans to examine the conclusions of the DES/Stilboestrol symposium held in Dublin on 14 September;

(3) if his Department will inquire into reports that the grandchildren of patients treated with the drug DES/Stilboestrol have suffered ill effects.

Mrs. Virginia Bottomley: The Committee on Safety of Medicines (CSM) carefully monitors all issues of drug safety. There is also a statutory obligation for pharmaceutical companies to provide details of any suspected adverse drug reactions which they may receive in relation to one of their products. Any new information relating to side effects from stilboestrol will be monitored in the usual way when it becomes available to the CSM. There are no plans to meet representatives of the DES Action Group.

Travellers

Miss Emma Nicholson: To ask the Secretary of State for Health what information is routinely collected by his Department about health authority plans, targets and services for traveller mothers and babies.

Mrs. Virginia Bottomley: Routine information is not collected centrally. We recognise that meeting the health care needs of traveller families requires special attention from health authorities in areas with a significant traveller population. To help develop good practice the Department provides financial support to a travellers information and liaison unit run by the Save the Children Fund.

Tehidy Hospital, Cornwall

Mr. Mudd: To ask the Secretary of State for Health when he expects to announce his decision on the future of Tehidy hospital, Cornwall.

Mr. Dorrell: South Western regional health authority will consider on 6 November a proposal by Cornwall and Isles of Scilly Health Authority to develop a community hospital at Barncoose, and to sell Tehidy hospital. If the regional health authority supports the proposal it will be referred to my right hon. and learned Friend the Secretary of State for the final decision.

Myalgic Encephalomyelitis

Mr. McNamara: To ask the Secretary of State for Health what treatment is available for ME on the National Health Service.

Mr. Dorrell: The Department of health and the National Health Service recognise myalgic encephalomyelitis as a debilitating and distressing disease. Its causes are not yet fully understood, nor is there a generally agreed method of treatment. Treatment to alleviate the various symptoms is a matter for medical judgment in individual cases. A number of licensed medicines, prescribable under the NHS, have been found to bring relief to some patients.

Mr. McNamara: To ask the Secretary of State for Health how much money has been spent by his Department in funding research on myalgic encephalomyelitis for each year for the past three years.

Mr. Dorrell: The Department of Health is aware of several studies being conducted into myalgic encephalomyelitis although it has not sponsored this research. The main Government agency responsible for the promotion of biomedical and clinical research is the Medical Research Council (MRC) which receives grant-in-aid from the Department of Education and Science. I refer the hon. Member to the reply my hon. Friend the Parliamentary Under-Secretary of State for the Department of Education and Science gave my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) on 2 February at column *422*.

London Ambulance Service

Mr. Corbyn: To ask the Secretary of State for Health if he will list the total staff of the London ambulance service for each month since January 1989.

Mr. Dorrell: Data is not collected in the form requested but annual figures are available in a national ambulance survey prepared by York health authority. The total numbers of staff for the last two available financial years for the London ambulance service are given in the table. Total staffing figures include officers, operational staff and general staff such as mechanics and domestics.

London Ambulance Service
Total staff (whole-time equivalent)

	1987-88	*1988-89*
Total Staff	2,939.19	2,993.19

Source: York health authority
National Ambulance Survey 1987-88 and 1988-89

The management of the London ambulance service is the responsibility of the London ambulance service board, chairman Mr. James Harris, to whom the hon. Member may wish to write for further information.

Mr. Corbyn: To ask the Secretary of State for Health if he will list the average response time for the London ambulance service in emergencies for each week since January 1989.

Mr. Dorrell: Data are collected centrally only on a financial year basis. In both 1987-88 and 1988-89 the median response time to emergency calls was less then 10 minutes. The management of the London ambulance service is the responsibility of the London ambulance service board, chairman Mr. James Harris, to whom the hon. Member may wish to write for more detailed information.

Mr. Corbyn: To ask the Secretary of State for Health if he will list *(a)* the total number of vehicles and *(b)* vehicle miles covered by the London ambulance service for each week since January 1989.

Mr. Dorrell: Data is not collected in the form requested but annual figures are available in a national ambulance survey prepared by York health authority. The total numbers of vehicles and vehicle miles for the last 2 available financial years for the London ambulance service are given in the table. Vehicles included ambulance and other ambulance service vehicles such as major incident vehicles and recovery vehicles.

London ambulance service: vehicles and vehicle miles

	1987-88	*1988-89*
Vehicles	994	963
Vehicles miles	12,369,411	12,199,647

The management of the London ambulance service is the responsibility of the London service board, chairman Mr. James Harris, to whom the hon. Member may wish to write for further information.

Birth Statistics

Ms. Harman: To ask the Secretary of State for Health (1) if he will give for England and Wales for 1988, for births within marriage and jointly registered births outside marriage, the numbers of live births, still births, early neonatal deaths, late neonatal deaths and post-neonatal deaths of babies with mothers with occupations in: *(a)* social class I, *(b)* social class II, *(c)* social class III non-manual, *(d)* social class III manual, *(e)* social class IV, *(f)* social class V, *(g)* in other occupations and *(h)* with no stated occupation;

(2) if he will give for England and Wales for 1988 the numbers of live births, still births, early neonatal deaths, late neonatal deaths and post-neonatal deaths of babies with mothers with occupations in *(a)* social class I, *(b)* social class II, *(c)* social class III non-manual, *(d)* social class III manual, *(e)* social class IV, *(f)* social class V, *(g)* other occupations and *(h)* with no stated occupation.

Mr. Dorrell: I shall write to the hon. Member shortly.

Ms. Harman: To ask the Secretary of State for Health, if he will give the numbers of women resident in (a) Dacorum local government district and (b) St. Albans local government district who gave birth in 1989 in (i) St. Albans City Hospital, (ii) Luton and Dunstable Hospital, (iii) Queen Elizabeth II Hospital, Welwyn Garden City, (iv) Watford general hospital, (v) Royal Bucks hospital, Aylesbury, (vi) RAF Halton maternity unit, (vii) other hospitals, (viii) at home and (ix) elsewhere.

Mr. Dorrell: The information requested is as follows:

	Dacorum	St. Albans
St. Albans City hospital	1,016	1,124
Luton and Dunstable hospital	39	51
Queen Elizabeth II hospital, Welwyn Garden City	8	145
Watford general hospital	279	77
Royal Bucks hospital, Aylesbury	186	–
Non-NHS hospitals[1]	189	6
Other NHS hospitals	78	101
At home	31	11
Elsewhere	3	0
	1,829	1,515

[1]Figures for individual non-NHS hospitals are not available for 1989.

Ms. Harman: To ask the Secretary of State for Health if he will give for England and Wales for 1983 and 1988 the estimated total numbers of live births within marriage and jointly registered births outside marriage of singleton babies weighing (i) under 1000g, (ii) 1000-1499g, (iii) 1500-1999g, (iv) 2000-2499g, (v) 2500g and over and (vi) with unstated birthweights for babies with fathers in *(a)* social class I, *(b)* social class II, *(c)* social class III non-manual, *(d)* social class III manual, *(e)* social class IV, *(f)* social class V, *(g)* other occupations and *(h)* with no stated occupation.

Mr. Dorrell: The information is shown in the table. The data on social class are derived from a 10 per cent. coding of occupation details, and weighting factors have been applied to this sample to give estimated data. It should also be noted that the two years are not exactly comparable in the "other occupations" and "no stated occupation" categories due to a change in coding practice.

Birthweight within marriage and jointly registered outside marriage by father's social class for singleton livebirths

Social class of father	Birthweight 1,000	1,000-1,499	1,500-1,999	2,000-2,499	2,500	Not stated	Total
1983							
Within marriage							
I	80	110	310	1,030	36,720	50	38,300
II	120	400	910	3,680	109,150	130	114,380
IIIN	90	220	370	1,860	53,360	70	55,970
IIIM	330	910	1,910	6,620	174,910	180	184,860
IV	170	310	870	3,640	69,850	80	74,920
V	30	160	350	1,580	28,480	70	30,680
Other occupations[1]	40	140	190	760	18,030	80	19,240
Occupation not stated	10	10	30	70	950	—	1,070
Total	870	2,260	4,940	19,240	491,150	660	519,420
Jointly registered outside marriage							
I	10	—	10	20	920	—	960
II	30	60	50	380	6,500	10	7,020
IIIN	10	20	40	130	3,460	—	3,660
IIIM	80	170	390	1,290	23,250	30	25,210
IV	40	20	210	690	10,620	30	11,610
V	50	90	80	570	8,420	—	9,210
Other occupations[1]	10	40	40	50	1,690	10	1,840
Occupation not stated	—	10	10	30	590	—	640
Total	230	410	830	3,160	55,450	80	60,150
1988							
Within marriage							
I	70	90	150	1,020	39,190	80	40,600
II	290	550	1,070	3,280	117,500	210	122,900
IIIN	120	260	470	1,700	51,120	50	53,710
IIIM	470	940	1,540	6,270	161,690	180	171,080
IV	180	380	680	2,770	63,430	50	67,490
V	90	120	270	1,230	23,050	40	24,790
Other occupations[1]	60	50	190	710	21,310	60	22,380
Occupation not stated	—	10	20	110	1,480	10	1,630
Total	1,280	2,400	4,390	17,090	478,770	680	504,580
Jointly registered outside marriage							
I	—	—	60	110	2,600	—	2,770
II	50	90	220	600	14,640	40	15,640
IIIN	20	70	110	230	7,560	20	8,020
IIIM	150	340	600	2,220	47,030	60	50,400
IV	40	140	420	1,150	21,640	20	23,450
V	90	120	240	750	14,270	30	15,500
Other occupations[1]	10	70	20	210	3,220	10	3,540
Occupation not stated	20	10	40	60	1,690	—	1,820
Total	380	880	1,710	5,330	112,650	180	121,140

[1] Other occupations = Armed Forces, inadequately described, students, independent means, permanently sick, no previous job.

Bloomsbury and Islington Health Authority

Mr. Corbyn: To ask the Secretary of State for Health what arrangements will be made to ensure adequate provisions of finance for the merged Bloomsbury and Islington health authority.

Mr. Dorrell: It is for North East Thames regional health authority to decide funding levels for the merged Bloomsbury and Islington health authority.

Friern Barnet Hospital (Closure)

Mr. Corbyn: To ask the Secretary of State for Health what provision has been made by his Department for the effects of the closure of Friern Barnet hospital on the neighbouring health and local authorities.

Mr. Dorrell: This is a matter for the North East Thames regional health authority and for the health and local authorities concerned.

Peak Flow Meters

Mr. Dunnachie: To ask the Secretary of State for Health (1) what is the cost per unit of peak flow meters available at present to his Department; and what he treats as an acceptable cost;

(2) if he will now announce a date from which peak flow meters will become available on prescription to asthmatics; and if he will make a statement;

(3) what information he has on the reasons for the delay in implementation of his Department's earlier announcement that peak flow meters would be made available on prescription to asthmatics; and if he will make a statement.

Mrs. Virginia Bottomley: Peak flow meters were made available on prescription from 1 October 1990. Two brands of meter have been included in the prescribable list —the drug tariff—manufactured by Clement Clarke Limited and Vitalograph Limited.

Two models have been approved for each manufacturer: standard-range meters suitable for both adults and children and low-range meters for adults or children with serverely restricted air flow. Clement Clarke meters are priced in the drug tariff at £6·39 and Vitalograph meters at £5·99. These prices are both acceptable.

Recording charts in the form of a booklet are being issued free of charge via general practitioners for making a daily record of the user's peak expiratory flow rate. The booklet covers a year's usage and includes notes on the use and care of the meter.

I announced on 21 March 1990 that peak flow meters would become available on prescription. To be accepted for listing on the drug tariff, each company's meters had to conform to a Departmental specification, meet criteria of safety, efficacy and cost effectiveness, and be available in sufficient quantity to meet potential demand. Labelling, packaging, user instructions and prices were also the subject of consultation and negotiations.

Haemophiliacs (AIDS)

Mr. Alfred Morris: To ask the Secretary of State for Health what is the total cost to the Government to date of the legal case in which people with haemophilia, having been infected with the AIDS virus in the course of national health service treatment, are suing the Government.

Mr. Kenneth Clarke: The cost of the time spent by civil servants on this litigation and other administrative expenditure is not separately identified. So far, £25,961 has been paid in legal fees, and £10,495 in fees to expert witnesses. This does not include the costs of legal aid, which are a charge on the Lord Chancellor's Department.

Mr. Alfred Morris: To ask the Secretary of State for Health, if he will make a statement on his reaction to Mr. Justice Ognall's appeal to both sides in the legal case in which people with haemophilia, having been infected with the AIDS virus in the course of national health service treatment, are suing the Government, to give anxious consideration to a compromise solution and the judge's offer to arbitrate in a speedy settlement of the case.

Mr. Kenneth Clarke: I have carefully considered the points put forward by Mr. Justice Ognall in his statement handed down on 26 June 1990. The text of the Department's response was as follows:

Thank you very much for providing me with a copy of the note handed down by Mr. Justice Ognall on 26 June 1990.

The Secretary of State has carefully considered the points put forward by the Judge, together with the advice given previously by Counsel in the light of the overall situation concerning the tragic effect on haemophiliacs of the use of Factor VIII containing the HIV virus.

The Government has recognised that the plight of haemophiliacs and the fact that the treatment which led to their infection was intended to help them to lead as near a normal life as possible, makes their case wholly exceptional. Accordingly, and in recognition of their unique position, the Macfarlane Trust was set up following an announcement by the Minister of Health in November 1987 and was provided with £10 million, to make payments on an ex-gratia basis to affected individuals and their families throughout the United Kingdom. Since then, many payments have been made out of the fund, on the basis of financial need, and this continues.

When announcing the establishment of the Macfarlane Trust, the Government made it clear that, while it considered the sum of £10 million to be appropriate at that time, it would nevertheless keep open to review the question of what funds were required. Following an announcement by the Secretary of State on 23 November 1989, a further sum of £24 million was made available for haemophiliacs. The aim was first, to make individual payments of £20,000 to each haemophiliac infected with AIDS virus as a result of treatment with blood products in the United Kingdom or the family of such a person who has died; and second, to enable the Macfarlane Trust to continue on a more generous scale to help families in particular need.

So the Government has already made available a total of £34 million to mitigate the effects of this tragedy on all haemophiliacs with HIV and their families and not just the litigants in this action. Some £24 million of this total has been distributed to individuals affected, irrespective of means, whilst the remainder has been and continues to be made available on the basis of need. None of these payments is taken into account for the purposes of social security or indeed of legal aid.

The Government proposes to keep the sums available to the Macfarlane Trust and the needs of haemophiliacs under regular review.

All these sums are of course paid on an ex-gratia basis. They are intended to provide the resources to respond positively to the particular needs of affected haemophiliacs and their families. They are not however intended to be a substitute for litigation of the issues presently before the Court.

Mr. Justice Ognall has suggested that there are actions which should perhaps be settled on the basis of moral obligation rather than on a strict assessment of legal liability. The Secretary of State has already recognised the moral argument and the strong compassionate arguments in favour of providing assistance to haemophiliacs affected by HIV in the setting up of the Macfarlane Trust and in providing resources for their treatment. In the Secretary of State's view,

the fact that the affected haemophiliacs have chosen to pursue their legal claim does not raise any fresh moral obligation beyond that already recognised by the Government. And, of course, he has the general duty to weigh up the claims for assistance of this particular group as against the claims of other groups of sick or disabled people, within the resources voted by Parliament.

Ministers are always and understandably faced by an array of competing demands for highly desirable objectives within the inevitably finite resources available. Spending more on one group, whatever the reason for doing so, inevitably means spending less on others. The haemophiliacs with HIV infection have attracted public attention and quite rightly won the nation's sympathy, but there are many other examples of people suffering severe disability with the prospect of premature death also through no fault of their own—for example, patients with advanced cancer; patients with end-stage renal failure; or children born with severe congenital heart defects. It is the responsibility of Ministers and their advisers to weigh up these difficult choices and to arrive at a reasonable ordering of priorities.

Ministers are, of course, and rightly, accountable to Parliament for their decisions on policies and priorities. As you know it is the Secretary of State's case in this litigation that such decisions do not and should not give rise to a duty of care to individual members of the public such as to enable those individuals to bring a claim for damages. This is an important principle and one which would have far reaching repercussions if compromised. There are strong public policy reasons why this is so. First, it would make the process of policy formation very much less effective if every decision were subject to the risk of legal challenge in the courts. Second, if it were accepted in this particular action that Ministers did owe such a duty of care this would be likely to lead to very large numbers of costly and time-consuming claims against the Department, Licensing Authority and CSM. There is nothing unique about this aspect of the present claim.

The Secretary of State fully recognises the force of the argument that the resources likely to be taken up by this litigation would be better used to alleviate suffering. However, it would not achieve this purpose if the likely consequence of compromising these actions were to encourage other expensive litigation in future. The Secretary of State considers that the existence of this litigation on its own is not a sufficient reason to adopt different criteria from those which govern the decisions which regularly have to be made where the competing demands of many pressing and deserving causes have to be balanced in the light of the resources that are actually available.

The Secretary of State is satisfied that the best and indeed the proper way of meeting the need referred to by Mr. Justice Ognall is through the machinery of the Macfarlane Trust or similar means. The Government remains committed to pursuing that course and will ensure that the needs of all affected haemophiliacs and their families are kept under review. That resolve will not be affected by the progress or outcome of the litigation.

It is recognised that it would be in the interests of everyone that the present litigation should be brought to a speedy conclusion. Apart from the anguish which it inevitably causes to plaintiffs and their families, it has placed a heavy burden on the resources of the Legal Aid Fund and of the Department and Health Authorities. That inevitably involves the diversion of scarce resources from elsewhere. It must be a matter for individual Plaintiffs and their advisers as to whether they wish to continue to pursue their allegations against the Central Defendants in the expectation or hope that they will be able to establish liability. However, whilst the Secretary of State will continue to review the position from time to time, until or unless you advise that there is a real likelihood of the Plaintiffs or any of them succeeding in establishing liability, his view is that these actions should continue to be defended firmly. Meanwhile, I know that you and Counsel will do everything possible to adhere to the timetable set by the Court.

I would be grateful if you would express the Secretary of State's thanks to the Judge for his observations and make him aware of the matters set out in this letter. A copy of this letter may be provided to the Judge if you consider this appropriate.

Mr. Alfred Morris: To ask the Secretary of State for Health why he withheld from the courts documents that are wanted by the legal representatives of people with haemophilia who contracted the AIDS virus in the course of National Health Service treatment; and if he will make a statement.

Mr. Kenneth Clarke: A number of documents were withheld because the Department of Health considered that a claim for public interest immunity applied to them. This immunity cannot be waived by the Crown.

The documents in question related to the period of office of both the previous Labour Government and the present Conservative Government.

Public interest immunity is a principle of law that prevents the dislosure of documents on the grounds that production of those documents would be injurious to the public interest. The immunity prevents the disclosure of, for example, documents which concern the inner workings of the Government machine or policy making within Departments. In the course of his judgment in the Court of Appeal on 20 September 1990 Lord Justice Ralph Gibson said:

"The Department of Health has raised the matter of public interest immunity so as to prevent the disclosure of [certain documents]. The Department does not do that in order to put difficulty in the way of plaintiffs, or to withhold from the Court documents which might help the plaintiffs. The Department raises the matter because it is the duty of the Department in law to do so in support of the public interest and the proper functioning of the public service, that is the executive arm of the Government. . .It is not for the Department but for the Court to determine whether the documents should be produced. The plaintiffs acknowledge the validity of the claim to public interest immunity but ask the Court to order production notwithstanding the existence of a valid claim to immunity. It is essential that the aspect of these proceedings should be clearly understood.

The valid claim to immunity to be overridden by the order of the Court if the law requires that it should be overridden. The task of the Court is properly to balance the public interest in preserving the immunity on the one hand, and the public interest in the fair trial of the proceedings on the other".

Prescription Costs

Mr. Dunnachie: To ask the Secretary of State for Health, if his Department has considered research conducted by the Association of British Pharmaceutical Industries on estimated and actual prescription costs for the elderly; and if he will make a statement.

Mrs. Virginia Bottomley: We have received a copy of the ABPI briefing pamphlet "Trends in usage of prescription medicines by the elderly and the very elderly between 1977 and 1988". We agree with the general conclusion that the need for prescription medicines increases with aging population and progressively more so at the extreme end of the age spectrum. This will be reflected in the setting of indicative prescribing amounts for practices under the indicative prescribing scheme set out in "Improving Prescribing".

X-rays

Mr. Dunnachie: To ask the Secretary of State for Health if his Department considered research by the Royal College of Radiologists on effects of excessive X-ray treatment; and if he will make a statement.

Mr. Dorrell: We are considering the document entitled "Patient Dose Reduction in Diagnostic Radiology" issued

by the National Radiological Protection Board (NRPB) on 5 September 1990. This document reports the findings of the joint working party of the Royal College of Radiologists and NRPB, and makes recommendations for the reduction of radiation doses to patients. Radiologists and other professionals who work in this field have a statutory obligation to keep the dose of ionising radiation to the patient as low as reasonably practicable in order to achieve the required diagnostic purpose, and we are considering what other assistance or advice can be offered by the Department of Health.

Intensive Care Cots

Ms. Harman: To ask the Secretary of State for Health if he will specify the number of intensive care cots *(a)* in each region and *(b)* in each district of the last five years.

Mr. Dorrell *[holding answer 28 June 1990]*: The tables showing the daily average numbers of neonatal cots which are not in a maternity unit for the period from 1985 to 1989-90 are as follows, although it should be noted that some health authorities also provide intensive care facilities within maternity units.

Special and neonatal intensive care cots, by health authority, England, 1985 to 1989-90[1]

Health Authority	*1985*	*1986*	*1987-88*	*1988-89*	*1989-90*[2]
Northern RHA	289	273	258	260	262
Hartlepool	15	26	15	15	15
North Tees	19	19	19	19	19
South Tees	28	21	16	19	20
East Cumbria	15	15	15	15	15
South Cumbria	12	10	10	10	10
West Cumbria	12	10	10	10	10
Darlington	14	14	14	14	13
Durham	10	10	10	10	10
North West Durham	8	8	8	8	8
South West Durham	10	10	10	10	10
Northumberland	18	18	18	18	18
Gateshead	13	13	13	13	14
Newcastle	45	45	45	45	45
North Tyneside	15	15	15	15	15
South Tyneside	14	14	14	14	14
Sunderland	41	25	26	26	26
Yorkshire RHA	304	293	290	282	280
Hull	24	24	24	24	24
East Yorkshire	15	10	10	10	10
Grimsby	25	25	25	19	18
Scunthorpe	10	10	10	10	10
Northallerton	6	6	10	10	10
York	13	10	10	10	10
Scarborough	6	8	8	10	10
Harrogate	14	14	14	14	13
Bradford	36	36	29	32	32
Airedale	14	14	14	14	14
Calderdale	18	18	18	18	18
Huddersfield	18	18	18	18	18
Dewsbury	20	20	20	17	18
Leeds Western	21	16	16	16	16
Leeds Eastern	35	35	35	31	30
Wakefield	14	14	14	14	14
Pontefract	15	15	15	15	15
Trent RHA	341	331	321	310	302
North Derbyshire	22	18	16	16	16
Southern Derbyshire	28	28	24	24	24
Leicestershire	43	43	43	43	41
North Lincolnshire	21	21	20	15	15
South Lincolnshire	23	22	23	23	23
Bassetlaw	8	8	8	8	8
Central Nottinghamshire	28	28	28	28	23
Nottingham	49	50	45	45	45
Barnsley	20	15	13	13	13
Doncaster	24	24	24	24	24
Rotherham	15	15	15	15	15
Sheffield	61	61	62	56	55
East Anglian RHA	145	135	134	135	132
Cambridge	24	24	24	25	24
Peterborough	20	20	20	20	18
West Suffolk	12	12	12	12	12
East Suffolk	20	20	20	20	20
Norwich	22	22	22	22	22
Great Yarmouth and Waveney	18	16	16	16	16
West Norfolk and Wisbech	20	12	12	12	12
Huntingdon	8	8	8	8	8
North West Thames RHA	293	297	280	269	249

Health Authority	*1985*	*1986*	*1987-88*	*1988-89*	*1989-90*[2]
North Bedfordshire	14	14	14	14	14
South Bedfordshire	26	26	26	26	26
North Hertfordshire	20	20	20	20	13
East Hertfordshire	16	16	15	14	14
North West Hertfordshire	24	24	17	18	12
South West Hertfordshire	20	20	20	20	20
Barnet	34	38	36	26	26
Harrow	24	24	24	24	24
Hillingdon	22	22	22	22	22
Hounslow and Spelthorne	27	27	27	26	23
Ealing	10	10	10	10	10
Riverside	21	21	21	18	15
Parkside	34	35	28	30	30
North East Thames RHA	318	300	295	291	291
Basildon and Thurrock	21	21	17	21	21
Mid Essex	21	21	21	21	21
North East Essex	20	18	18	18	18
West Essex	16	16	16	16	16
Southend	16	16	16	16	16
Barking, Havering and Brentwood	31	27	27	27	27
Hampstead	18	16	19	18	18
Bloomsbury	30	31	22	22	23
Islington	20	20	20	20	20
City and Hackney	23	14	21	21	21
Newham	21	20	20	20	18
Tower Hamlets	12	13	12	12	12
Enfield	20	20	15	10	10
Haringey	17	16	18	18	18
Redbridge	18	18	18	18	18
Waltham Forest	14	14	14	14	14
South East Thames RHA	281	277	279	282	278
Brighton	22	21	24	24	24
Eastbourne	12	12	12	12	12
Hastings	12	12	12	12	12
South East Kent	19	18	19	19	19
Canterbury and Thanet	22	22	22	22	22
Dartford and Gravesham	14	14	14	14	14
Maidstone	10	10	10	10	10
Medway	19	19	20	20	20
Tunbridge Wells	17	17	17	17	17
Bexley	14	14	14	14	14
Greenwich	20	20	20	20	20
Bromley	19	16	15	15	15
West Lambeth	20	20	20	20	20
Camberwell	21	21	20	20	21
Lewisham and North Southwark	40	40	40	42	38
South West Thames RHA	187	188	185	188	189
North West Surrey	15	15	16	15	15
West Surrey and North East Hants	20	20	20	12	12
South West Surrey	14	14	14	14	14
Mid Surrey	14	14	14	13	14
East Surrey	12	12	12	12	11
Chichester	10	10	10	9	10
Mid Downs	18	18	18	20	19
Worthing	11	10	10	10	9
Croydon	19	20	19	20	20
Kingston and Esher	13	13	13	13	13
Richmond, Twickenham and Rochampton	8	8	8	8	8
Wandsworth	18	19	16	17	19
Merton and Sutton	15	15	16	25	25
Wessex RHA	193	180	179	182	183
East Dorset	28	28	28	28	28
West Dorset	13	13	14	15	15
Portsmouth and South East Hampshire	25	25	25	25	25
Southampton and South West Hampshire	22	22	22	22	22
Winchester	16	16	16	16	16
Basingstoke and North Hampshire	14	14	14	14	14
Salisbury	14	14	14	14	14
Swindon	31	18	18	18	19
Bath	21	21	19	21	21
Isle of Wight	9	9	9	9	9
Oxford RHA	194	192	193	193	183

Health Authority	1985	1986	1987-88	1988-89	1989-90[2]
East Berkshire	33	35	35	35	27
West Berkshire	30	30	30	30	28
Aylesbury Vale	13	13	13	13	13
Wycombe	18	16	16	16	16
Milton Keynes	17	20	21	21	21
Kettering	16	16	16	16	16
Northampton	32	27	27	27	27
Oxfordshire	35	35	35	35	35
South Western RHA	208	200	198	166	168
Bristol and Weston	32	32	32	32	32
Southmead	32	30	30	30	30
Cornwall and Isles of Scilly	20	20	20	20	20
Exeter	31	31	31	28	27
North Devon	6	6	7	0	2
Plymouth	24	24	24	24	24
Torbay	5	5	2	0	1
Cheltenham	12	12	12	12	12
Gloucester	20	20	20	20	20
Somerset	26	20	20	0	0
West Midlands RHA	434	428	400	402	387
Bromsgrove and Redditch	12	10	12	12	12
Herefordshire	12	12	12	14	12
Worcester and District	20	20	12	12	12
Shropshire	22	22	24	22	22
Mid Staffordshire	12	12	12	12	12
North Staffordshire	30	30	30	30	30
South East Staffordshire	14	14	14	14	15
Rugby	8	8	6	8	8
North Warwickshire	20	20	20	20	20
South Warwickshire	15	15	15	15	15
Central Birmingham	45	45	36	36	30
North Birmingham	22	22	22	22	22
South Birmingham	30	26	14	14	14
West Birmingham	25	25	25	24	23
Coventry	29	29	29	29	29
Dudley	20	20	20	18	18
Sandwell	14	14	13	14	14
Solihull	39	39	39	39	38
Walsall	20	20	20	21	21
Wolverhampton	26	26	26	26	20
Mersey RHA	188	188	178	175	172
Chester	29	29	23	20	20
Crewe	15	15	15	15	15
Macclesfield	10	10	10	10	10
Warrington	18	18	18	18	15
Liverpool	37	37	37	37	37
St Helens and Knowsley	24	24	20	20	20
Southport and Formby	11	11	11	11	11
South Sefton	20	20	20	20	20
Wirral	24	24	24	24	24
North Western RHA	341	328	333	332	334
Lancaster	16	16	15	16	16
Blackpool, Wyre and Fylde	24	24	18	18	18
Preston	29	21	21	20	20
Blackburn, Hyndburn and Ribble Valley	20	20	20	20	20
Burnley, Pendle and Rossendale	17	17	17	17	17
West Lancashire	9	9	9	9	9
Bolton	21	21	21	21	21
Bury	17	17	17	17	16
North Manchester	18	18	18	18	18
Central Manchester	30	30	43	41	41
South Manchester	29	28	27	28	28
Oldham	16	16	16	16	16
Rochdale	15	13	15	15	15
Salford	16	16	15	15	18
Stockport	22	22	20	20	20
Tameside and Glossop	20	19	19	19	19
Trafford	9	8	8	8	8
Wigan	14	14	14	14	14
Special Health Authorities	40	40	47	46	41
Hammersmith and Queen Charlotte's	40	40	47	46	41
England	3,754	3,651	3,567	3,513	3,451

[1] Figures for 1987-88 to 1989-90 are not strictly comparable with earlier figures.
[2] Provisional.
Source:
SH3 return (special care baby unit cots) 1985 and 1986.
KH03 return (neonate cots not on maternity units) 1977-88 onwards.

ENERGY

Uranium consumption

Dr. Thomas: To ask the Secretary of State for Energy if he will publish in the *Official Report* details of the United Kingdom uranium consumption for each year since 1960; and if he will set alongside this the level of world uranium consumption indicating the percentage annual growth in each case, and the predicted levels to be reached by the year 2000.

Mr. Baldry: I refer the hon. Member to the answer that I gave the hon. Member for Newport, West (Mr. Flynn) on 25 January 1990 col. *817*.

The OECD/IAEA publication referred to in that answer has been updated this year. Forecast requirements now relate to Nuclear Electric and Scottish Nuclear.

British Nuclear Fuels

Dr. Thomas: To ask the Secretary of State for Energy if he will publish details of the expenditure on reprocessing and decommissioning undertaken by BNFL plc in each year since 1979.

Mr. Baldry: This is a commercial matter for British Nuclear Fuels plc.

Nuclear Incidents

Dr. Thomas: To ask the Secretary of State for Energy if he will publish in the *Official Report* information supplied to his Department through the incident reporting system of the International Atomic energy Agency about nuclear incidents reported to that agency by states participating in the incident reporting system.

Mr. Baldry: No. The International Atomic Energy Agency gives its incident reporting system reports restricted circulation because they may not be publicly available in their country of origin.

Electricity Privatisation

Mr. Morgan: To ask the Secretary of State for Energy (1) pursuant to his statement of 23 July, *Official Report*, column 39, if he will make it his policy to negotiate with Hanson Trust plc maximum values for capital and tax allowances available to the parent company, in connection with the sale of PowerGen;

(2) what methods of advertisement to possible trade purchasers of PowerGen, other than Hanson Trust, he proposes, pursuant to his statement to the house of 23 July, *Official Report*, column 39.

Mr. Baldry: I refer the hon. Member to the announcement that I made on 23 August 1990, copies of which have been placed in the Libraries of the House.

Mr. Morgan: To ask the Secretary of State for Energy what discussions he has had with the European Commission regarding the implications for European Community competition policy of the possible trade sale of PowerGen, pursuant to his statement to the House of 23 July, *Official Report*, column 39.

Mr. Baldry: The European Commission was kept fully informed about the Government's proposals.

Plutonium

Dr. Thomas: To ask the Secretary of State for Energy whether he will publish details of the current location of separated plutonium arising out of reprocessing, but originating from Magnox reactors at Bradwell and Berkeley.

Mr. Baldry: The Magnox reactors at Bradwell and Berkeley have contributed, along with other civil nuclear installations, to the stocks of plutonium held by British Nuclear Fuels plc at Sellafield for Nuclear Electric plc and by the United Kingdom Atomic Energy Authority. All this material is subject to Euratom safeguards and to the terms of the UK/Euratom/IAEA safeguards agreement. Details of the plutonium held at 31 March 1989 were given in the press release issued by my Department on 5 December 1989, copies of which were placed in the Library of the House. In addition, some separated plutonium from Bradwell and Berkeley was consigned to the United States before 1971 under the United States/United Kingdom mutual defence agreement. The United States authorities have confirmed subsequently that this material has been used for civil purposes.

Radioactive Material

Dr. Thomas: To ask the Secretary of State for Energy what proportion of radioactive material produced at nuclear installations in the United Kingdom is not subject to the 1977 tripartite safeguards agreement between the United Kingdom, Euratom and the International Atomic Energy Agency in each year since 1983; and if he will publish in the *Official Report* details of the international export of plutonium from civil nuclear reactors in the United Kingdom to *(a)* European Community Countries and *(b)* third countries.

Mr. Baldry: All uranium and plutonium produced in civil nuclear installations is subject to Euratom safeguards and to the terms of the UK/Euratom/IAEA tripartite Agreement of 6 September 1976 (IAEA INFCIRC 263) at all times.

For information on exports of civil plutonium, including the recipient countries, I refer the hon. Member to the answer in *Official Report*, 17 January 1989, at column 157, and to the Department's annual press releases on plutonium production, (produced since the year 1986-87), which are available in the Library of the House.

Nuclear Power

Dr. Thomas: To ask the Secretary of State for Energy what funding the United Kingdom makes available to the International Atomic Energy Agency in respect of its safeguarding activities and if he will give a breakdown of that funding in each year since the United Kingdom first contributed.

Mr. Baldry: The United Kingdom contributes approximately five per cent. of the International Atomic

Energy Agency's general funding through an annual membership subscription. It is a matter for the IAEA to decide, subject to the approval of the board of governors, as to how much of these funds are allocated to the activities of its safeguards department. In addition to this funding, the United Kingdom provides a sum annually to send IAEA inspectors on training courses arranged in the United Kingdom.

Gas Fields

Mr. Salmond: To ask the Secretary of State for energy whether any of the additional costs of taking the proposed central area transmission system pipeline to Teesside, rather than the shorter route to a landfall at St. Fergus, will be met from public funds by offsets against petroleum revenue tax, and if he will make a statement.

Mr. Moynihan: The petroleum revenue tax liabilities and reliefs of companies participating in the proposed central area transmission system would fall to be assessed in due time by the oil taxation office in the light of the actual costs of the project and the revenues it earned. If the cost of the proposed pipeline is admissible for petroleum revenue tax relief, this would apply to a landfall at either Teesside or St. Fergus.

Mr. Salmond: To ask the Secretary of State for Energy (1) if there are any plans to develop the Drake, Maggie or Hawkins fields; and if he will give details;

(2) if he has had any discussions about, or received any applications under annex B, for the development of the Maggie, Drake or Hawkins fields.

Mr. Moynihan: No such plans or applications have yet been received by my Department; neither has the Department had recent discussions with any of the operators concerned about possible development of the fields.

Mr. Salmond: To ask the Secretary of State for Energy (1) if he will give details of any requirement upon companies developing gas fields to recover gas condensate and of any regulations relating to this; and if he will make a statement;

(2) if he will give details of any guidance issued to companies developing gas fields about or relating to the recovery of gas condensate; and if he will make a statement.

Mr. Moynihan: In considering plans for the development of gas fields on the UKCS my Department seeks to ensure that, where it is economic to do so, all hydrocarbons, including condensate liquids, will be recovered to the maximum extent that is technically achievable. Since the optimum recovery procedure differs from field to field, the Department bases its discussions with operators on specific technical studies of the individual field concerned. In addition my officials have regularly participated in conferences and specialist seminars at which general guidance has been provided to the industry on the Department's criteria for the development of reservoirs containing condensate liquids.

Power Station, Teesside

Mr. Salmond: To ask the Secretary of State for Energy what involvement he has had with Northern Electric and the Neptune Group and their plans to locate a gas-fired power station in Teesside; and if he will make a statement.

Mr. Baldry: My Department is aware of the Neptune Group's interest in constructing a 1,050 MW combined cycle gas turbine power station on Teesside. However my right hon. Friend has not yet received either an application under section 14 of the Energy Act 1976 for his agreement to use gas as the fuel in such a station or an application under section 36 of the Electricity Act 1989 for his consent to construct the station.

Foreign Magnox Fuel (Reprocessing)

Dr. Thomas: To ask the Secretary of State for Energy (1) what are the volumes of intermediate-level waste, low-level waste and high-level waste produced in the United Kingdom by the reprocessing of foreign magnox fuel that has been returned to the original owners of the fuel for each of the years from 1965 to 1990 inclusive; and what are the projected volumes to 1999;

(2) what are the volumes of intermediate-level waste, low-level waste, and high-level waste produced in the United Kingdom by the reprocessing of foreign magnox fuel that has not been returned to the original owners of the fuel, for each of the years 1965 to 1990, inclusive; and what are the projected volumes to 1989.

Mr. Baldry: Since 1976 all overseas reprocessing contracts have contained options for the return of wastes arising. For the Government's policy with regard to the return of such wastes, I refer the hon. Member to the reply given by my hon. Friend the Member for Eddisbury (Mr. Goodlad) to the hon. Member for Great Grimsby (Mr. Mitchell) on 2 May 1986 at columns 500-01. No waste from the reprocessing of overseas magnox fuel has yet been returned. The total projected volumes of waste from reprocessing magnox fuel irradiated at overseas power stations are:

cubic metres

	Pre-76 contracts	*Post-76 contracts*
High-level waste	20	20
Intermediate-level waste	1,600	1,700
Low-level waste	44,000	[1]10,000

[1]Compacted.

From 1993 all low-level waste will be compacted, thus reducing its volume.

Neptune Project

Mr. Salmond: To ask the Secretary of State for Energy if he will give details of the type and level of grant assistance or tax relief available for the Neptune project; and if he will make a statement.

Mr. Baldry: No formal proposals for the project have been submitted to my right hon. Friend, whose approval would be required before it could proceed. Teesside, the Neptune location, has development area status, and is thus an area where regional selective assistance applies. No application for assistance has been received by the Department of Trade and Industry. It would be for that Department to determine the eligibility of the project for such assistance. The implications of any capital expenditure on the project for the tax positions of the companies concerned are a matter for the company and the Inland Revenue in each case.

Personal Data

Mr. Cohen: To ask the Secretary of State for Energy whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Wakeham: I have reminded my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Energy Efficiency

Mr. Andrew Bowden: To ask the Secretary of State for Energy what representations he has received concerning the home energy efficiency scheme.

Mr. Baldry: My Department received a large number of responses to the consultation paper published earlier this year from both voluntary and commercial organisations. It also received a number of letters from interested individuals, including Members of Parliament, and my right hon. Friend the former Minister of State for Energy met the director of Neighbourhood Energy Action and representatives of relevant trade associations before details of the scheme were finalised.

Mr. Andrew Bowden: To ask the Secretary of State for Energy what steps his Department will take to publicise the home energy efficiency scheme.

Mr. Baldry: The administering agency for the home energy efficiency scheme will agree arrangements for publicity on the scheme with my department. It is in that agency's own financial interests to ensure that take-up of the scheme fully utilises the resources available for grants.

Mr. Andrew Bowden: To ask the Secretary of State for Energy, when he expects to be in a position to publish details of the home energy efficiency scheme.

Mr. Baldry: Regulations governing the operation of the home energy efficiency scheme were laid on 3 September 1990, and the award of the contract for the administration of the scheme to Neighbourhood Energy Action was announced on 1 October.

Petrol Prices

Mr. Austin Mitchell: To ask the Secretary of State for Energy whether he will publish in the *Official Report* a table showing for each year since 1978 in terms of pence per gallon the fob export and cif import price of *(a)* crude oil and *(b)* petrol together with the United Kingdom ex-refinery price of petrol, excluding tax.

Mr. Moynihan: The figures requested are given in the following table:

Pence per gallon

	Crude oil		*Petrol*[1]		*United Kingdom refinery petrol price*[2] *(premium leaded)*
	Export price (fob)	*Import price (cif)*	*Export price (fob)*	*Import price (cif)*	
1978	20·5	20·9	28·2	28·5	32·5
1979	26·7	24·8	42·5	45·7	46·7
1980	41·9	37·4	55·3	52·4	60·8
1981	51·5	48·7	62·9	62·1	67·9
1982	54·0	54·6	64·0	65·7	67·5
1983	56·4	56·9	64·6	68·4	73·0
1984	61·2	62·4	66·5	70·2	73·7
1985	62·4	63·1	70·3	72·5	79·8
1986	29·3	29·6	39·8	39·6	49·2
1987	32·0	31·9	37·3	41·1	51·3
1988	24.5	24·0	32·8	33·6	45·5
1989	31·3	30·7	40·3	46·5	55·0

[1] Includes aviation spirit.
[2] Net sales proceeds to refiner, before taking account of marketing and distribution costs.
Sources: Export and import prices from Overseas Trade Statistics, refinery price from Department of Energy statistics.

The same information at 1989 prices is shown in the following table:

Pence per gallon[1]

	Crude oil		*Petrol*[2]		*UK refinery petrol price*[3] *(premium leaded)*
	Export price (fob)	*Import price (fob)*	*Export price (fob)*	*Import price (cif)*	
1978	48·5	49·4	66·7	67·4	76·8
1979	55·1	51·2	87·8	94·4	96·4
1980	72·4	64·6	95·6	90·5	105·1
1981	80·0	75·6	97·7	96·4	105·4
1982	77·9	78·8	92·3	92·3	97·4
1983	77·3	78·0	88·5	93·7	100·1
1984	80·2	81·7	87·1	91·9	96·5
1985	77·3	78·2	87·1	89·8	98·9
1986	35·1	35·4	47·6	47·4	58·9
1987	36·5	36·4	42·5	46·8	58·5
1988	26·2	25·6	35·0	35·9	48·6
1989	31·3	30·7	40·3	46·5	55·0

(1) Revalued to 1989 prices using the implied deflator for gross domestic product (at market prices).
(2) Includes aviation spirit.
(3) Net sales proceeds to refiner, before taking account of marketing and distribution costs.
Sources: Export and import prices from Overseas Trade Statistics, refinery price form Department of Energy statistics.

Mr. Austin Mitchell: To ask the Secretary of State for Energy, whether he will publish in the *Official Report* a table showing the average cif import price of a gallon of crude oil and the average fob export price of petrol for each month of 1990 to date, the corresponding United Kingdom ex-refinery price of petrol, excluding tax, and the current crude price at $25 and $30 a barrel, respectively, together with the current ex-refinery price of petrol.

Mr. Moynihan: The figures available, which are still provisional, are given in the table.

Pence per gallon

1990	Export price (fob)	Import price (cif)	Export price (fob)	Import price (cif)	United Kingdom refinery petrol price[2] (premium leaded)
January	35·9	34·8	41·9	46·7	
February	34·0	35·0	42·7	45·6	56·1
March	32·4	31·7	42·8	45·0	
April	30·3	28·8	44·8	48·5	
May	30·4	27·6	44·1	46·9	59·1
June	27·3	26·4	43·8	49·3	
July	28·1	26·9	43·6	47·2	

Sources: Export and import prices from Overseas Trade Statistics, refinery price from Department of Energy statistics.

[1] Includes aviation spirit.

[2] Net sales proceeds to refiner, before taking account of marketing and distribution costs. Data are available only quarterly.

Mr. Austin Mitchell: To ask the Secretary of State for Energy, what information he has on petrol prices per litre in Germany, France, Holland, Italy, Spain and the United States of America *(a)* in December 1989, *(b)* at the latest available date and *(c)* the percentage increase since 2 August.

Mr. Moynihan: The petrol prices are given in the table for the countries requested *(a)* in December 1989, *(b)* at 17 September, which is the latest available date. At *(c)* the percentage increase since 30 July is given, as this is the nearest date prior to 2 August for which the Department of Energy has prices. Prices are in pence per litre (including tax and duty) for premium petrol, except those for the USA which are for regular unleaded.

	(a) December 1989	*(b)* 17 September	*(c)* Percentage increase since 30 July
Germany	44.1	48.7	15.7
France	53.1	59.7	14.3
Holland	51.9	58.1	11.8
Italy	68.5	73.7	11.1
Spain	43.9	47.7	10.1
USA	16.2	17.6	15.6

Mr. Hoyle: To ask the Secretary of State for Energy if he will seek powers to issue an order freezing petrol prices at the level which appertained prior to Iraq's invasion of Kuwait and direct that oil companies must justify any application for a price rise with his Department.

Mr. Moynihan: No. Price controls below market levels stop the market working and affect availabilities. France has now abandoned the price controls it applied in August and September which restrained prices less well than the approach the United Kingdom and other countries have followed. The hon. Member may also be aware of the Director General of Fair Trading's conclusions about price control in his report published on 28 September.

Mr. Austin Mitchell: To ask the Secretary of State for Energy (1) how many meetings he has had with oil companies to discuss heating oil prices since 2 August;

(2) how many meetings he has had with oil companies to discuss petrol prices since 2 August.

Mr. Moynihan: My right hon. Friend and I regularly meet representatives of the oil companies and discuss a range of issues including oil product prices.

Mr. Austin Mitchell: To ask the Secretary of State for Energy what value and quantity of oil was bought and sold by British companies on *(a)* the Rotterdam market and *(b)* long-term contracts in each year since 1980.

Mr. Moynihan: Data are not available to the Department in the precise form requested. Figures are available from the major importers of crude oil into the United Kingdom showing their purchases under continuing supply agreements (i.e., long-term agreements) and other purchases. The figures, which cover a majority of crude oil imports, are shown in the table below, but are available only from 1983 onwards:

	Continuing supply agreements		*Non-continuing supply agreements*	
	Value US$ million	*Quantity million barrels*	*Value US$ million*	*Quantity million barrels*
1983	3,268	109	1,171	39
1984	2,251	79	1,350	47
1985	2,122	77	1,812	65
1986	1,740	123	892	64
1987	2,393	132	1,251	70
1988	2,259	150	720	50
1989	3,333	188	999	57

Mr. Austin Mitchell: To ask the Secretary of State for Energy what is the refinery input cost in terms of a gallon of crude oil at $20 and $30 a barrel.

Mr. Moynihan: The input costs to a refinery are the cost of the crude oil plus any delivery costs to the refinery not included in that price. Delivery costs vary greatly, depending on the distance and the method of transport (ie pipeline, barges, tanker) and the going rate for transport at that time, and are not directly related to the price of the crude oil itself.

The Department does not collect information on delivery costs or delivered prices of crude oil.

Mr. Austin Mitchell: To ask the Secretary of State for energy whether he will publish in the *Official Report* a table showing for each year since 1978 and for the first six months of 1990 the average ex-refinery price of petrol less tax in the United Kingdom, Germany and Italy as well as the current price.

Mr. Moynihan: The Department has limited information on ex-refinery prices. The figures presented in the following table are for pump prices excluding tax for the countries and periods requested.

Petrol price less tax (pence/litre)

	West Germany	*Italy*	*United Kingdom*
1978	10.09	8.82	8.20
1979	11.51	9.39	11.90
1980	14.13	13.56	15.20
1981	16.88	15.61	16.50
1982	16.94	17.57	16.70
1983	17.76	18.77	18.00
1984	18.92	18.96	18.30
1985	19.61	19.20	19.70
1986	13.00	12.72	13.59
1987	13.18	13.36	13.60
1988	11.61	12.48	12.30
1989	13.98	14.76	14.70
1990			
January	15.46	15.53	15.14
February	14.59	15.90	15.08
March	15.04	16.11	15.12
April	14.73	16.27	16.02
May	15.38	16.10	15.64
June	14.17	15.44	15.54
17 September	20.73	21.09	21.69

Oil Companies (Gifts)

Mr. Austin Mitchell: To ask the Secretary of State for Energy what entertainment or gifts have been offered by the oil companies and accepted by civil servants in his Department in their official capacity in each of the past three years.

Mr. Moynihan: All gifts received by civil servants in their official capacity have to be reported and recorded. Excluding minor items of a seasonal or promotional nature, such as calendars or diaries, officials accepted, and were authorised to accept, from oil companies, one gift in 1987, two in 1988 and two in 1989. All were valued at less than £20.

It is frequently essential to the work of the Department for officials to attend working lunches and working dinners and to attend other functions which further the work of the Department. Some of these functions can be classified as entertainment because they are cultural or sporting events. Acceptance of invitations to these must be reported to senior officers, who will consider whether the work of the Department will be forwarded and whether the invitation is appropriate. The only full year for which my Department has records of such social invitations is 1989. In that year 239 of them were received from oil companies and 114 of them accepted.

Orimulsion Fuel

Mr. Barry Jones: To ask the Secretary of State for Energy what estimate he has made of the impact upon Snowdonia of the burning of orimulsion fuel at power stations; and if he will make a statement.

Mr. Baldry: I understand that PowerGen is conducting orimulsion combustion trials which aim to assess the potential of orimulsion as a fuel, including environmental effects. The trials are being conducted in consultation with Her Majesty's inspectorate of pollution.

Mr. Barry Jones: To ask the Secretary of State for Energy if he will meet Friends of the Earth Cymru to discuss the environment in Snowdonia consequent upon the burning of orimulsion fuel at Ince power station.

Mr. Baldry: I have had no request for a meeting from Friends of the Earth Cymru.

Mr. Barry Jones: To ask the Secretary of State for Energy what is his policy concerning the burning of orimulsion fuel at Ince power station.

Mr. Baldry: It is an operational matter for the generating companies to decide which fuels to burn in their power stations.

Oil Supply

Mr. Austin Mitchell: To ask the Secretary of State for Energy, how many days' oil supply companies are required to maintain for emergency purposes.

Mr. Moynihan: Orders made under the Energy Act 1976 require contingency oil stocks to be held by all companies supplying petroleum products to the United Kingdom market if their total deliveries exceed 50,000 tonnes per annum. Refiners must hold stocks equivalent to 76.5 days of their previous calendar year deliveries; non-refiners must hold 66 days.

TRADE AND INDUSTRY

Trade Statistics

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what is his estimate of the increase between 1985 and May 1990 in United Kingdom production of intermediate goods for use in the United Kingdom; what was the corresponding increase in the volume of imports; and what is the implied increase in the import content of goods manufactured in the United Kingdom.

Mr. Sainsbury: Information on the volume of imports of intermediate goods is published in the "Monthly Review of Overseas Trade Statistics" tables C9 and C14. Other information requested is not readily available.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a list of finished capital goods whose exports have more than doubled since 1985, together with the percentage increase in imports and in United Kingdom output.

Mr. Sainsbury: On the basis of trade analysed in terms of the industries of which they are the principal product there are no capital goods industries whose exports have more than doubled in value since 1985.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what assessment he has made of the reasons why exports of intermediate goods have increased by less than 30 per cent. in volume since 1985; and if he will publish a list of the products for which there was no increase.

Mr. Sainsbury: It is not the policy of this Government to set targets for exports, which result from action by individual companies. In August the seasonally adjusted volume of exports of intermediate goods was 37 per cent. above the monthly average in 1985.

Estimates are not available of the volume of trade in individual products classified as intermediate goods. Trade

in goods analysed in terms of the industries of which they are the principal products gives a rough indication of intermediate products where the volume of exports has not increased since 1985. The industries are:

AH 3410 Insulated wires and cables
AH 3434 Electrical equipment for motor vehicles
AH 3470 Electric lamps and lighting equipment
AH 3740 Watches, clocks and other timing devices

Mr. Spearing: To ask the Secretary of State for Trade and Industry how many officials in his Department are employed in collecting and collating information and statistics concerning trade between the United Kingdom, other members of the European Economic Community and third countries, respectively; and if he envisages any change in their duties and the nature of published information from 1991 until the end of the decade.

Mr. Sainsbury: There are some 950 officials directly engaged on overseas trade matters, and the provision of advice and information about export opportunities, in the Department's overseas trade divisions and regional offices. Approximately 17 officials in the economics, market intelligence and statistics division work with published trade statistics. At present no significant changes in their duties are envisaged.

The collecting and collation of trade statistics is the responsibility of the Central Statistical Office and HM Customs and Excise.

Computers

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether United Kingdom exports of computers imported from non-European Economic Community countries have to be identified as such on export to other European Economic Community countries.

Mr. Sainsbury: No, unless individual contracts require it.

Company Directors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will introduce legislation to enable him to disqualify, as a director or a shareholder, any director or owner of a private company found guilty of criminal malpractice.

Mr. Redwood: No. The Company Directors Disqualification Act 1986 already provides wide powers allowing the courts to disqualify, where appropriate, a person as director of a company and from being concerned, whether directly or indirectly, in management of a company, whether private of public.

Meat Exports

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will extend export sales guarantees to the British meat export trade with France.

Mr. Sainsbury: ECGD facilities for the export of British meat to France are already available, subject to ECGD's normal terms and conditions.

Recycled Paper

Mr. Moate: To ask the Secretary of State for Trade and Industry if he will make a statement on the rate of progress in using recycled paper by the paper and board industry; what percentage of United Kingdom production is now manufactured from recycled materials; and what is the value of this in terms of import saving.

Mr. Redwood: Use of recycled fibre by United Kingdom mills has set new records in each of the past three years. It is estimated that waste paper accounted for 53 per cent. of the total fibre used in making British paper and board in 1989. The cost of importing an equivalent quantity of new pulp is estimated at around £600 million.

Personal Data

Mr. Cohen: To ask the Secretary of State for Trade and Industry whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Douglas Hogg: I am reminding my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Beer

Mr. Butler: To ask the Secretary of State for Trade and Industry if he will make a statement on his Department's monitoring of the developing structure of the beer industry consequent upon the implementation of the Monopolies and Mergers Commission proposals.

Mr. Redwood: The Director General of Fair Trading is monitoring compliance with the measures we have adopted following the MMC report on beer, and will be carrying out a review of their overall effectiveness after they have come fully into effect in November 1992. The director general will advise the Secretary of State if he thinks action is necessary to modify the orders before the review. In the meantime the Department maintains close contact with the Office of Fair Trading on issues that arise. The director general also has the responsibility of keeping himself informed about developments in this or any other sector which may give rise to merger situations qualifying for investigation by the MMC, and of making recommendations to the Secretary of State concerning any action that may be appropriate.

Iraq

Mr. Corbyn: To ask the Secretary of State for Trade and Industry how many trade missions to Iraq have been sponsored by his Department for each year since 1979.

Mr. Sainsbury: The number of trade missions that have visited Iraq for each year since 1979 which have been sponsored by the Department of Trade and Industry is as follows:

	Number
1979-80	1
1980-81	4
1981-82	9
1982-83	4
1983-84	5
1984-85	2
1985-86	2
1986-87	2

	Number
1987-88	2
1988-89	2
1989-90	4
1990-91	1

Defence Equipment

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what actions have been taken by his Department concerning the sale of defence and defence-related equipment to Chile and the enforcement of the end user certificates system; and what evidence he has of the sale to Chile of such equipment.

Mr. Sainsbury: Defence and defence-related equipment for sale to Chile or elsewhere which is subject to export control under the Export of Goods (Control) Order 1989 requires an export licence, for which my Department is the issuing authority.

Each application for a licence is considered on its merits in consultation with other Departments taking into account the type of equipment, its end use and end user. It would not be appropriate to disclose the nature of the end use checks made.

Under the EG(C)O there are penalties, enforceable through the courts, for any person who makes a false statement or provides information known to be false to obtain an export licence.

Over the past 12 months, 96 licences have been issued for defence and defence-related equipment exports to Chile, though not all cases in which a licence was issued would have resulted in a sale.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry if he will list the number of export licences that have been *(a)* granted and *(b)* refused for the sale of defence equipment and defence-related equipment for each year since 1979.

Mr. Sainsbury: Figures for the number of export licences *(a)* granted and *(b)* refused for the sale of defence equipment and defence-related equipment cannot be provided for the years 1979 to 1986. The figures for the years 1987 to the end of September 1990 are as follows:

Year	Number of export licences issued	Refused
1987	16,745	113
1988	16,005	97
1989	13,584	167
[1]1990	10,269	117

[1]January to September

Approximately one third of the licences issued are for small arms including personal firearms and shotguns.

Timeshare Industry

Mr. Fraser: To ask the Secretary of State for Trade and Industry if he will introduce legislation to regulate the timeshare industry.

Mr. Redwood: We are currently considering recommendations for new legislation made by the Director General of Fair Trading, Sir Gordon Borrie, in his recent report on timeshare.

House of Fraser

Mr. John Marshall: To ask the Secretary of State for Trade and Industry whether he will make it his policy to ask the House of Fraser to pay for the report by his Department's inspectors into that company.

Mr. Redwood: No. Provision for the recovery of the expenses of and incidental to Companies Act inspections is contained in section 439 of the Companies Act 1985, as amended by section 59 of the Companies Act 1989. These provisions are not applicable in the case of House of Fraser Holdings plc.

Reverse Charge Calls

Sir Alan Glyn: To ask the Secretary of State for Trade and Industry if he will discuss with the chairman of British Telecom methods of blocking reverse charge calls from overseas so that they are not debited to the renter of private call boxes.

Mr. Douglas Hogg: This is a matter for the Director General of Telecommunications to consider. My hon. Friend may wish to write to the director general with details of any problems of which he is aware that have arisen in this area.

Chlorofluorocarbons

Mr. Cryer: To ask the Secretary of State for Trade and Industry what were the annual exports from the United Kingdom of chlorofluorocarbons for each year from 1979 to 1989; what is the figure for 1990 to the most recent practicable date; and what estimate he has made of the quantities which will be exported in 1991 and 1992.

Mr. Redwood: *[pursuant to the reply by my hon. Friend the Member for Mid-Worcestershire (Mr Forth), 20 July 1990, c. 753-54]:* Information is available only in respect of exports since 1 January 1989. Exports were 37,044 tonnes in 1989, valued at £32·278 million. Exports for the first five months of 1990 were 17,811 tonnes valued at £18·309 million. Further small quantities may have been exported in mixtures with other chemicals but these cannot be identified. My right hon. Friend has made no estimate of exports in 1991 or 1992.

CIVIL SERVICE

Agencies

Dr. Marek: To ask the Minister for the Civil Service what changes in accountability have taken place in the relationship between agencies and non-departmental public bodies in those instances where an agency has replaced the Department as the sponsoring body.

Mr. Mellor: The position on ministerial accountability to Parliament remains unchanged: Ministers remain accountable to Parliament for non-departmental public bodies which are sponsored by an agency.

Dr. Marek: To ask the Minister for the Civil Service if he will make a statement on the criteria used to decide whether a unit of central Government is suitable for agency status under the "next steps" programme.

Mr. Mellor: I refer the hon. Member to the statement made to the House by my right hon. Friend the Prime

Minister on 18 February 1988 at col. 1149. There are currently 34 Next Steps agencies, and the identification of further candidates among the executive functions of Government will continue.

Recruitment (Salaries)

Dr. Marek: To ask the Minister for the Civil Service if he will list *(a)* those Departments offering above the adult minimum starting salaries to executive officer recruits, *(b)* the numbers involved in each Department, *(c)* the spine point that is offered in each case and *(d)* whether in (i) London and the south-east or (ii) elsewhere.

Mr. Mellor: The required information is not held centrally and could be provided only at disproportionate cost.

DEFENCE

Mid-air Collision, Northumberland

Mr. Amos: To ask the Secretary of State for Defence when he expects the report to be published on the inquiry into the mid-air collision between two Royal Air Force jets near Riding hill in Northumberland on 9 January; and if he will make a statement.

Mr. Kenneth Carlisle: The military aircraft accident summary was published on 9 October.

Military Lands Acts (Byelaws)

Mr. Cohen: To ask the Secretary of State for Defence if he will place in the Library copies of any new byelaws that he makes under the Military Lands Acts 1892.

Mr. Archie Hamilton: Yes.

Personal Data

Mr. Cohen: To ask the Secretary of State for Defence whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Alan Clark: My officials are aware of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Greenham and Crookham Commons

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the current situation regarding rights of common at Greenham and Crookham commons.

Mr. Archie Hamilton: An application has recently been made for a judicial review of the decision to extinguish the rights of common over our land at Greenham and Crookham commons. In the circumstances, we do not intend to proceed with the extinguishment process until the outcome of this application, and any subsequent judicial review, is known.

Middle East

Mr. Blunkett: To ask the Secretary of State for Defence if he will estimate the projected costs of the deployment of troops in the middle east, arising out of Iraq's invasion of Kuwait and associated costs *(a)* to the present time and *(b)* to the end of the financial year, assuming that full-scale war has not taken place or an early resolution of the dispute has been reached; and if he will make a statement.

Mr. Archie Hamilton: The full costs to date of the operation in the middle east, arising out of Iraq's invasion of Kuwait, including commitments for equipment purchases, is estimated to be £300 million. On the assumption that the operation continues at the present level, without hostilities, the full cost to the end of the financial year is expected to exceed £600 million.

Mr. Douglas: To ask the Secretary of State for Defence what arrangements he has made to inform British service men serving in the current operations in the Gulf of the circumstances in which they will be exempt from paying poll tax.

Mr. Archie Hamilton: Information about the community charge has already been made known to all members of the armed forces and covers the circumstances under which they may apply for deregistration. Individuals should therefore, have sufficient information to enable them to make appropriate arrangements, although they can seek advice on specific points from administration officers at the main locations and on board ships. The guidance will, however, be repeated in financial instructions being produced for Army units and personnel who may deploy in future.

Morocco

Mr. Corbyn: To ask the Secretary of State for Defence what military information was made available to Prince Mohammed when he visited Britain as a guest of the Government in June.

Mr. Archie Hamilton: A range of matters of mutual defence interest were discussed during the visit by Crown Prince Mohammed of Morocco to the United Kingdom in June this year.

Mr. Corbyn: To ask the Secretary of State for Defence if he will give any details of British Government military trade with Morocco including present uncompleted contracts.

Mr. Alan Clark: It has been the policy of this and previous Administrations not to comment on matters of this kind.

North Sea (Submarines)

Mr. Foulkes: To ask the Secretary of State for Defence what statements have been made by officers of his Department about submarine activity in the North sea on 4 October at the time of an incident involving the fishing vessel Moray Adventurer.

Mr. Archie Hamilton: Statements were made both to Her Majesty's Coastguard and to the media that no Royal Navy or NATO submarine was operating in the vicinity of the Moray Adventurer at the time of the incident.

South-east Asia

Mr. Foulkes: To ask the Secretary of State for Defence to which Governments and forces in south-east Asia military training assistance has been supplied by Her Majesty's Government over the past 12 months.

Mr. Archie Hamilton: In the 12 months to 1 October 1990, the following countries in south-east Asia have received assistance in the form of military training courses in the United Kingdom or training from British service personnel overseas:

Brunei
Indonesia
Malaysia
Philippines
Singapore
Thailand

Details about training provided are generally confidential between Her Majesty's Government and the Government concerned.

NORTHERN IRELAND

Schools

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland (1) what is the estimated cost per pupil for each of the grammar schools in each education and library board's area for the last five years;

(2) what is the average cost per pupil in each of the maintained schools in each of the education and library board areas in Northern Ireland over the last five years;

(3) what is the annual cost per pupil in each of the secondary schools in each education and library board's area over the last five years in Northern Ireland.

Dr. Mawhinney: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many grade 2 pupils were denied grammar schools places in each of the education and library board areas in Northern Ireland in 1990.

Dr. Mawhinney: Information in the form requested is not readily available. In this year's transfer procedure tests 2,789 pupils were awarded grade 2 of whom 2,008 have been admitted to grammar schools. This includes pupils awarded places as a result of directions given by appeal tribunals. Not all pupils with a grade 2 applied for admission to grammar schools.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many grade 3 and 4 pupils, including preparatory department pupils, were accepted into grammar schools in each of the education and library board areas in 1990.

Dr. Mawhinney: The information is as follows:

	Grade 3	*Grade 4*
Belfast	109	34
Western	17	1
North-Eastern	152	4
South-Eastern	28	3
Southern	105	43

These figures include pupils who were awarded places as a result of directions given by appeal tribunals.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the average cost per pupil in each of the voluntary grammar schools in each education and library board's area in Northern Ireland for each of the last five years.

Dr. Mawhinney: The information is as follows:

Education and Library Board Area	*School year* 1985-86 £	1986-87 £	1987-88 £	1988-89 £	1989-90 £
Belfast					
Ashleigh House	1,170	1,374	—	—	—
Belfast Royal Academy	1,269	1,363	1,534	1,593	1,767
Bloomfield Collegiate	1,200	1,314	1,392	1,398	1,541
Campbell College	1,897	1,958	2,102	2,077	1,962
Dominican College	1,175	1,294	1,473	1,509	1,594
Hunterhouse College	—	—	1,492	1,585	1,894
Methodist College	1,268	1,374	1,481	1,659	1,718
Princess Gardens	1,187	1,278	—	—	—
Rathmore Grammar	1,120	1,279	1,354	1,398	1,529
Royal Belfast Academical Institution	1,336	1,467	1,568	1,674	1,858
Richmond Lodge	1,173	1,431	—	—	—
St. Dominic's High	1,170	1,361	1,526	1,628	1,794
St. Malachy's College	1,139	1,323	1,510	1,626	1,803
St. Mary's Christian Brothers	1,177	1,305	1,416	1,527	1,696
Strathearn	1,296	1,300	1,359	1,445	1,546
Victoria College	1,300	1,481	1,706	1,736	1,968
North-Eastern					
Ballymena Academy	1,098	1,204	1,359	1,450	1,624
Ballymena, St. Louis	1,020	1,148	1,333	1,388	1,448
Ballymoney, Dalriada	1,155	1,301	1,415	1,528	1,692
Belfast High School	1,157	1,285	1,453	1,586	1,822
Coleraine Academical Institution	1,154	1,336	1,501	1,606	1,885
Coleraine Loreto Convent	1,072	1,257	1,406	1,533	1,632
Garron Tower, St. Macnissi's	1,148	1,241	1,325	1,456	1,640
Larne Grammar School	1,117	1,330	1,503	1,628	1,835
Magherafelt, Rainey Endowed	1,189	1,371	1,587	1,653	1,744
Magherafelt, St. Mary's	1,016	1,185	1,266	1,449	1,513
Portstewart, Dominican	1,258	1,386	1,639	1,791	1,805
Whitehead High	1,111	—	—	—	—
South-Eastern					
Ballynahinch, Assumption	1,060	1,243	1,397	1,486	1,583

Education and Library Board Area	School year 1985-86 £	1986-87 £	1987-88 £	1988-89 £	1989-90 £
Bangor Grammar	1,122	1,236	1,344	1,418	1,620
Belfast, Our Lady and St. Patrick's	1,123	1,317	1,417	1,553	1,613
Downpatrick, St. Patrick's	1,078	1,234	1,259	1,359	1,440
Holywood, Sullivan Upper	1,088	1,156	1,291	1,395	1,534
Lisburn, Friends	1,142	1,268	1,396	1,511	1,643
Lisburn, Wallace	1,072	1,181	1,301	1,455	1,522
Southern					
Armagh, Christian Brothers	1,142	1,298	1,591	—	—
Armagh Royal	1,366	1,559	1,712	1,889	1,973
Armagh, St. Patrick's College	1,256	1,414	1,653	—	—
Armagh, St. Patrick's Grammar	—	—	—	1,540	1,797
Donaghmore, St. Joseph's	1,210	1,335	1,450	1,693	1,819
Dungannon Royal	1,358	1,600	1,809	1,849	1,905
Dungannon, St. Patrick's Boys'	947	1,061	1,170	1,296	1,533
Dungannon, St. Patrick's Girls'	1,017	1,132	1,186	1,275	1,345
Kilkeel, St. Louis High	1,180	1,394	1,713	2,017	2,287
Lurgan, St. Michael's Senior	1,339	1,533	1,701	1,965	2,118
Newry, Christian Brothers	1,070	1,203	1,281	1,386	1,581
Newry, Our Lady's Grammar	917	1,036	1,146	1,254	1,390
Newry, Sacred Heart	1,032	1,146	1,304	1,307	1,446
Newry, St. Colman's	1,021	1,095	1,212	1,353	1,455
Western					
Enniskillen Convent	1,037	1,154	1,256	1,347	1,455
Enniskillen, Portora	1,440	1,721	1,876	2,048	2,287
Enniskillen, St. Michael's	1,022	1,148	1,310	1,440	1,556
Londonderry, Foyle and Londonderry College	1,221	1,313	1,421	1,514	1,656
Londonderry, St. Columba's	1,001	1,116	1,270	1,423	1,552
Londonderry, Thornhill	1,074	1,220	1,343	1,395	1,588
Omagh, Christian Brothers	1,040	1,162	1,267	1,380	1,525
Omagh, Loreto Convent	1,095	1,191	1,336	1,321	1,437
Strabane Convent	1,016	1,164	1,336	1,463	1,595

Notes:

1. The figures exclude preparatory departments.
2. Whitehead High closed in August 1986.
3. Armagh Royal amalgamated with Armagh Girls' High School (a controlled grammar school) to become a co-educational voluntary grammar school with effect from the 1986-87 school year.
4. Dungannon Royal amalgamated with Dungannon Girls' High School (a controlled grammar school) to become a co-educational voluntary grammar school with effect from the 1986-87 school year.
5. Princess Gardens and Ashleigh House amalgamated to become Hunterhouse College with effect from the 1987-88 school year.
6. Victoria College and Richmond Lodge amalgamated to become Victoria College with effect from 1987-88 school year.
7. Armagh Christian Brothers and St. Patrick's College, Armagh amalgamated to become St. Patrick's Grammar, Armagh with effect from the 1988-89 school year.

Mr. John D. Taylor: To ask Secretary of State for Northern Ireland how many pupils there are in each primary and secondary school in the constituency of Newry and Armagh in the new academic year.

Dr. Mawhinney: Latest available information is for the 1989-90 academic year and is as follows:

Primary schools	Enrolment (at January 1990)
Aghavilly, Armagh	83
Ahorey, Craigavon	31
Anamar, Newry	84
Annaghmore, Craigavon	86
Armagh Christian Bros, Armagh	462
Armstrong, Armagh	429
Bessbrook, Newry	128
Cabra, Craigavon	34
Carrickrovaddy, Newry	35
Clare, Craigavon	71
Clay, Keady	71
Clonalig, Newry	171
Cloughoge, Newry	353
Collegeland, Dungannon	39
Collone, Armagh	140
The Cope, Armagh	93
Corttamlet, Newry	37
Darkely, Armagh	93
Derryhale, Craigavon	89
Drelincourt Infants, Armagh	45
Dromintee, Newry	144
Drumhillery, Armagh	89
Drumsallen, Armagh	48
Foley, Armagh	96
Glasadrummond, Armagh	75
Hamiltonsbawn, Armagh	100
Hardy Memorial, Richhill, Armagh	501
Jonesborough, Newry	148
Keady, Armagh	59
Killeen, Newry	99
Killylea, Armagh	84
Kingsmills, Armagh	33
Kinnego, Dungannon	26
Lisdrumchor, Armagh	29
Lislea, Armagh	5
Lisnadill, Armagh	57
Lissummon, Newry	55
Loughgall, Armagh	51
Markethill, Armagh	241
Middletown Boys', Armagh	51
Mount St. Catherine's Convent, Armagh	487
Mountnorris, Armagh	89
Mullaghglass, Newry	71
Mullavilly, Craigavon	61

Primary schools	Enrolment (at January 1990)
Newry Model, Newry	39
Newtownhamilton, Newry	125
Our Lady's, Keady, Armagh	45
Poyntzpass, Newry	64
St. Brigid's, Crossmaglen	133
St. Brigid's, Belleeks, Newry	89
St. Clare's Convent, Keady	266
St. Clare's Convent, Newry	682
St. Colman's Abbey, Newry	764
St. Colmcille's, Armagh	28
St. James', Armagh	44
St. James', Craigavon	73
St. Jarlath's, Dungannon	169
St. Joseph's, Armagh	126
St. Joseph's, Bessbrook, Newry	386
St. Joseph's, Killeavy, Newry	188
St. Joseph's, Poyntzpass, Newry	90
St. Joseph's Convent, Newry	436
St. Lawrence's, Newry	57
St. Louis' Convent, Armagh	46
St. Malachy's, Whitecross, Armagh	83
St. Malachy's Boys', Armagh	193
St. Malachy's, Camlough, Newry	299
St. Malachy's, Newry	449
St. Mary's Boys', Keady, Armagh	252
St. Mary's (Barr), Newry	53
St. Mary's, Tassagh, Armagh	63
St. Mary's, Newry	235
St. Michael's, Mowhan, Armagh	39
St. Michael's, Newry	102
St. Mochua's Armagh	91
St. Oliver Plunkett, Kilmore, Armagh	102
St. Oliver Plunkett, Newry	79
St. Patrick's, Armagh	522
St. Patrick's, Crossmaglen, Newry	311
St. Patrick's Cullyhanna, Newry	285
St. Patrick's Boys', Newry	388
St. Peter's, Newry	280
Salters Grange, Armagh	14
Tandragee, Craigavon	344
Tullyheron, Armagh	51
Tullymore, Armagh	68
Tullyroan, Dungannon	39
Tullysaran, Armagh	69
Tynan, Armagh	21
Windsor Hill, Newry	217
Secondary schools	
Armagh Secondary, Armagh	619
Armagh Royal, Armagh	547
Christian Brothers', Abbey, Newry	683
Markethill Junior High, Armagh	412
Newry High, Newry	571
Newtownhamilton, Newry	89
Our Lady's Girls' Grammar, Newry	770
Sacred Heart Girls' Grammar, Newry	813
St. Brigid's Boys', Armagh	322
St. Catherine's College, Armagh	852
St. Colman's College, Newry	775
St. Joseph's, Crossmaglen	536
St. Joseph's, Newry	516
St. Mary's, Newry	542
St. Patrick's Grammar, Armagh	704
St. Patrick's High, Keady, Armagh	828
St. Paul's, Bessbrook, Newry	1,244
Tandragee Junior High, Craigavon	281

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils there are at each primary and secondary school in the constituency of Strangford in the new academic year.

Dr. Mawhinney: Latest available information is for the 1989-90 academic year and is as follows:

	Enrolment (at January 1990)
Primary schools	
Abbey, Newtownards	221
Alexander Dickson, Newtownards	178
Andrews Memorial, Comber	511
Ballykeigle, Comber	57
Ballyvester, Donaghadee	78
Ballywalter, Newtownards	144
Belvoir, Belfast	303
Braniel, Belfast	341
Cairnshill, Newtownbreda	353
Carrickmannon, Ballygowan	74
Carrowdore, Newtownards	151
Castle Gardens, Newtownards	564
Comber, Newtownards	468
Cottown, Bangor	41
Donaghadee, Donaghadee	352
Greyabbey, Newtownards	63
Killinchy, Comber	225
Kircubbin, Newtownards	51
Kirkistown, Cloughey	51
Leadhill, Belfast	181
Londonderry Model, Newtownards	274
Loughries, Newtownards	74
Millisle, Newtownards	209
Moneyrea, Newtownards	133
Newtownards Model, Newtownards	361
Newtownbreda, Belfast	219
O'Neill Memorial, Belfast	49
Portaferry, Newtownards	51
Portavogie, Newtownards	181
St. Anne's, Donaghadee	47
St. Finian's, Newtownards	234
St. Mary's, Ballygowan	60
St. Mary's, Comber	30
St. Mary's, Kircubbin	220
St. Mary's, Portaferry	343
St. Patrick's, Portaferry	72
Victoria, Newtownards	681
Victoria, Ballyhalbert	94
West Winds, Newtownards	231
Secondary schools	
Comber, Newtownards	570
Donaghadee, Donaghadee	322
Glastry, Newtownards	475
Lagan College, Belfast	585
Movilla, Newtownards	631
Regent House, Newtownards	1,638
Scrabo, Newtownards	445
St. Columba's, Portaferry	403

Strangford Lough

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland in what way the residents around and users of Strangford Lough are involved in its management; what proposals he has to increase local participation in the management of the lough; and if he will make a statement.

Dr. Mawhinney: The management of the lands around Strangford Lough is in the hands of individual owners and occupiers. Where the lands comprise or contain foreshore designated as Strangford Lough area of special scientific interest co-operation between the owners and occupiers and the Department of the Environment for Northern Ireland is required. The users of the lough can make their views on or proposals for the management of the lough known to the relevant Government Department (Department of the Environment or Department of Agriculture) at any time, either individually or through one of the bodies which represent various interests.

The Council for Nature Conservation and the Countryside will advise the Department of the Environment regarding management structures.

The Department will consult widely during the formulation stage of management plans for Strangford Lough in the context of the proposed marine nature reserve.

Roads

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when road traffic conditions on the main Belfast/Ballygowan road in the vicinity of Ryan Park in the borough of Castlereagh were last examined; and what proposals he has to improve road safety at this location.

Mr. Needham: Traffic conditions were last examined in June this year.

It is planned to provide a double line along the centre of the road to deter excess speed and overtaking and to enhance road safety.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has for road improvement schemes in the next 12 months in the locality of Donaghadee and district.

Mr. Needham: The only road improvement scheme planned in the next 12 months is a sight-line improvement at the junction of the Windmill road and Killaughy road, Donaghadee.

Drainage Costs

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what progress has been made with regard to the recovery of costs from developers of off-site drainage work where building developments have taken place.

Mr. Needham: The Planning and Building Regulations (Amendment) (Northern Ireland) Order 1990, which came into operation on 24 September 1990 contains, inter alia, provision for the Department of the Environment for Northern Ireland to enter into agreements with developers to recoup the cost of off-site infrastructure improvement works.

The Department is currently considering with the Department of Agriculture how best to administer these agreements in relation to off-site drainage works.

European Community

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland whether the whole of Northern Ireland will qualify under the new European Community Interreg initiative.

Mr. Cope: The whole of Northern Ireland will qualify, apart from the city of Belfast.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland in what way he has brought to the attention of the public in Northern Ireland the eligible measures under the European Community Interreg initiative; what is the closing date for the submission of proposals to the Government; what is the closing date for submission of proposals to the European Commission; and if he will make a statement.

Mr. Cope: Officials from the Department of Finance and Personnel wrote to a large number of local bodies and organisations in Northern Ireland in August and September advising them about the Interreg initiative enclosing a set of guidelines on the Initiative issued by the Commission. Recipients were asked to forward preliminary proposals for consideration. A number of presentations, to which local bodies and organisations were invited, are taking place during this month to explain the initiative further and answer any queries. In addition, a conference, organised jointly by the Belfast and Dublin European Commission Offices, will be held in November at which interested parties, north and south of the border, can obtain further information and put forward their ideas.

The Government wrote to ask local bodies and organisations in September to put forward their preliminary ideas by the middle of this month in order that work can proceed in preparing a Northern Ireland/Republic of Ireland submission detailing the aims, objectives and measures of a joint programme for submission to the European Commission by the due date. That date is at the end of February 1991—six months from the date of publication of the European Commission guidelines on the initiative. However, it should be noted, that provided projects fall within the scope of the measures under the programme they can be submitted and considered at any time during its lifetime, that is, to the end of 1993.

Louis Robinson

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if he will arrange for a judicial inquiry into the events prior to and at the time of the IRA ambush and murder of Louis Robinson of the Royal Ulster Constabulary on the border with the Republic of Ireland on 15 and 16 September; and if he will make a statement.

Mr. Cope: No. The murder of Detective Constable Louis Robinson is already the subject of a full RUC investigation.

Ministerial Responsibilities

Mr. Maxwell-Hyslop: To ask the Secretary of State for Northern Ireland, which Minister will now carry out the duties allocated to the hon. Member for Eltham (Mr. Bottomley) in the last Cabinet Office document intituled, "A List of Ministerial Responsibilities."

Mr. Brooke *[pursuant to his reply of 26 July 1990, Official Report, col 570]:* After further consideration, there have been some minor adjustments to the allocation of responsibilities given in my answer of 26 July.

The main differences are that my hon. Friend the Member for Wiltshire, North (Mr. Needham) will now take responsibility for water and transport while my hon. Friend the Member for Peterborough (Dr. Mawhinney) will take over responsibility for works service and the public record office. I will retain responsibility for decisions relating to certain planning applications.

Industrial Development Board

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many jobs were created by the Industrial Development Board in each district council area in Northern Ireland in each of the years from 1 April 1985 to 31 March 1990.

Mr. Needham: Information in the form requested is not readily available and could be provided only at disproportionate cost.

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will list the names of the companies assisted by the Industrial Development Board who located factories in each of the district council areas in Northern Ireland from 1 April 1985 to 31 March 1990.

Mr. Needham: The following table shows, by district council area, those new inward investment projects for which letters of offer were accepted in the period from 1 April 1985 to 31 March 1990:

1985-86	
Ards borough council	Down Linen Yarns Ltd.
Ballymena borough council	Smart (UK) Ltd.
Belfast city council	De La Rue (Smurfit) Ltd.
Carrickfergus borough council	Multi Food Machinery
Craigavon borough council	Norish (NI) Ltd.
North Down borough council	Samson Yarns Ltd.
1986-87	
Antrim borough council	Swaddlers (Europe)Ltd.
	Camella Foods Ltd.
Ards borough council	Tensator (NI) Ltd.
Belfast city council	ICS Computing Ltd.
Craigavon borough council	United Meat Packers (NI) Ltd.
Newtownabbey borough council	Canyon Europe Ltd.
1987-88	
Antrim borough council	Neotech Industries Europe Ltd.
	Group Publishing Co. Ltd.
Ballymena district council	Mastercut Foods Ltd.
Belfast city council	Capita (NI) Ltd.
	Crosspharma Ltd.
Craigavon borough council	Henry Denny & Sons (NI) Ltd.
Larne borough council	Stern Fenster UPVC Ltd.
Newry and Mourne district council	ETI Ltd.
Newtownabbey borough council	McDonnell Douglas Information Systems Ltd.
1988-89	
Antrim borough council	Daewoo Electronics Ltd.
Belfast city council	Science Typographers International Ltd.
	MSS International Ltd.
Carrickfergus borough council	Kalon Group PLC
Down district council	International Leathers Ltd.
Limavady borough council	Hueco Lightronic (NI) Ltd.
Lisburn borough council	Montupet (UK) Ltd./Willace (UK) Ltd.
Newtownabbey borough council	BS Toolings Ltd.
1989-90	
Antrim borough council	Du Pont (UK) Ltd.
Belfast city council	Harris Laboratories Ltd.
	Printapack (NI) Ltd.
	British Telecommunications PLC GB
Carrickfergus borough council	Ryobi Aluminium Casting (UK) Ltd.
Castlereagh borough council	Barney (UK) Ltd.
Craigavon borough council	British Telecommunications PLC GB
	DDL Electronics Ltd.
Derry city council	British Telecommunications PLC
	Sigro (UK) Ltd.
	Fruit of the Loom Manufacturing Co. Ltd.
Dungannon district council	Viper International
Newtownabbey borough council	Circaprint (NI) Ltd.

SCOTLAND

Fishing Vessels

Mr. Morley: To ask the Secretary for Scotland what was the incidence of calling in of fishing vessels for *(a)* June 1989 and *(b)* June in the current year, by length band.

Mr. Michael Forsyth: I refer the hon. Member to the answer given to my hon. Friend the Member for Pembroke (Mr. Bennett) on 24 July.

Capital Expenditure

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will published the capital expenditure in Scotland on *(a)* vehicles, ships and aircraft, *(b)* plants and machinery, *(c)* private dwellings, *(d)* public dwellings and *(e)* other new buildings and works for the year 1974 and for every year since 1979, at 1985 prices.

Mr. Lang: The table gives the total gross domestic fixed capital formation GDFCF in Scotland in current prices for selected industries and dwellings for each of the years for which the information is requested. Estimates for other industries are not available. Estimates of GDFCF in private and public dwellings are given, but further analysis by asset type could be provided only at disproportionate cost. There are no separate Scottish deflators from which to construct constant price estimates.

Gross Domestic Fixed Capital Formation in Scotland for selected industries[1], [2]

£ millions current prices

Year	*Agriculture, forestry and fishing*	*Energy and water supply*	*Manufacturing*	*Transport*[3] *and communication*	*Private dwellings*	*Public dwellings*	*Total of industries shown*
1974	90	226	309	[4]	[5]156	214	[4]
1979	171	620	561	258	[5]401	288	[5]2,299
1980	194	859	645	244	399	309	2,650
1981	189	838	586	247	412	298	2,569
1982	204	813	541	251	469	325	2,603
1983	222	756	470	297	501	385	2,631
1984	238	664	597	376	616	376	2,865
1985	237	618	551	415	663	339	3,133
1986	233	554	788	392	742	389	3,099
1987	230	456	738	403	762	454	3,043

Source: Central Statistical Office
Note:
[1] Leased assets are excluded
[2] All figures exclude investment in land and existing buildings
[3] Sea and air transport are excluded from the transport and communication estimates
[4] This figure is not available
[5] The 1974 and 1979 estimates for private dwellings are not strictly comparable with estimates for later years.

Local Government Finance

Mr. Meacher: To ask the Secretary of State for Scotland what was the percentage collection rate for each local authority for the poll tax *(a)* in 1989 and *(b)* in 1990; what was the shortfall in revenue in 1989 in each case; and by how much poll tax rates would have to be increased to compensate for the loss of revenue from non-payment.

Mr. Lang: The collection of community charges is the responsibility of individual local authorities and the information requested is not held centrally. I understand that in respect of 1989-90 most levying authorities now expect to collect 90 per cent. or more of the total billed revenue from the community charge, which is over 95 per cent. of their budget estimates. Final collection figures will not be known until local authorities have completed their recovery procedures, which may not be for some time. I understand also that collection for 1990-91 is proceeding generally at a similar rate to last year. It is not possible to estimate the effect of community charge non-payment upon future community charge levels. Any shortfall on budgeted revenue is unlikely to be more than 1 per cent. of local authorities' overall income, and may be less. We have made it clear that local authorities faced with such a shortfall should be able to adjust their expenditure, for example by making efficiency savings, without materially affecting services and that the shortfall should not be seen as a pretext for increasing charges.

Drift Nets

Mr. Austin Mitchell: To ask the Secretary of State for Scotland how many English fishing vessels have been prosecuted for carrying drift nets in Scottish waters.

Mr. Michael Forsyth: There have been no prosecutions of English vessels for carriage of drift nets in any of the past four years.

Output

Mr. Dewar: To ask the Secretary of State for Scotland what was the annual index of *(a)* gross domestic product (output) and *(b)* manufacturing output for Scotland in each year from 1970 to the most recent year for which figures are available.

Mr. Rifkind: The table gives the latest figures for gross domestic product (output) and manufacturing output. These figures are at constant prices and indexed to 1985 = 100.

Year	*Gross Domestic Product (output) (1985 = 100)*	*Manufacturing Output (1985 = 100)*
1970	80·1	101·5
1971	81·0	99·4
1972	83·9	101·7
1973	90·0	109·8
1974	89·8	109·1
1975	88·5	104·2
1976	90·1	104·1
1977	91·7	103·4
1978	93·9	103·5
1979	94·8	103·3
1980	93·0	96·4
1981	91·7	93·8
1982	93·1	94·5
1983	94·4	93·5
1984	97·5	97·8
1985	100·0	100·0
1986	100·4	97·9
1987	103·5	100·8
1988	108·7	108·6
1989	n/a	113·6

Source: Industry Department for Scotland.

Mr. Dewar: To ask the Secretary of State for Scotland what was the annual index of *(a)* total industrial production and construction and *(b)* manufacturing industry for Scotland in each year from 1970 to the most recent year for which figures are available.

Mr. Rifkind: The information requested is set out in the table. This gives output figures, at constant prices, indexed to 1985 = 100, for production, construction, production and construction, and manufacturing.

Year	*Production output (1985 = 100)*	*Construction output (1985 = 100)*	*Industrial production and construction (1985 = 100)*	*Manufacturing output (1985 = 100)*
1970	95·3	117·0	99·8	101·5
1971	94·2	114·1	98·4	99·5
1972	96·2	118·8	100·9	101·7
1973	104·5	126·8	109·2	109·8
1974	103·4	113·9	105·6	109·1
1975	99·8	118·9	103·9	104·2
1976	100·1	115·6	103·4	104·1
1977	99·9	120·3	104·2	103·4
1978	100.6	119·9	104·7	103·5
1979	101·2	113·8	103·9	103·3
1980	95·1	107·5	97·7	96·4
1981	93·1	93·6	93·1	93·8
1982	93·6	96·4	94·1	94·5

Year	Production output (1985 = 100)	Construction output (1985 = 100)	Industrial production and construction (1985 = 100)	Manufacturing output (1985 = 100)
1983	93·3	98·6	94·4	93·5
1984	97·2	98·2	97·4	97·8
1985	100·0	100·0	100·0	100·0
1986	97·8	98·4	97·9	97·9
1987	99·7	96·3	99·0	100·8
1988	107·1	101·9	106·1	108·6
1989	111·3	101·5	109·4	113·6

Source: Index of Industrial Production for Scotland.

Fishery Enforcement Officers

Mr. Austin Mitchell: To ask the Secretary of State for Scotland how many enforcement officers from his Department are permanently stationed in each Scottish fishing port; and where none are resident, how many landing days per annum are supervised by his officials.

Mr. Michael Forsyth: The Department of Agriculture and Fisheries for Scotland has 59 permanent staff based at 20 coastal offices. The normal deployment of these staff is shown in the table.

Port	Number of staff
South East area	
Eyemouth	4
Pittenweem	2
Arbroath	2
Eastern area	
Aberdeen	5
North Eastern area	
Peterhead	8
Moray Firth area	
Fraserburgh	5
Macduff	1
Buckie	2
Lossiemouth	1
Northern area	
Wick	2
Lerwick	4
Scrabster	1
North Western area	
Kinlochbervie	3
Lochinver	2
Stornoway	2
Ullapool	4
Mallaig	3
South Western area	
Oban	1
Campbeltown	2
Ayr	5
Total	59

No records are maintained of the frequency of inspections at other ports, but they are visited regularly having regard to the level of fishing activity in each area.

Mr. Austin Mitchell: To ask the Secretary of State for Scotland what checks are made by his officials to see that fish listed as caught in a specified area were actually caught there.

Mr. Michael Forsyth: Log books are examined each time a fishing vessel lands a catch or is boarded at sea. Confirmation of the reported areas of fishing activity is sought by comparing the log book entries with surveillance data provided by fishery protection vessels and aircraft.

Manufacturing Industry

Mr. Dewar: To ask the Secretary of State for Scotland what was the gross domestic fixed capital formation for manufacturing industry in Scotland in real terms in each year since 1970.

Mr. Rifkind: The information is not available in the form requested. The table gives the gross domestic fixed capital formation at current prices from 1971 to 1987.

Gross domestic fixed capital formation in manufacturing industry in Scotland.

Year	Gross domestic fixed capital formation (£million)
1971	176
1972	182
1973	233
1974	309
1975	421
1976	468
1977	491
1978	523
1979	561
1980	645
1981	586
1982	541
1983	470
1984	597
1985	861
1986	788
1987	738

Source: Central Statistical Office.

Mr. Dewar: To ask the Secretary of State for Scotland what was the annual index of gross domestic capital formation at factor cost in manufacturing industry in Scotland in each year from 1970 to the most recent year for which figures are available.

Mr. Rifkind: Information in the form requested is not available.

Fish Quotas

Mr. Austin Mitchell: To ask the Secretary of State for Scotland what is the number of prosecutions for fish caught over quota by Scottish fishing boats in *(a)* 1988, *(b)* 1989 and *(c)* 1990 to date.

Mr. Michael Forsyth: The number of successful prosecutions for breach of quotas by Scottish vessels is set out in the table.

1988—three cases
1989—Nil
1990—Nil to date; four cases are pending.

A1

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will place in the Library all the data on which he bases his figures and projections for traffic flows on the A1 road.

Lord James Douglas-Hamilton: The projections for future traffic on the A1 formed part of the work carried out by the consultants commissioned to undertake the Scottish Development Department's major "Routes South of Edinburgh" trunk road study. It is not our practice to place copies of detailed technical reports on road studies in the Library. I did however lodge copies of the consultation document in the Library, together with a series of short technical papers which provide further details on specific aspects of the study.

Hospital Casualty Services, East Lothian

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the provision of hospital casualty services in East Lothian following his announcement on 6 September about the Lothian health board's proposal to close the unit at Roodlands hospital in Haddington.

Mr. Michael Forsyth: Lothian health board is currently developing, in consultation with general practitioners in Haddington and relevant nursing staff, the proposals for a minor casualty service at Roodlands hospital.

College Students

Mr. Dunnachie: To ask the Secretary of State for Scotland what assessment he has made of the reduction in the numbers of students attending colleges of education in Scotland; and if he will make a statement.

Mr. Michael Forsyth: The numbers of full-time students attending colleges of education in Scotland have risen from 4,300 in 1984-85 to 5,150 in 1989-90, a rise of 20 per cent. Student rolls in the colleges are expected to increase further in the years ahead as the demand for newly trained teachers expands.

University Students

Mr. Dunnachie: To ask the Secretary of State for Scotland what assessment he has made of the reduction in the numbers of Scottish students gaining entry to Scottish universities; and if he will make a statement.

Mr. Michael Forsyth: Information on the numbers of Scottish students entering Scottish universities was published by the Scottish Education Department in its statistical bulletin "University Students (No 10/H1/1990)" which is available in the Library. I am pleased to say that the numbers of Scottish undergraduates in full-time higher education rose from 53,400 in 1980-81 to 60,300 in 1988-89, a rise of 13 per cent.

Health Visiting Diploma

Mr. Dunnachie: To ask the Secretary of State for Scotland how many National Health Service staff in Scotland have been seconded to take the one-year diploma in health visiting during the periods *(a)* 1989 to 1990 and *(b)* 1990 to 1991.

Mr. Michael Forsyth: The number of student health visitors in Scotland was 85 at 31 March 1989 and 109 at 31 March 1990, the latest date for which information is available centrally.

RECHAR Programme

Mr. Dunnachie: To ask the Secretary of State for Scotland how European Community grant aid under the RECHAR programme is being administered and distributed; and if he will make a statement.

Mr. Lang: Proposals for RECHAR programmes in Eastern and Western Scotland were submitted by the Government to the European Commission on 27 July. Its decision is awaited.

Community Care

Mr. Dunnachie: To ask the Secretary of State for Scotland if his Department has considered research conducted by the Scottish Council of Voluntary Organisations into the effects of recent legislation on availability of funding for voluntary organisations involved in community care; and if he will consider a review of funding provision and collaborative arrangements.

Mr. Michael Forsyth: My right hon. and learned Friend will reach conclusions on the report, which was funded by the Scottish Office, in the light of discussions which are due to be held shortly between officials and the Scottish Council for Voluntary Organisations. The provision of grant assistance to voluntary organisations in the social work field is reviewed annually. The funding of services in the community care field in 1991-92 will receive careful consideration in this context.

Asthma

Mr. Dunnachie: To ask the Secretary of State for Scotland if his Department will take steps to promote and assist the national asthma survey, organised by Action Asthma; and if he will make a statement.

Mr. Michael Forsyth: I understand that the survey was launched on 3 September with the aim of assessing the extent to which people in the United Kingdom are affected by asthma, thus enabling improvements in asthma management to be considered. The Scottish Home and Health Department is obtaining from Action Asthma information about its work.

Junior Doctors (Working Hours)

Mr. Dunnachie: To ask the Secretary of State for Scotland how many applications for variation orders on working hours per week of junior doctors have been made by Greater Glasgow health board during 1990; and, of these, how many *(a)* have been refused and *(b)* are currently under consideration.

Mr. Michael Forsyth: None.

Mr. Dunnachie: To ask the Secretary of State for Scotland how many variation orders on working hours per week of junior doctors have been issued during 1990; and how many are currently in force, for each health board area in Scotland.

Mr. Michael Forsyth: One variation order has been issued in 1990 to permit a junior doctor to be regularly rostered for duty in excess of the limit permitted under the hospital, medical and dental staff terms and conditions of service.

Health Visitors

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will take steps to ensure that no newly qualified health visitor in Scotland is unable to find a job; and if he will make a statement.

Mr. Michael Forsyth: The responsibility for reviewing manpower requirements lies with health boards and it is for each health board to determine the number of students to be trained in accordance with identified manpower needs. While most newly qualified health visitors should find employment on completion of their training, it is impossible to guarantee the employment of all such health visitors and students are made aware of this when they enrol.

Mr. Dunnachie: To ask the Secretary of State for Scotland how many vacancies for health visitors currently exist in each health board area in Scotland.

Mr. Michael Forsyth: This information is not held centrally.

Community Charge

Mr. Dunnachie: To ask the Secretary of State for Scotland if his Department has considered research conducted by the Scottish Foundation for Economic Research for Strathclyde regional council into the effects of the community charge upon the poor; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend has noted the findings of this research.

Old People's Homes

Mr. Dunnachie: To ask the Secretary of State for Scotland what steps he is taking to implement in Scotland arrangements under the Registered Houses Act 1984 to ensure that local authorities may satisfy themselves that a person applying for registration to run a small home for old people is a fit person and that they may visit any such home as necessary.

Mr. Michael Forsyth: The 1984 Act provisions do not apply in Scotland. Local authorities' statutory responsibilities for the registration and inspection of residential establishments provided under the Social Work (Scotland) Act 1968 apply as matters stand to all homes irrespective of size.

Multiple Sclerosis

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will detail the nature and locations of therapeutic services currently available within the National Health Service in Scotland for sufferers from multiple sclerosis; and if he will make a statement.

Mr. Michael Forsyth: This information is not held centrally.

WALES

Personal Data

Mr. Cohen: To ask the Secretary of State for Wales whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. David Hunt: My officials are aware of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a list of the inward investment projects secured for Wales during 1988 and 1989.

Mr. David Hunt: In 1988, Wales secured 97 inward investment projects and in 1989, 100 projects were secured. A list of the companies concerned, except where they have requested confidentiality, has been placed in the Library of the House.

Teaching Posts

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a list showing the latest figures for *(a)* the total number of applications, *(b)* the total number of teaching posts and *(c)* the ratio of applications to teaching posts at secondary school level in Wales; and if he will include a breakdown for each county and for each subject taught.

Sir Wyn Roberts: No information is available centrally on the number of teaching posts by subject. This, together with applications for appointment, is a matter for local education authorities.

General information about the numbers of subject teachers is available from the secondary school staffing survey, which was published in July, and is in the Library of the House.

Water and Sewerage (Security Measures)

Mr. Mullin: To ask the Secretary of State for Wales (1) if, for each water and sewerage undertaker, he will list the dates on which the undertakers submitted their plans pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(2) if he will place in the Library copies of the plans submitted to him by each water and sewerage undertaker pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(3) if for each water and sewerage undertaker, he will state which plans he has approved with modification pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(4) if, for each water and sewerage undertaker, he will state the form in which he has prescribed the reports shall be submitted pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(5) if, for each water and sewerage undertaker, he will state which plans he has approved without modifications pursuant to paragraph 2(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Grist: The former Welsh water authority prepared and submitted plans progressively, under letters of direction issued in 1983 and 1986. Undertakers are currently reviewing these plans, following the 1989 direction. In addition, plans for expenditure each year on the provision or purchase of facilities and equipment are submitted to the Department for approval, with modifications if necessary. It is neither in the interests of national security nor commercial confidentiality to provide the further information requested.

Mr. Mullin: To ask the Secretary of State for Wales if, for each water and sewerage undertaker, he will list the number of employees he has required to be made available *(a)* as regional co-ordinators and *(b)* in such other capacity as he has required and in what capacity, pursuant to paragraph 5(2) of the Security Measures (Water and Sewerage undertakers) Direction 1989.

Mr. Grist: My right hon. Friend the Secretary of State has appointed a chief regional water co-ordinator, a deputy chief regional water co-ordinator and regional water co-ordinators. Seven employees have been made available by Dwr Cymru Cyfyngedig to fulfil these roles.

Mr. Mullin: To ask the Secretary of State for Wales (1) if, for each water and sewerage undertaker, he will give the losses which it has sustained by reason of compliance with the direction, pursuant to paragraph 6(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(2) if he will place in the Library copies of the reports submitted to him on or before 1 April 1990 pursuant to paragraph 6(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(3) if, for each water and sewerage undertaker, he will state the form in which he has prescribed the reports shall be submitted pursuant to paragraph 6(2) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(4) if, for each water and sewerage undertaker, he will list the dates on which the undertakers reported to him pursuant to paragraph 6(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Grist: It is not in the interest of national security to provide details. Information on the losses sustained by each undertaker in complying with the direction is subject to the normal rules of commercial confidentiality.

Mr. Mullin: To ask the Secretary of State for Wales (1) whether, having regard to the Civil Defence (General Local Authority Functions) Regulations 1983 and section 3 of "Emergency Planning Guidance to Local Authorities", the duty to consult other water and sewerage undertakers pursuant to paragraph 5(1) of the Security Measures (Water Sewerage Undertakers) Direction 1989 is to be extended to local authorities with civil defence functions under regulation 4 of the 1983 regulations; and if he will make a statement;

(2) if, for each water and sewerage undertaker, he will state the extent to which he has required their plans, operations, facilities and services to be complementary and co-ordinated pursuant to paragraph 5(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989;

(3) whether, having regard to the Civil Defence (Fire Services) (Water) Regulations 1956, the duty to consult other water and sewerage undertakers pursuant to paragraph 5(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989 is to be extended to fire authorities; and if he will make a statement;

(4) what guidance, procedures and requirements have been notified to the water sewerage undertakers by him pursuant to paragraph 2(1)(b) of the Security Measures (Water and Sewerage Undertakers) Direction 1989; and if he will place copies in the Library;

(5) what general policy in respect of civil defence he has notified to the water and sewerage undertakers pursuant to paragraph 2(1)(a) of the Security Measures (Water and Sewerage Undertakers) Direction 1989; and if he will place a copy in the Library.

Mr. Grist: I refer the hon. Gentleman to the reply given to him by my hon. Friend the Parliamentary Under-Secretary of State for the Environment on 23 July 1990.

Mr. Mullin: To ask the Secretary of State for Wales if, for each water and sewerage undertaker, he will list the land he has specified pursuant to paragraph 3(1) of the Security Measures (Water and Sewerage Undertakers) Direction 1989.

Mr. Grist: It would not be in the interests of national security to give the information requested.

Milford Haven (Fishing)

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what financial support has been given for fish processing in Milford Haven since 1979.

Mr. David Hunt: Since 1979 regional selective assistance of £40,000 has been provided for two fish processing projects in Milford Haven.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what financial support has been given to individual trawler companies and combines operating from Milford Haven since 1979; and if he will make a statement.

Mr. David Hunt: Since 1979, grants totalling £489,000 have been provided by the Welsh Office and the European Commission for six commercial fishing projects in Milford Haven. In addition the Sea Fish Industry Authority, acting on behalf of the Government, provides grants and loans for the construction of new fishing vessels and improvements to existing vessels. For Wales as a whole, the authority has since 1979 provided £1,653,000 in grants and loans for 251 projects.

I place a great deal of importance on the need to sustain and develop a successful sea fishing industry in Wales, and am pleased that practical support is being provided to commercial fishermen.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what representations he has received about the fishing industry in Milford Haven since June 1987.

Mr. David Hunt: During the period in question, Welsh Office Ministers and officials have received numerous representations on a wide range of issues relating to the fishing industry in Milford Haven. My hon. Friend did bring in to see me on 20 September senior representatives of the industry and I am carefully considering the arguments he and they put forward.

Laura Ashley

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit the Leeswood, Clwyd, Laura Ashley factory now proposed for closure.

Mr. David Hunt: I have no present plans to do so.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet the Clwyd, Delyn and Alyn and Deeside councils to discuss the job losses associated with the Laura Ashley company.

Mr. David Hunt: I very much regret the job losses recently announced by Laura Ashley Holdings Ltd. I, my officials, the WDA and DBRW are in close touch with the company and are exploring what might be done to off-set the job losses. The local authorities involved will have a part to play and I will not hesitate to contact them if necessary.

Gwynedd Health Services

Dr. Marek: To ask the Secretary of State for Wales whether the £8 million to be provided to the Gwynedd health authority to transform the provision of health services in the county will be wholly or partly by way of loan; and if he will make a statement.

Mr. Grist: On the basis of the Gwynedd health authority's plan to rationalise health services within the district, as outlined in its pathfinder business plan, my right hon. Friend has offered, in principle, a loan of up to £8 million toward the capital cost of the implementation of this strategy. As currently envisaged, the loan would amount to £3.5 million in 1991-92 and £4.5 million in 1992-93; and, under existing arrangements, the expectation would be for this finance to be repaid subsequently from revenue savings. However, as a result of the reforms arising from the National Health Service and Community Care Act, resource allocation arrangements are currently under review. Authorities were recently consulted on proposed changes which would re-establish a central funding mechanism for capital schemes of strategic importance as from 1 April 1992. If these proposals are implemented, it is likely that the funding of major schemes in progress at that time—which would, of course, include those which are in prospect in Gwynedd—will be subsumed within transitional arrangements that accord with the new allocation mechanisms. In such circumstances, the strategic capital brokerage made available to Gwynedd to enable the authority to proceed with these schemes would cease to be regarded as a loan and would instead be redefined as central funding of those schemes under the transitional arrangements. My right hon. Friend intends to make an announcement on new resource allocation arrangements and transitional arrangements to apply from 1 April 1991 in January when consultations on new revenue allocation mechanisms have also been completed.

NATIONAL FINANCE

Diesel Duty

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if he will make a statement on the special rate of duty charged on diesel used by agriculture; what is the purpose of this provision; and what is the differential between this rate and that for diesel used by industry.

Mr. Ryder: The special rate of duty charged on diesel —gas oil—used by agriculture is 1.18p per litre. Its purpose is to raise revenue but at a rate significantly lower than that chargeable on diesel—gas oil—used as road fuel. Both industry and agriculture pay duty at the rebated rate; the full rate of 19.02p per litre is paid only on fuel used in road vehicles.

European Monetary System

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what is his assessment as to whether the conditions for entry into the exchange rate mechanism of the EMS have been met; and if he will make a statement.

Mr. Maude: The conditions have now been substantially met, and accordingly the Chancellor of the Exchequer announced the Government's decision to join the exchange rate mechanism of the EMS on 5 October.

Money Supply

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what has been the increase in the money supply since 1 January 1988; and how much of the total is accounted for by the funding of the trade deficit.

Mr. Maples: There is no simple connection between the money supply and the trade deficit. Figures for the monetary aggregates are published in table 11.1 of "Financial Statistics". Information on the trade balance is published in table 27 of "Economic Trends".

Personal Data

Mr. Cohen: To ask the Chancellor of the Exchequer how many subject access requests under the terms of the Data Protection Act his Department has received; what was his estimate of the number of requests that would be received; what consideration he is giving to the subject access fee charged by his Department as a result; and whether he will make a statement.

Mr. Ryder: No subject access requests have been received by the Treasury since the Act came into effect. Initial estimates of likely volume, based on discussions with the Data Protection Registrar and examination of the experience of other European countries, were that the number would probably be low. Departments agreed that civil servants would not be charged for reasonable access to their records, but that non civil-servants—with legitimate access—would be charged the guideline £10. That is still the Treasury view.

Mr. Cohen: To ask the Chancellor of the Exchequer whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Ryder: I am reminding my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Mr. Cohen: To ask the Chancellor of the Exchequer whether he has discussed his concerns about the direct marketing exploits of financial institutions that promote the uptake of credit with the Data Protection Registrar; and whether he will make a statement.

Mr. Ryder: No.

Trade Statistics

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what assessment he has made of the extent to which the deterioration in the trade balance since 1975 is due to lack of productive capacity in British industry; and if he will name the sectors in which British suppliers have been unable to meet demand for this reason.

Mr. Norman Lamont: The rise in the United Kingdom trade deficit in 1988 and 1989 reflected very strong growth of domestic demand from both companies and the personal sector, which outstripped industry's capacity to meet it. Strong growth in investment has begun to produce additional capacity which will enable British industry to meet more of the demands made on it. Industry has already exploited export opportunities. In 1989, exports of manufactures, excluding erratics, increased by 10½ per cent., the fastest growth rate since 1973. Manufactured exports, excluding erratics, in the current year to date are 10¾ per cent. higher than in the corresponding period last year.

CBI surveys suggest that an historically high proportion of firms across all sectors experienced capacity constraints during 1988 and 1989.

Mr. Dewar: To ask the Chancellor of the Exchequer (1) what was the annual index of *(a)* total industrial production and construction and *(b)* manufacturing industry for the United Kingdom in each year from 1970 to the most recent year for which figures are available;

(2) what was the annual index of *(a)* gross domestic product (output) and *(b)* manufacturing output for the United Kingdom in each year from 1970 to the most recent year for which figures are available.

Mr. Norman Lamont: For the answers to these questions I refer the hon. Member to table 1.5 of "United Kingdom National Accounts", 1990 edition, otherwise known as the CSO Blue Book and to the Scottish Office news release 0801 of 15 May 1990. The former gives separate annual output index numbers for the years 1968 to 1989, for each of construction, manufacturing, and total production as well as the output based gross domestic product index. The latter includes the available figures for an index of construction and production for the United Kingdom.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what representations he has made to Chancellor Kohl concerning the adverse effect on other countries of the German surplus on visible trade; and if he will publish in the *Official Report* a table showing the amount of that surplus in terms of dollars for *(a)* the United Kingdom, *(b)* the United States of America and *(c)* Japan in 1979, 1985, 1989 and the current year to date.

Mr. Norman Lamont: My right hon. Friend the Chancellor has made no such representations. The information for 1989 and the current year is available in recent editions of "IMF Directions of Trade Statistics". Figures for 1985 and 1979 are available in the "IMF Direction of Trade Statistics Yearbook" for 1989 and 1986 respectively.

Mortgages

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what steps are taken to assess the number of cases on which interest relief is being given on mortgages taken out for purposes other than home purchase.

Mr. Maude: For loans taken out from 6 April, 1988, mortgage interest relief is given only where the loan is applied to the purchase of a person's sole or main residence or for the purchase of life annuities by people aged 65 or over.

Mrs. Gorman: To ask the Chancellor of the Exchequer, what representations he has received calling for abolition of mortgage interest tax relief.

Mr. Maude: My right hon. Friend the Chancellor of the Exchequer receives a variety of representations about mortgage interest relief, ranging from extension to abolition.

Import Levies

Sir Richard Body: To ask the Chancellor of the Exchequer what is the import levy imposed at the last convenient date on imports from *(a)* African, Caribbean and Pacific countries and *(b)* other countries of (i) paddy rice round grain, (ii) paddy rice long grain, (iii) husked rice round grain, (iv) husked rice long grain, (v) semi-milled round grain, (vi) semi-milled long grain, (vii) wholly-milled rice round grain, (viii) wholly-milled rice long grain and (ix) broken rice.

Mr. Ryder: The import levy per tonne on rice at 1 October 1990 falling within the stated descriptions was:

	States associated with the Community[1] £	*Other Countries* £
Paddy rice round grain (CN Code 100610 92 0 00)	121·8837	249·5501
Paddy rice long grain (CN Code 100610 96 0 90)	123·6322	253·0389
Husked rice round grain (CN Code 100620 92 0 00)	153·0825	311·9396
Husked rice long grain (CN Code 100620 96 0 90)	155·2560	316·2946
Semi-milled round grain (CN Code 100630 42 0 00)	189·8393	398·8069
Semi-milled long grain (CN Code 100630 48 0 90)	230·0609	479·1939
Wholly-milled round grain (CN Code 100630 92 0 00)	202·4552	424·7284
Wholly-milled long grain (CN Code 100630 96 0 90)	246·9435	513·6970
Broken rice (CN Code 100640 00 0 00)	73·8906	152·6000

[1] African, Caribbean and Pacific Countries; and Overseas Countries and Territories of member States associated with the Community.

Sir Richard Body: To ask the Chancellor of the Exchequer what is the present import levy on duty on cheese from Canada.

Mr. Ryder: The present import levy, effective from 16 September 1990, on cheese from Canada (CN Code 040690 21 0 10) is £178·8483 per 100 kg. Consignments accompanied by a valid IMA 1 certificate, issued by exporting countries having special agreements with the European Community may be admitted at a reduced rate of £9·1665. No duty is payable in either case.

Manufacturing Exports

Mr. Pawsey: To ask the Chancellor of the Exchequer if he will make a statement on the growth of manufacturing exports since 1983.

Mr. Norman Lamont: Manufacturing exports have grown on average by 7·1 per cent. a year since 1983 and in 1989 by 10·5 per cent.—the fastest growth in any year since 1973. Supply side reforms have transformed industry's ability to compete on world markets, and allowed manufacturers to maintain their share of world trade after decades of decline.

Exchange Rates

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing the percentage increases to date in the trade-weighted real exchange for the £ sterling at current nominal rates of exchange, against the Deutschmark, dollar and yen since *(a)* the fourth quarter of 1976 and *(b)* the first quarter of 1987, measured in terms of relative export prices for manufacturers, taking into account: (i) the increase in the nominal rate of exchange and (ii) the difference in the rate of inflation since the fourth quarter of 1989, as shown in table F8 of the monthly "Review of External Trade Statistics"; and if he will add a figure for the exchange rate mechanism countries combined in so far as these are available.

Mr. Maples: Table F8 of the monthly "Review of External Trade Statistics" is compiled using information from the IMF, and will be updated in due course.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing the percentage increases in the trade-weighted real exchange for sterling at current nominal rates of exchange compared to the D-mark, dollar and yen between the fourth quarter of 1976 and the first quarter of 1990 measured in terms of relative export prices for manufacturers and the increase since then in the nominal rates of exchange; what effect the increase to the first quarter of 1990 had on the balance of trade in manufacturers; and what is his estimate of the effect which the increase since the first quarter will have on that balance in the next 12 months.

Mr. Maples: Figures for nominal and real exchange rates are available in "IMF International Financial Statistics". Recent movements in nominal and real exchange rates will be among the many factors taken into account in the revised forecast for visible trade to be published in the "Autumn Statement".

Public Expenditure

Sir Richard Body: To ask the Chancellor of the Exchequer if he will state in percentage terms the increase or decrease in expenditure since 1979 of each of the 17 programmes of public expenditure.

Mr. Norman Lamont: The information requested can be derived from table 21.2.10—General Government expenditure by function, 1978-79 to 1989-90—in chapter 21 of "The Government's Expenditure Plans 1990-91 to 1992-93", Cm. 1021.

Inflation

Mr. Home Robertson: To ask the Chancellor of the Exchequer what are the current inflation rates in *(a)* the United Kingdom and *(b)* other Group of Seven countries.

Mr. Maples: Excluding mortgage interest payments and community charge, UK inflation was 8·3 per cent. in September 1990. The latest, more comparable inflation rate for other G7 countries was 3·4 per cent. in August.

Mr. Thurnham: To ask the Chancellor of the Exchequer what is his latest estimate of the rate of inflation; and if he will make a statement.

Mr. Maples: The all-times RPI inflation rate was 10·9 per cent. in September. Underlying inflation, as measured by the RPI, excluding mortgage interest payments and the community charge, was 8·3 per cent.

Mr. Wallace: To ask the Chanbcellor of the Exchequer what is the underlying rate of inflation.

Mr. Maples: There are a number of ways of estimating the underlying rate of inflation. As measured by the RPI, excluding mortgage interest payments and the community charge, it was 8·3 per cent. in September.

Taxpayers' Charter

Mr. Stern: To ask the Chancellor of the Exchequer if he will publish a charter for taxpayers in relation to their rights under investigation by either the Inland Revenue or Her Majesty's Customs and Excise.

Mr. Maude: The Inland Revenue and Customs and Excise jointly published a taxpayer's charter in July 1986. It sets out the principles and standards of service which both departments aim to achieve in handling taxpayers' affairs; and what people can do if they wish to appeal or complain.

In addition, a number of leaflets are published for people involved in investigations:

IR71 PAYE: Inspection of Employers' and Contractors Records.
IR72 Inland Revenue Investigations: The examination of business accounts; and
IR73 Inland Revenue Investigations: How settlements are negotiated.
Visits by VAT officers.

Copies of the taxpayer's charter and of the leaflets have been placed in the Library of the House.

Criminal investigations carried out by both departments are conducted under the codes of practice of the Police and Criminal Evidence Act 1984.

Interest Rates

Mr. Riddick: To ask the Chancellor of the Exchequer what is the current level of interest rates.

Mr. Maples: Bank base rates are 14 per cent.

Mr. Wigley: To ask the Chancellor of the Exchequer what representations he has received in relation to the impact of interest rates on Welsh economic performance; and if he will make a statement.

Mr. Maples: My right hon. Friend has received a number of such representations.

Environmental Improvement

Mr. Kirkwood: To ask the Chancellor of the Exchequer what plans he has for using the taxation system to improve the environment; and if he will make a statement.

Mr. Maude: The White Paper on the environment set out the Government's view that market-based instruments, such as tax measures, are often an effective way of achieving environmental goals. But the Government must consider a whole range of factors in determining the right response to environmental problems.

Bank of England

Mr. Watson: To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England to discuss Britain's economic performance.

Mr. Maples: My right hon. Friend the Chancellor of the Exchequer meets the Governor of the Bank of England from time to time to discuss a variety of matters.

Child Tax Allowance

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer what assessment he has made of the benefits which would be given to families on low incomes or on income support by a child tax allowance.

Mr. Maude: Child tax allowances would not benefit families who do not pay tax and some families with relatively small taxable incomes would only be able to take partial advantage of them. This is so whether or not a family is on income support.

Oil

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of *(a)* the current yield in tax on indigenous oil production of an increase of one dollar per barrel and *(b)* the increase in cost to the United Kingdom economy as a result of that increase.

Mr. Maples: It is estimated that the extra North sea tax receipts from a sustained increase in the oil price of 1 dollar per barrel would yield about £0·2 billion in a full year assuming no change in the exchange rate or in company spending in the North sea. A rise in the price of oil can be expected to lead to somewhat higher inflation and slower growth, in the short term. However, sound fiscal and monetary policies should help guard against any sustained adverse effect on inflation or economic growth.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the yield from a tax of 1p per litre on all oil fuels and of an additional 20p on a gallon of *(a)* petrol and *(b)* diesel on top of the present price.

Mr. Ryder: The yield from a tax change on road fuels can be calculated from the tax revenue ready reckoner table published in chapter 4 of the "Autumn Statement".

Civil Service Pensions

Mr. Andrew Bowden: To ask the Chancellor of the Exchequer what representations he has received regarding the non-payment of civil service widows' pensions to the widows of post-retirement marriages with civil servants who retired before 6 April 1978.

Mr Ryder: A number of representations have been received about the arrangements made by the civil service pension scheme for the payment of pensions to the widows of post-retirement marriages. These seek an extension of those arrangements to include those widows of post-retirement marriages whose husbands retired before 6 April 1978. The Government have no plans to extend the present arrangements.

Ronson Group

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether the Inland Revenue will investigate the tax affairs of the Ronson group of companies.

Mr. Maude: Such information is confidential.

Manufacturing

Mr. Dewar: To ask the Chancellor of the Exchequer what was the gross domestic fixed capital formation for manufacturing industry in the United Kingdom in real terms in each year since 1970.

Mr. Norman Lamont: This information may be obtained from the CSO database, which is accessible through the House of Commons Library.

Mr. Dewar: To ask the Chancellor of the Exchequer what was the annual index of gross domestic capital formation at factor cost in manufacturing industry in the United Kingdom in each year from 1970 to the most recent year for which figures are available.

Mr. Norman Lamont: Information in the form requested is not available.

Mr. Austin Michell: To ask the Chancellor of the Exchequer what is the increase in the volume of exports of manufactured goods since 1985 in terms of 1990 prices.

Mr. Norman Lamont: Information relating to volumes of manufactured goods is only calculated at 1985 prices. This can be found in table A10 of the monthly "Review of External Trade Statistics" which is available in the Library of the House, or on the Central Statistical Office database which may be accessed through the Library.

Middle East (Expenditure)

Mr. Blunkett: To ask the Chancellor of the Exchequer from which budget headings the expenditure now being undertaken in the middle east, arising out of Iraq's invasion of Kuwait, is to be drawn; and if he will make a statement.

Mr. Norman Lamont: Most of the present expenditure in the middle east arising from Iraq's invasion of Kuwait falls to the defence budget. Assistance to refugees displaced by the invasion is being drawn from the aid budget.

New Coins

Mr. Speller: To ask the Chancellor of the Exchequer how many new coins he intends to approve before December 1992; and what estimate he has of the cost involved in adapting, replacing or scrapping coin-operated machines.

Mr. Maples: The Royal Mint has recently consulted the vending industry about proposals to issue United Kingdom 1p and 2p coins in copper-plated steel rather than bronze, as at present, because the cost of producing the coins now exceeds their face value.

After careful consideration of the industry's response, my right hon. Friend has decided that copper-plated coins should be introduced from September 1992. The plated 1p and 2p coins will have the same weight, diameter and design as the existing coins and will circulate alongside them. I am placing an assessment of the cost to the industry in the library.

Following the consultation exercise carried out by the Royal Mint in 1987, the then Chancellor of the Exchequer announced that a smaller 10p coin would be introduced in 1992. The Chancellor has decided that this coin should also be introduced in September 1992, at the same time as the copper plated 1p and 2p coins, to minimise the cost to the vending industry.

NHS Contracts (VAT)

Mr. Robin Cook: To ask the Chancellor of the Exchequer what refunds of value added tax on national health service contracts have been made to health boards in Scotland since 16 October 1989; where refunds of value added tax are made; and what arrangements there are for that portion of such value added tax which requires to be paid to the European Community.

Mr. Ryder: A total of £24.3 million VAT has been refunded in respect of Scottish health boards' contracts since 16 October 1989. This sum includes refunds in respect of contracts where the special provisions of section 27(2A) of the VAT Act 1983 apply. Such refunds are included in the calculations necessary to establish our "own resources" payments to the European Community.

European Community

Mr. Spearing: To ask the Chancellor of the Exchequer if he will make a statement concerning Councils of Finance Ministers of the European Communities, both formal and informal, he has attended since 1 September.

Mr. Major: Members of the Economic and Finance Council met informally on 7 and 8 September in Rome and formally in Luxembourg on 8 October. On both occasions I represented the United Kingdom with the assistance of the Financial Secretary at the October meeting.

The September meeting concentrated on a discussion of economic and monetary union during which I gave a full explanation of the British proposals for a gradual evolutionary approach through the establishment of a common currency, known as the "hard ecu", and a European monetary fund. A majority of member states shared our view that much greater economic convergence in the Community was a necessary condition for further monetary integration, and that it was therefore undesirable to set a premature date for moving beyond stage one of EMU. I stressed the importance of ensuring that all member states could move forward together. I explained that our proposals would allow for that while providing a strong anti-inflationary discipline and giving people and businesses the opportunity to choose which currency they wished to use. It was agreed that there was a need for further analysis of our proposals both before and during the forthcoming intergovernmental conference.

The consequences of the Gulf crisis were also discussed and the Commission put forward proposals for aid to those front-line states which were suffering as a result of the crisis. No decision was reached. It was agreed, however, that the resulting rise in oil prices should not be accommodated either by relaxing monetary or budgetary policies and that the increase in oil costs should not lead to higher wage settlements or product prices.

At the October meeting, the entry of the United Kingdom into the exchange rate mechanism of the European monetary system was widely welcomed. Economic and monetary union was again discussed both during the Council and at an inter-institutional meeting beforehand with the European Parliament. There was a growing consensus that more economic convergence was indeed needed before the Community moved beyond stage one and that objective criteria to determine the timing of such a move should be considered. The presidency will be reporting on progress with preparatory work on EMU to the European Council on 27 and 28 October. I expect discussions in ECOFIN and the Monetary Committee to continue.

There was a brief discussion of the Commission's proposals for VAT and excise systems after 1992 and for raising travellers' allowances on duty-paid goods in preparation for the single market. The consequences for the financial perspectives of German unification and the Gulf crisis were also considered. The money laundering directive was discussed. The majority of member states shared our concerns that the present draft appeared to extend the competence of the Community into the field of criminal law, but it was hoped that this problem could be resolved so that the directive could be agreed before the end of the year.

Mr. Spearing: To ask the Chancellor of the Exchequer if he will place in the Library any document or proposal sent to the Council or Commission of the European Community concerning implementation of economic and monetary union.

Mr. Maude: The Commission's report of 21 August entitled "Economic and Monetary Union", which was discussed at the informal Council of Economic and Finance Ministers in Rome on 7 and 8 September, was deposited in the House on 12 October; and I have today placed in the Vote Office copies of an explanatory memorandum about it.

Mr. Spearing: To ask the Chancellor of the Exchequer, when he deposited in the Vote Office the communication of the Commission of the European Community to member

Governments, dated 21 August, concerning implementation of economic and monetary union and the related Government memorandum; and what other steps he has taken to publicise the contents of each document.

Mr. Maude: The Commission report to which the hon. Member refers was deposited in the House on 12 October and copies of an explanatory memorandum have today been placed in the Vote Office.

Liquid Petroleum Gas

Mr. Colin Shepherd: To ask the Chancellor of the Exchequer if he plans to review the taxation of liquid petroleum gas used for automotive propulsion purposes.

Mr. Ryder: My right hon. Friend the Chancellor of the Exchequer will carefully consider the taxation of all forms of road fuel in the course of preparing his Budget.

HOME DEPARTMENT

Convicted Persons (New Evidence)

Mr. Corbyn: To ask the Secretary of State for the Home Department what representations he has received concerning the machinery by which the Court of Appeal deals with new evidence on convicted persons.

Mr. John Patten: My right hon. and learned Friend has received a number of representations from Members of both Houses of Parliament, and from members of the public, about the role of the Court of Appeal in considering such cases.

World Cup (Deportations)

Mr. Denis Howell: To ask the Secretary of State for the Home Department if he will take steps to seek the destruction of all photographs and records of the English football supporters deported from Italy following the decision of the Italian Government to withdraw restrictions upon them returning to Italy and acceptance of their innocence.

Mr. Peter Lloyd: In the absence of any other football-related information on them, the national football intelligence unit will destroy by the end of the year the records it holds of all those who were removed from Italy during the World cup without having been convicted of an offence. Any person who wishes to see his record may apply to do so under the Data Protection Act 1984.

Birmingham Pub Bombings

Mr. Alton: To ask the Secretary of State for the Home Department if he will give the name, ranks and forces of those who attended the meeting at Scotland Yard on Friday 29 November 1974 to co-ordinate action for gathering intelligence against suspected members of the IRA in England, in connection with the Birmingham pub bombings.

Mr. Waddington: I understand that a number of conferences were held following the Birmingham pub bombings and that these were attended by members of police forces which were engaged in the investigations. Records relating to these conferences have since been destroyed, and the Metropolitan police are unable to say which forces attended which conferences or on what dates the conferences took place.

Wyndham Burnett

Mr. Roy Hughes: To ask the Secretary of State for the Home Department if he will make a statement concerning the release on parole of Wyndham Burnett a prisoner at Wayland prison, Norfolk, sentenced in December 1986.

Mrs. Rumbold: I wrote to the hon. Member on 17 September.

Police Cells

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department how many prisoners were still in police cells in Greater Manchester on 12 October.

Mrs. Rumbold: On Friday 12 October, there were 269 prisoners in Greater Manchester police cells.

Sports Events

Mr. Pendry: To ask the Secretary of State for the Home Department if he will make a statement on his plans for the future of the national football intelligence unit; and if he will make a statement.

Mr. Peter Lloyd: The purpose of the national football intelligence unit is to counteract serious and persistent football hooligans by co-ordinating police intelligence in this country and by improving liaison with police forces abroad. Its aims were more fully explained in Home Office circular 30/1990, a copy of which is in the Library. We shall continue to support the unit in its important work.

Sports Events

Mr. Pendry: To ask the Secretary of State for the Home Department pursuant to his undertaking to look carefully and quickly at the recommendation in Lord Justice Taylor's final report into the Hillsborough tragedy that it be made a specific offence to chant obscene or racialist abuse at designated sports grounds, 29 January, *Official Report*, column 21, what plans he has for implementing this recommendation.

Mr. Peter Lloyd: We hope to announce shortly our conclusions on whether to create this offence and the others recommended by Lord Justice Taylor.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will introduce legislation to prevent broadcasters giving prominence through coverage of motor sports events to brewing companies' names and advertising.

Mr. Peter Lloyd: We have no plans to do so. I understand, however, that the Brewer's Society has advised its members not to become involved in the sponsorship of motor sports events.

Special Constabulary

Mr. Conway: To ask the Secretary of State for the Home Department how funding is distributed for the special constabulary in England and Wales; and whether he has any plans to increase this funding in the near future.

Mr. Peter Lloyd: Expenditure on the special constabulary is a matter for police authorities; all expenditure qualifies for 51 per cent. police grant from the Government.

The Government are also financing a three-year national publicity campaign to aid recruitment. This will start in 1991 at an estimated cost of around £1.5 million a year.

Personal Data

Mr. Cohen: To ask the Secretary of State for the Home Department whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mrs. Rumbold: I am reminding officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department why the Government reserved the right to comply, or not, with principles 2.2 and 2.4 (collection of data) of the recommendation NO R (87) 15 of the Committee of Ministers to member states regulating the use of personal data in the public sector; whether these principles are complied with in respect of the information held on the police national computer; whether these principles are complied with in respect of personal information held on computer by the special branch; and whether it is the Government's intention to rescind the reservation entered to these principles.

Mr. Lloyd: The Government reserved their position on principles 2.2 and 2.4 after consultation with the Association of Chief Police Officers. Principle 2.2 requires the police to inform individuals, where practicable, that data have been collected about them without their knowledge. It was felt that occasions would arise when although it would be practicable to disclose such information, it would be undesirable to do so; for example, where an individual might inform an associate that he had been under suspicion. The proviso that information need be disclosed only when the object of the police activities was no longer likely to be prejudiced was regarded as unrealistic and impractical in the context of police work.

Principle 2.4, which restricts police activities in collecting data on particular groups such as suspected paedophiles, could seriously inhibit the police in preventing and detecting crime. The Government therefore entered reservations on both these principles. That remains the position.

In collecting and storing data, the police national computer and computer systems in police forces comply with the ACPO code of practice for police computer systems. The code establishes procedures and safeguards to promote the maintenance of good practice and compliance with the Data Protection Act 1984. A copy of the code is in the Library.

Iraqi Nationals

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department how many Iraqi nationals are at present in the United Kingdom.

Mr. Peter Lloyd: It is estimated from the labour force surveys that some 5,000 Iraqi nationals, including students, are usually resident in the United Kingdom. Information on the number of Iraqi nationals currently in this country as visitors is not available.

May Inquiry

Mr. Mullin: To ask the Secretary of State for the Home Department (1) if he will make arrangements for those classified documents which Sir John May's inquiry into the Guildford and Maguire cases deems necessary for the purposes of that inquiry, to be made available to that inquiry;

(2) if he will make arrangements so that Sir John May's inquiry into the Guildford and Maguire cases is not constrained by the convention that police reports are not customarily allowed to enter the public domain;

(3) if he will waive public interest immunity in respect of documents which Sir John May's inquiry into the Guildford and Maguire cases deems necessary for the purposes of that inquiry.

Mr. John Patten: We have no reason to believe that the present arrangements make unavailable to Sir John May the documents he needs to carry out his inquiry satisfactorily, and therefore see no need at present to change those arrangements.

Security Checks

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department (1) how many security check inquiries were made of the National Identification Bureau on individuals by *(a)* Government departments and *(b)* other approved bodies in the years 1986, 1987 and 1988; and if he will list the names of the approved bodies who may undertake such inquiries;

(2) if he will list the areas of employment which require security checks; and if he will list the areas of employment of those individuals who were the subject of a security check in 1989;

(3) what was the cost of making security check inquiries on individuals in 1989.

Mr. Peter Lloyd: Details of criminal records are not released to bodies outside the criminal justice system except where disclosure is clearly in the public interest. Information may be provided by the National Identification Bureau to Government Departments and other bodies, direct or through the police, for purposes such as the protection of national security, the protection of children and other vulnerable members of society and ensuring probity of justice. This covers a wide range of areas of employment but detailed records of these are not kept.

Under the terms of the data protection registration for the police, information may be released to the following:

Central Government Departments
Driver and Vehicle Licensing Authority
Gaming Board for Great Britain
Office of Fair Trading
Local Authorities
Foreign Governments
Police Forces
Prosecuting Authorities
Courts
Judges
Magistrates
Probation Service
Hospitals, nursing homes
Banks
Lawyers
Research Organisations
British Telecom
British Broadcasting Corporation
Civil Aviation Authority

Post Office
Police Complaints Authority
General Medical Council and other similar professional organisations
Official Receiver
Traffic Commissioners
Criminal Injury Compensation Board
Crown Agents
Crown Estate Commissioners
National Museums and Galleries
Royal Mint
United Kingdom Atomic Energy Authority
Securities and Investments Board

The purposes of criminal record checks by the police, Government Departments or approved bodies are not recorded centrally and the number and cost of those for security vetting cannot be identified. The number of checks undertaken by the Government searches section of the National Identification Bureau for vetting and other purposes was as follows:

	Number
1986	384,595
1987	348,901
1988	385,308

These figures represent the number of transactions undertaken and not the number of individuals on whom checks were made. The same individual may have been checked more than once.

The estimated cost of the Government searches section in 1989 was about £500,000.

Police Computer

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department which Government Departments *(a)* presently have access to the police national computer and *(b)* will have access to the new police computer.

Mr. Peter Lloyd: In addition to the Home Office, HM Customs and Excise investigation division and the Drivers and Vehicles Licensing Agency have terminals giving them direct access to some of the information on the police national computer.

Consideration is being given to a proposal to allow a number of other Government Departments to have direct access to the criminal names index on the new police national computer. This would enable Departments to undertake their own preliminary inquiries, thus reducing the work load of the National Identification Bureau. In cases where this preliminary inquiry indicates that the subject might have a criminal record, the Department would ask the NIB to undertake a detailed check of the records.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department whether a date has been set for the new police computer (PNC2) to become fully operational; what is its potential full capacity; and approximately how many individual records are likely to be held on the PNC2 at the date when it becomes fully operational.

Mr. Peter Lloyd: A firm date has not yet been set for the "cut over" from the present PNC system to PNC2. It will be set only after all the components of the new system have been delivered and fully tested.

As the hon. Member was told in reply to his question on 24 July at column *132*, the PNC2 system will be capable of handling 62 million instructions per second, its main memory will be capable of storing 190 million bytes of data and it will have sufficient disk capacity to store 80,000 million bytes of data.

PNC2 is expected to hold records on about 45 million vehicles, 6 million persons and 4 million fingerprints.

Criminal Records

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department (1) whether there are plans to establish an agency independent of the police to maintain the national collection of criminal records;

(2) whether a decision has been taken on transferring those criminal records presently held on microfiche to the new police computer.

Mr. Peter Lloyd: As stated in the Governments' response to the Home Affairs Select Committee's report on criminal records (Cm. 1163), a study is to be undertaken to examine the most appropriate arrangements for the maintenance of, and disclosure from, the national collection of criminal records. In the light of the findings of this study, the Government will consider where responsibility for this work should lie.

The response also makes clear the Government's intention to computerise the national collection of criminal records, which is currently held on microfiche, as and when resources permit.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department whether there are plans to update and amend Home Offices circular No. 45/1986 or to lay down statutory principles to govern the disclosure of criminal records as recommended by the Home Affairs Committee's report on criminal records.

Mr. Peter Lloyd: I refer the hon. Member to the reply I gave him on 24 July 1990 at column *132*.

As stated in the Government's response to the Home Affairs Select Committee's report on criminal records (Cm. 1163), a study is to be undertaken to examine, among other things, the most appropriate arrangements for disclosure from the national collection of criminal records.

Guinness Trial

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department whether those convicted in the Guinness trial will be allowed to carry on their private business directly or indirectly during their imprisonment.

Mrs. Rumbold: Restrictions on business activities that apply to all prisoners have been published in prison standing order 1C, a copy of which is in the Library. Convicted prisoners are not allowed to conduct any business activity from prison, other than to wind up a business or to make arrangements for it to be managed in their absence.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department whether there are plans to include the new police computer into the Government data network.

Mr. Peter Lloyd: There are no such plans.

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department if he will list the kind of information presently held on the police national computer under the data class of warning signals.

Mr. Peter Lloyd: Warning signals are intended to alert officers to potential difficulties or risks in dealing with the individual. They may be used only in cases where there is supporting evidence of the need for them to be included in the record. Their inclusion and removal is at the discretion of the force which enters the record on the police national computer.

The information held under the data class of warning signals is intended to indicate individuals who may possess firearms, may possess weapons, may resort to violent behaviour, may attempt to escape, may suffer from mental disorder, may possess explosives, may make false allegations against the police, may be a hazard to others as a carrier of contagious diseases (e.g., hepatitis), may suffer from a medical condition and/or require medication, e.g., heart condition, claustrophobia, epilepsy, alcoholism, may attempt suicide, may be in unlawful possession of controlled drugs, may impersonate male or female.

Overseas Voters

Sir David Steel: To ask the Secretary of State for the Home Department (1) what steps he has taken to monitor the use by political parties of the provision for registration of overseas voters for proxy vote of the Representation of the People Act 1989; (2) what guidance has been issued to groups seeking to register overseas voters as to how under the Representation of the People Act 1989 it is permissible to choose proxy voters for any particular constituency.

Mrs. Rumbold: There is no reason for the Home Office to monitor the activities of the political parties in encouraging eligible expatriates to register as overseas electors, or in assisting them to appoint proxies to vote on their behalf. A proxy appointed to vote on behalf of an overseas elector can do so only in the constituency for which the elector is registered. Political parties are, we believe, well aware of the legal requirements for appointing a proxy, and we see no need to issue special guidance on the subject.

Visas

Dr. Marek: To ask the Secretary of State for the Home Department what changes there have been in entry requirements for citizens of east European countries; and what information he has that relates to changes between those countries of the European Community.

Mr. Peter Lloyd: During the summer, my right hon. and learned Friend introduced an immigration rules change removing the former German Democratic Republic from the list of countries whose nationals require a visa for admission to the United Kingdom. Following a further change last month, Czechoslovakia and Hungary were removed from the visa list with effect from 1 October. Most of our European Community partners have taken similar steps in relation to these countries.

Drugs

Mr. Lawrence: To ask the Secretary of State for the Home Department (1) what proportion of those convicted of drug offences offend again within three years of *(a)* release from imprisonment or *(b)* the pronouncement of a non-custodial sentence;

(2) what are the comparative success ratios, measured by reoffending rates, of the various types of sentence passed upon those convicted of drug-related offences.

Mrs. Rumbold: The only readily available information is about drugs offenders discharged from custody in 1984 who were reconvicted within two years. This was published in table 8(c) of prison statistics for England and Wales 1987 (Cm 547) a copy of which is in the Library.

Philippine Citizens (Employment)

Mr. Spearing: To ask the Secretary of State for the Home Department under what conditions Philippine citizens are admitted into the United Kingdom for employment by *(a)* public bodies, *(b)* registered businesses, *(c)* United Kingdom citizens and *(d)* non-United Kingdom citizens; and what steps he takes to ensure equitable conditions and contracts of employment and registration of any change of employer.

Mr. Peter Lloyd: Overseas nationals seeking admission to the United Kingdom must qualify under the relevant provisions of the immigration rules (currently HC 251 as amended). As non-EC nationals, Philippine citizens wishing to work here generally require work permits. However, as I explained in a reply to a question from the hon. Member for Sunderland, South (Mr. Mullin) on 22 February 1990 at columns *917-8*, there are exceptional arrangements outside the immigration rules and the work permit scheme under which a domestic servant who has worked abroad for an employer who comes to the United Kingdom can be admitted to continue working for him here. We have recently reviewed these arrangements in view of the concern about the possible exploitation of domestics and the outcome of that review was announced in another place by my noble Friend Lord Ferrers in reply to a question from Lord Hylton on 24 July 1990 at columns 1449-50. Whatever the provisions under which overseas nationals are admitted for work, they are entitled to the normal protection of our law. Their ability to change employers will, however, depend on the conditions on which they have been granted leave to enter or stay in the United Kingdom.

Operation Carnaby

Mr. Nellist: To ask the Secretary of State for the Home Department if he will call for an interim report from the Metropolitan Commissioner of Police of the Metropolis on the investigation operation Carnaby, outlining its terms of reference, manpower utilisation, and budget; and if he will make a statement.

Mr. Peter Lloyd: Operation Carnaby is a criminal investigation by the Metropolitan police. I have no plans to ask the Commissioner for a report on that investigation.

Research Contracts

Mr. Andrew Smith: To ask the Secretary of State for the Home Department if he will list the research contracts awarded by his Department to academic institutions, and their cost, since 1985.

Mr. Waddington *[holding answer 10 July 1990]:* Information on the cost and nature of each research contract awarded by my Department to academic and research institutions since 1985 is not readily available and could be obtained only at disproportionate cost. Total estimated Home Office expenditure on assignments

awarded to academic institutions for the period January 1985 to April 1990 is £6,725,271, and is represented as follows:

	£
Oxford Centre for Criminological Research/Oxford University	799,309
New Mexico Engineering Research Institute	605,195
University of East Anglia	572,500
Institute of Criminology/Cambridge University	564,250
University of London	510,788
Policy Studies Institute	299,000
University of Birmingham	294,330
NACRO	252,000
VERA Institute of Justice	250,532
University of Manchester	210,839
University of Surrey	165,981
University of Bath	165,400
Tavistock Institute	164,000
London School of Economics	141,662
University of Swansea	140,685
University of Essex	138,000
University of Leeds	128,123
University of Bristol	118,650
University of Liverpool	118,000
University of Kent	113,427
University of Edinburgh	105,953
University of Aberdeen	95,087
University of Loughborough	87,779
University of Sheffield	84,000
University of Nottingham	82,235
University of Sussex	75,000
Hatfield Polytechnic	69,522
Bradford/Ilkley College	59,000
University of Dundee	56,000
City University	55,078
Policy Foundation	45,500
University of Hull	40,990
Trent Polytechnic	40,700
University of Warwick	40,574
Economics and Social Research Council	40,000
South Bank Polytechnic	37,146
Local Govenment Operation Research Unit	34,500
University of North London	30,000
University of Reading	28,158
National Institute for Social Work	27,500
North London Polytechnic	25,200
University of Lancaster	18,000
Thames Polytechnic	18,000
University of Cardiff	8,000
University of Brunel	7,950
Coventry Polytechnic	7,000
University of Southampton	4,260

SOCIAL SECURITY

Maintenance

4. **Mr. Nicholas Bennett:** To ask the Secretary of State for Social Security what representations he has received on his proposals to ensure that fathers pay maintenance.

25. **Mr. Stevens:** To ask the Secretary of State for Social Security what representations he has received on his proposals to ensure that fathers pay maintenance.

45. **Mr. Burns:** To ask the Secretary of State for Social Security what representations he has received on his proposals to ensure that fathers pay maintenance.

Mr. Newton: I have received correspondence on this subject from one of the major lone parent organisations, members of the public and other interested parties. We will be publishing full details of our proposals in a White Paper shortly.

Personal Pensions

11. **Mr. Mills:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers who have taken out personal pensions.

27. **Mr. Sumberg:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers who will have taken out personal pensions.

44. **Mr. Allan Stewart:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers who have taken out personal pensions.

Mrs. Gillian Shephard: I refer my hon. Friend to the answer given to my hon. Friend the Member for Calder Valley (Mr. Thompson) earlier today.

Family Credit

21. **Mr. Patrick Thompson:** To ask the Secretary of State for Social Security how many families are now in receipt of family credit.

30. **Mr. Summerson:** To ask the Secretary of State for Social Security how many families are now in receipt of family credit.

Mr. Bowis: To ask the Secretary of State for Social Security how many families are now in receipt of family credit.

Mrs. Gillian Shephard: I refer my hon. Friends to my reply to the hon. Member for Wanstead and Woodford (Mr. Arbuthnot) earlier today.

Computerisation

22. **Mr. Pike:** To ask the Secretary of State for Social Security what representations he has received regarding computerisation of the social security system.

Mrs. Gillian Shephard: Various inquiries have been received, both from members of the public and a number of outside organisations regarding the effectiveness of the Department's strategy systems, for which I have been able to provide comprehensive replies.

Disabled People

23. **Mr. Brazier:** To ask the Secretary of State for Social Security if he will make a statement about spending on disabled people since 1979.

33. **Sir Bernard Braine:** To ask the Secretary of State for Social Security if he will make a statement about spending on disabled people since 1979.

Mr. Moate: To ask the Secretary of State for Social Security what has been the increase in spending by the Government in support of disabled people since 1979; and if he will make a statement.

Mr. Scott: I refer my hon. Friends to my reply to my hon. Friend the Member for Eastleigh (Sir David Price) earlier today.

24. **Mr. Conway:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers of people who will benefit from the measures outlined in "The Way Ahead".

29. **Mr. Andy Stewart:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers of people who will benefit from the measures outlined in "The Way Ahead".

32. **Mr. Sims:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers of people who will benefit from the measures outlined in "The Way Ahead".

Mr. Scott: I refer my hon. Friends to my reply to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) earlier today.

34. **Mr. Wigley:** To ask the Secretary of State for Social Security what consultations he has had with disability organisations on his proposals outlined in "The Way Ahead-Benefits for Disabled People".

Mr. Scott: We regularly meet the disability organisations to discuss a wide range of issues. I met the Disability Benefits Consortium—an umbrella group representing over 250 disability organisations—on 5 April in the second of a series of meetings to discuss their views on "The Way Ahead". On 1 August we issued a consultation document, "Disability Allowance: Assessment and Adjudication" building on the proposals set out in "The Way Ahead" and inviting comments. Copies of the paper have been sent to over 125 disability organisations and a number of these have sent constructive and interesting replies. A copy of the paper has been placed in the Library.

Income Support

Mr. Nellist: To ask the Secretary of State for Social Security how many deductions are now taking place from people on income support to cover debts arising from the poll tax; and if he will make a statement.

Mrs. Gillian Shephard: Just over 9,000 deductions for community charge arrears were being made at 31 August 1990.

Mr. Meacher: To ask the Secretary of State for Social Security what was the level of supplementary benefit and income support scale rates for *(a)* a single person householder aged over 25 years and *(b)* married couples, each year since 1970; and what these amounts were as a percentage of national average earnings for each of these years.

Mrs. Gillian Shephard: The information requested is available in tables 6.4b and 6.5b of the Abstract of Statistics for index of retail prices, Average Earnings, Social Security Benefits and Contributions published August 1989. A copy of this is in the Library.

Ms. Harman: To ask the Secretary of State for Social Security if he will publish a table showing the numbers of (i) men and (ii) women pensioners on income support by duration of time on benefit.

Ms. Harman: To ask the Secretary of State for Social Security what number and proportion of pensioners were receiving (i) income support only, (ii) retirement pensions only and (iii) income support and retirement pension, broken down by sex in each case.

Mrs. Gillian Shephard: Information to show whether pensioners in receipt of Income Support also receive the state retirement pension is not available. The remainder of the information requested is available in tables 12.2A, 12.2B and 12.2C of the Income Support Statistics Annual Enquiry. This was published in July 1990 and a copy is in the Library.

Ms. Harman: To ask the Secretary of State for Social Security what number and proportion of unemployed people were receiving (i) income support only, (ii) unemployment benefit only and (iii) income support and unemployment benefit, broken down by sex in each case.

Mrs. Gillian Shephard: The information as at May 1990 is contained in part (1) of table 1.1 of "Unemployment Benefit Statistics—Quarterly Analysis of Unemployed Claimants", a copy of which is in the Library.

Community Care

28. **Mr. Battle:** To ask the Secretary of State for Social Security whether he will direct social fund officers to consider applications for community care grants from persons leaving institutional care and entitled to invalidity benefit, whose weekly income is not more than £10 above income support level.

37. **Ms. Primarolo:** To ask the Secretary of State for Social Security whether he will direct social fund officers to consider applications for community care grants from persons leaving institutional care and entitled to invalidity benefit, whose weekly income is not more than £10 above income support level.

41. **Mr. Wray:** To ask the Secretary of State for Social Security whether he will direct social fund officers to consider applications for community care grants from persons leaving institutional care and entitled to invalidity benefit, whose weekly income is not more than £10 above income support level.

Mr. Scott: My hon. Friend the Member for Ealing Acton (Sir George Young) asked me if I would look at extending eligibility for community care grants on 2 July 1990, and I am doing so.

339. **Mr. Harry Barnes:** To ask the Secretary of State for Social Security what proportion of applications for community care grants were refused in 1988-89, 1989-90 and the first half of 1990-91.

Mr. Scott: I refer the hon. Member to my reply to the hon. Member for Halifax (Mrs. Mahon) earlier today.

Pensioners' Incomes

31. **Dr. Twinn:** To ask the Secretary of State for Social Security what is his estimate of the latest trend in pensioners' real incomes since 1979.

Mrs. Gillian Shephard: I refer my hon. Friend to my reply to my hon. Friend the Member for Harrow, West (Mr. Hughes) earlier today.

Social Security Applications

35. **Mr. Tony Banks:** To ask the Secretary of State for Social Security what information he has regarding the percentage of errors made by his Department in calculating social security applications.

Mrs. Gillian Shephard: The Department has a well established management information system which includes a range of output measures and performance indicators covering the adminsitration of all the major benefits. One performance indicator provides a measure of how accurately claims are handled, based on the percentage of payments which are incorrect. The figures are published in table 14.31 in the Government's Expenditure Plans 1990-91 to 1992-93 (Cm 1014) a copy of which is in the Library.

Contributions (Earnings Limit)

36. **Sir Fergus Montgomery:** To ask the Secretary of State for Social Security what representations he has received about the upper earnings limit for social security contributions.

38. **Mr. Evennett:** To ask the Secretary of State for Social Security what representations he has received about the upper earnings limit for social security contributions.

43. **Mr. Oppenheim:** To ask the Secretary of State for Social Security what representations he has received about the upper earnings limit for social security contributions.

Mrs. Gillian Shephard: We received representations from the Institute of Directors on this subject early this year.

40. **Mr. Corbyn:** To ask the Secretary of State for Social Security what was the value of child benefit in real terms and as a percentage of average earnings in 1980, 1985 and 1990, respectively.

42. **Mr. Bradley:** To ask the Secretary of State for Social Security what was the value of child benefit in real terms and as a percentage of average earnings in 1980, 1985 and 1990, respectively.

Mrs. Gillian Shephard: The information is as follows:

Date	*Weekly rate of child benefit (£)*	*Equivalent value at April 1990 price*[1] *(£)*	*Rate as a percentage of average male gross earnings*
November 1980	4·75	8·55	3·5
November 1985	7·00	9·13	3·5
April 1990	7·25	7·25	2·5

[1]Based on the movement in the general index of retail prices between the date in the first column and April 1990.

Mrs. Wise: To ask the Secretary of State for Social Security if he will make a statement on his plans for child benefit in 1991.

50. **Mr. Clay:** To ask the Secretary of State for Social Security if he will make a statement on his plans for child benefit in 1991.

Mrs. Gillian Shephard: The Government's position on child benefit remains as set out in our last manifesto. My right hon. Friend the Secretary of State will continue therefore to review its level each year in accordance with existing law.

National Insurance

47. **Mr. Wilshire:** To ask the Secretary of State for Social Security what is the latest estimate of the number of standard rate taxpayers who would be affected by the abolition of the upper earnings limit on national insurance contributions.

48. **Mr. Hannam:** To ask the Secretary of State for Social Security what is the latest estimate of the numbers of standard rate taxpayers who would be affected by the abolition of the upper earnings limit on national insurance contributions.

Mrs. Gillian Shephard: I refer my hon. Friends to the reply given to my hon. Friend the Member for Taunton (Mr. Nicholson) earlier today.

Lone-parent Families

49. **Mr. Barry Field:** To ask the Secretary of State for Social Security what is the latest figure he has for the number of lone-parent families in receipt of income support; and how many such families were receiving supplementary benefit five years ago.

Mrs. Gillian Shephard: In 1989 there were 767,000 lone-parent families in receipt of income support; the corresponding figure for supplementary benefit for 1984 was 500,000. The figures do not include prisoners' partners.

Source: Annual Statistical Enquiries for the relevant years.

Mobility Allowance

51. **Mr. Hardy:** To ask the Secretary of State for Social Security if he will review the criteria governing the award of mobility allowance so that dependent blind persons who are unable to enjoy any mobility may qualify.

Mr. Scott: In April this year we extended mobility allowance to people who are both deaf and blind. Our proposals set out in "The Way Ahead: benefits for disabled people" (Cm. 917) will extend help to less severely disabled people of working age and below and will benefit many people with sight disabilities who are not independently mobile.

Departmental Manuals

Ms. Harman: To ask the Secretary of State for Social Security if he will list *(a)* the titles of guidance and procedural manuals produced for his Department's offices which are not available to the public and *(b)* in each case, the reason for them not being available publicly.

Mrs. Gillian Shephard: The table shows the titles of Departmental guidance and procedural manuals which are not available to the public. They contain administrative and procedural instructions for staff which would be of little value to the general public, and also prescribe checks and controls which must remain confidential.

	Title
AA	Attendance Allowance
ABC	Aids to Benefit calculation
AP	Adjudication Procedure
AR	Adjudication Reference
CAP	Common Appeals Procedures
CC	Contributions and Credits
CCG	Country Code Gazetteer
CCM	Court Collection Manual
CHL	Child Benefit Law
CHP	Child Benefit Procedure
Conts Calc	Contributions Calculator

	Title
COP	Communications and Office Practice
CRM	Civil Recovery Manual
CT	Credits Manual
DC	Departmental Circulars
DCI	Departmental Central Index
DM	Datalink Manual
DPM	Data Protection Manual
DPM Circulars	Social Security Weekly Staff Announcements
DSI	Department Security Instructions
Detailed User Guide	Detailed User Guide for Family Credit
EPIC	Emergency Instructions and Procedures Code
F	Finance Code
FIG (E&W)	Fraud Investigator's Guide (England and Wales)
FIG (SCOT)	Fraud Investigator's Guide (Scotland)
GB	General Benefits
GSC	General Staff Code
II (HQMB)	Handbook for Industrial Injuries Medical Board
IS (POG)	Income Support (Printed Output Guide)
IS (OS) SRG	Income Support (Operational Strategy) System Reference Guide
LAM	Legal Aid Manual
LOSP	Local Office Stationery Procedure
LP	Legal Proceedings
LR Guide	Liability of Relatives (England and Wales)
LR (S) Guide	Liability of Relatives (Scotland)
M	Maternity: Benefits Procedure
MAM	Microcomputer Administration Manual
MB	Maternity Benefit
MDLT	Manual of Draft Letters for Typists
ME	Medical Boarding and Examinations
Mob A	Mobility Allowance
MPM 57	Handbook for War Pensions Medical Board
MPM 57A	Handbook for Medical Officer (War Pensions)
MS	Guidance for Medical Staff
MUM	Microcomputer User Manual
NP	New Pensions
Notes for Managers	Security Matters
OA	Office Administration
OAL	Office Address List
OPAM	Order Printer and Addresser Manual
ORG	Overpayments Recovery Guide
P	Pneumoconiosis: Office Procedure
P (Supp)	Pneumoconiosis: Board Procedure
PIP	Pensions Instructions and Procedures
PL	Pensions Law
POM	Post Operations Manual
PPI	Protection of Personal Information
PSCS (POG)	Pensions Strategy Computer Systems (Printed Output Guide)
RC	Reception Centre
RIG	Regional Implementation Guide
ROW	Relocation of Work
ROWIG	Relocation of Work Implementation Guide
SB	Sickness Benefit
SFIM	Social Fund Information for Managers
SIG	Strategy Implementation Manual
SML	Screen Message List
SMR	Statistics and Management Returns
SSTI	Social Security Technical Instructions
STS	Strategy Terminal Systems
TAG	Terminal Administration Guide
VDLF	Volume of Draft Letters and Forms
WIP	Widows Instructions and Procedures
WP	War Pensions
WP (LO)	War Pensions

Housing Benefit

Mr. Loyden: To ask the Secretary of State for Social Security whether students who will remain entitled to housing benefit and non-student partners in receipt of housing benefit will receive a £10 disregard for income from top-up loans.

Mrs. Gillian Shephard: Yes. The disregard, which will be subject to the overriding disregard of £10 on all income other than earnings, will apply for as long as the loan recipient remains a student.

Correspondence

Mr. Loyden: To ask the Secretary of State for Social Security when his Department intends to reply to the letter sent by Merseyside Welfare Rights Resource Centre on 25 April regarding an apparent contradiction between practices within his Department and a written reply given by the Minister for Social Security and Disabled People.

Mrs. Gillian Shephard: We are unable to trace this letter. If the hon. member could provide a copy, I will look into the matter.

Family Benefits

Mr. Peter Bottomley: To ask the Secretary of State for Social Security what assessment he has made of the relative benefits given to a family with children *(a)* in the higher tax range and *(b)* below the tax threshold of child benefit or a general equivalent child tax allowance.

Mrs. Gillian Shephard: Child benefit provides virtually all families with a contribution towards the costs of bringing up their children, irrespective of their tax liability, though the total family income of those receiving income support or family credit is not normally affected by the level of child benefit. A child tax allowance whose value to the basic rate taxpayer was equivalent to the level of child benefit would be worth more to families with incomes liable to tax at the higher rate. Child tax allowances would not benefit families who do not pay tax, and some families with relatively small taxable incomes would be able to take only partial advantage of them.

Personal Data

Mr. Cohen: To ask the Secretary of State for Social Security whether his Department will take positive steps to discuss with the Data Protection Registrar, all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Newton: We are reminding our officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Review Applications

Mr. Battle: To ask the Secretary of State for Social Security how many applications for review were received during the period *(a)* April 1988 to March 1989 and *(b)* April 1989 to March 1990 in respect of (i) community care grants, (ii) budgeting loans and (iii) crisis loans by each of the local offices in Leeds; and how many of these applications for review resulted in revised decisions.

Mr. Scott: The table shows the number of applications for review received by the Department's offices in Leeds and the number of revised decisions subsequently made by the social fund officers, senior officers and the social fund inspectors.

	Applications received	*Decision revised*
LEEDS EAST		
April 1988 to March 1989		
Community care grant	33	11
Budgeting loan	149	67
Crisis loan	8	3
April 1989 to March 1990		
Community care grant	105	38
Budgeting loan	211	83
Crisis loan	7	1
LEEDS NORTH		
April 1988 to March 1989		
Community care grant	57	27
Budgeting loan	118	50
Crisis loan	9	5
April 1989 to March 1990		
Community care grant	144	44
Budgeting loan	174	73
Crisis loan	8	3
LEEDS NORTH WEST		
April 1988 to March 1989		
Community care grant	58	24
Budgeting loan	102	54
Crisis loan	10	5
April 1989 to March 1990		
Community care grant	147	53
Budgeting loan	181	57
Crisis loan	5	0
LEEDS SOUTH		
April 1988 to March 1989		
Community care grant	29	11
Budgeting loan	78	21
Crisis loan	12	6
April 1989 to March 1990		
Community care grant	57	22
Budgeting loan	85	29
Crisis loan	12	5
LEEDS WEST		
April 1988 to March 1989		
Community care grant	21	5
Budgeting loan	110	44
Crisis loan	7	4
April 1989 to March 1990		
Community care grant	48	23
Budgeting loan	102	31
Crisis loan	5	4

Independent Living Fund

Mr. Alfred Morris: To ask the Secretary of State for Social Security if he will make a statement on the financing and future of the Independent Living Fund.

Mr. Scott: Our plans for the future of the Independent Living Fund are still under consideration following the decision to phase the implementation of community care. The level of funding for the ILF in 1991-92 will be announced by my right hon. Friend the Secretary of State in his usual statement on the uprating of benefits.

Mr. Dunnachie: To ask the Secretary of State of Social Security what plans he has to incorporate the Independent Living Fund into the social security system; and if he will make a statement.

Mr. Scott: We have no plans to incorporate the Independent Living Fund into the social security system.

Mr. Dunnachie: To ask the Secretary of State for Social Security how many applications to the Independent Living Fund have been submitted since 1 August.

Mr. Scott: At 10 October the Independent Living Fund had received 1,233 applications since 1 August.

Crisis Loans

Mr. Battle: To ask the Secretary of State for Social Security what proportion of the budgeting loans budget was spent on crisis loans for those making an initial claim for income support and awaiting payment in arrears for the years *(a)* April 1988 to March 1989 and *(b)* April 1989 to March 1990 in (i) the local offices within the Leeds metropolitan area and (ii) nationally as (1) an actual figure and (2) a percentage.

Mr. Scott: The tables show the crisis loan expenditure by the Department's offices nationally and in Leeds arising from applications for applicants awaiting an initial payment of benefit.

	Crisis loan expenditure (Alignment) £	*Percentage of loans budget spent on crisis loans for alignment*
April 1988 to 1989		
National	5,016,000·00	4·00
Leeds East	20,871·66	3·61
Leeds North	22,193·24	3·70
Leeds North West	24,629·23	7·74
Leeds South	6,632·38	2·85
Leeds West	5,201·47	1·71
April 1989 to 1990		
National	6,202,000·00	4·39
Leeds East	20,023·98	3·39
Leeds North	25,842·84	3·70
Leeds North West	26,471·16	7·02
Leeds South	11,987·78	5·01
Leeds West	8,640·15	2·79

Social Fund

Mr. Battle: To ask the Secretary of State for Social Security how many applications for review of social fund decisions were received by the office of the social fund inspectors during the periods *(a)* April 1988 to March 1989 and *(b)* April 1989 to March 1990 in respect of (i) community care grants, (ii) budgeting loans and (iii) crisis loans, relating to decisions made by each of the local offices in Leeds; and how many of these applications for social fund inspectors' review resulted in (1) decisions substituted by the social fund inspectors, (2) decisions referred back to the social fund office and (3) decisions confirmed by the social fund inspector.

Mr. Scott: I am advised by the Social Fund Commissioner that the table represents the total number of applications for review received at the office of the social fund inspectors from the Department's offices in Leeds. The social fund inspectors have reached decisions in 27 cases for the first year and 79 cases for the second year.

	Budget loans	Crisis loans	Community care grants
LEEDS EAST			
11 April 1988 to 31 March 1989			
Received	2	0	2
Confirmed	1	0	0
Referred back	1	0	2
Substituted	0	0	0
1 April 1989 to 31 March 1990			
Received	8	0	7
Confirmed	1	0	0
Refefred back	6	0	5
Substituted	0	0	0
LEEDS NORTH-WEST			
11 April 1988 to 31 March 1989			
Received	8	0	6
Confirmed	1	0	2
Referred Back	3	0	1
Substituted	1	0	1
1 April 1989 to 31 March 1990			
Received	12	0	19
Confirmed	1	0	2
Referred Back	9	0	13
Substituted	0	0	2
LEEDS NORTH			
11 April 1988 to 31 March 1989			
Received	3	0	3
Confirmed	1	0	2
Referred Back	1	0	0
Substituted	0	0	0
1 April 1989 to 31 March 1990			
Received	7	1	14
Confirmed	3	1	0
Referred Back	4	0	11
Substituted	0	0	0
LEEDS SOUTH			
11 April 1988 to 31 March 1989			
Received	2	1	3
Confirmed	1	0	1
Referred Back	0	0	1
Substituted	0	1	0
1 April 1989 to 31 March 1990			
Received	5	3	5
Confirmed	0	1	4
Referred Back	3	1	1
Substituted	0	1	0
LEEDS WEST			
11 April 1988 to 31 March 1989			
Received	6	0	0
Confirmed	2	0	0
Referred Back	4	0	0
Substituted	0	0	0
1 April 1989 to 31 March 1990			
Received	6	2	4
Confirmed	2	0	1
Referred Back	2	1	2
Substituted	0	1	1

Mr. Battle: To ask the Secretary of State for Social Security if he will provide for each of the local offices in the Leeds metropolitan district comparable information to that provided in his answer of 6 July to the hon. Member for Islington, North (Mr. Corbyn), *Official Report*, column *721*, for the years *(a)* 1985-86, *(b)* 1986-87, *(c)* 1987-88, *(d)* 1988-89 and *(e)* 1989-90.

Mr. Scott: The table shows the comparative expenditure for the Department's offices in Leeds as reckoned by the gross domestic product deflator.

	Expenditure (£ thousands)
Leeds South	
1985-86 single payments	903
1986-87 single payments	689
1987-88 single payments	323
1988-89 social fund	
Gross	273
Net	102
1989-90 social fund	
Gross	277
Net	108
Leeds North	
1985-86 single payments	2,984
1986-87 single payments	2,215
1987-88 single payments	854
1988-89 social fund	
Gross	768
Net	425
1989-90 social fund	
Gross	804
Net	371
Leeds North West	
1985-86 single payments	725
1986-87 single payments	691
1987-88 single payments	522
1988-89 social fund	
Gross	340
Net	188
1989-90 social fund	
Gross	443
Net	212
Leeds East	
1985-86 single payments	1,272
1986-87 single payments	1,088
1987-88 single payments	793
1988-89 social fund	
Gross	685
Net	322
1989-90 social fund	
Gross	674
Net	313
Leeds West	
1985-86 single payments	1,076
1986-87 single payments	797
1987-88 single payments	453
1988-89 social fund	
Gross	337
Net	163
1989-90 social fund	
Gross	364
Net	156

Mr. Dunnachie: To ask the Secretary of State for Social Security if his Department has considered research conducted by the university of Lancaster for the Social Security Research Consortium on the effects of the social fund in responding to the needs of claimants in Strathclyde; and if he will make a statement.

Mr. Scott: Yes. The research was based on a small localised sample that only reflects the first year of the scheme. The conclusions it reaches are unlikely to be typical of the current operation of the social fund.

We have commissioned major independent research which is being conducted by the university of York's social policy research unit, to examine whether the social fund is meeting its objectives.

Mr. Dunnachie: To ask the Secretary of State for Social Security what extra social fund resources have been available to each social security office in Glasgow since 1 July.

Mr Scott: Details of all additional allocations to local offices since 1 July 1990 were placed in the Library on 3 September. There have been no further allocations since 3 September.

Mr. Dunnachie: To ask the Secretary of State for Social Security if he will list for each social security office in Glasgow the numbers of social fund applications *(a)* submitted and *(b)* rejected on grounds of insufficient priority, since 1 July in each of the categories *(i)* grants, *(ii)* budget loans and *(iii)* crisis loans.

Mr. Scott: The information given in the table represents the number of applications and the number which were refused on grounds of insufficient priority, within each category, since 1 July 1990.

Note: The figures given relate to the period 1 July to 30 September 1990 only.

Glasgow social security offices

	Budgeting loans	*Crisis loans*	*Community care grants*
Anniesland			
Applications made	1,427	570	845
Applications rejected	54	0	23
Bridgeton			
Applications made	1,070	745	821
Applications rejected	72	2	31
City			
Applications made	1,030	488	787
Applications rejected	42	0	42
Craigton			
Applications made	1,150	739	761
Applications rejected	5	0	16
Cranstonhill			
Applications made	266	771	228
Applications rejected	89	0	0
Laurieston			
Applications made	1,124	686	623
Applications rejected	1	1	0
Maryhill			
Applications made	965	574	625
Applications rejected	30	0	10
Partick			
Applications made	682	433	360
Applications rejected	83	1	14
Provan			
Applications made	2,359	844	1,372
Applications rejected	132	1	55
Rutherglen			
Applications made	2,082	1,041	1,085
Applications rejected	160	1	41
Shettlestone			
Applications made	1,563	416	871
Applications rejected	34	0	79
South Side			
Applications made	1,692	921	953
Applications rejected	292	2	91
Springburn			
Applications made	1,904	1,188	1,404
Applications rejected	101	3	103

Mr. Dunnachie: To ask the Secretary of State for Social Security what plans he is considering to establish a departmental or private agency for the pursuit and recovery of social fund loans and income support overpayments; and if he will make a statement.

Mr. Scott: We have no plans for the establishment of a separate agency for the pursuit and recovery of social fund loans and income support overpayments. Such work will become a responsibility of the Benefits Agency after its inception in April 1991.

Social Security Commissioners

Ms. Short: To ask the Secretary of State for Social Security what is the average cost to his Department of an appeal to the social security commissioners.

Mrs. Gillian Shephard: The office of the chief adjudication officer, which is funded by the Department of Social Security, is responsible for processing appeals to the Commissioners. The most recent estimate of the total average cost of the work involved, which has been provided by the chief adjudication officer, is about £2,000. However, the cost is being recalculated and I will write to the hon. Member again when this information becomes available.

Attendance Allowance

Mr. Meacher: To ask the Secretary of State for Social Security what information he has to why the necessary claims forms and assessment forms were not available on 1 October for obtaining attendance allowance under the new rules for people who are terminally ill; how many persons he estimates experienced delays as a result; who was responsible for the failure to provide the necessary forms on time; and what actions he has taken to remedy these problems.

Mr. Scott: The new forms for use by people claiming attendance allowance on grounds of terminal illness were distributed to local offices on 11 September. Supplies were also sent to carers' organisations and welfare rights groups by 22 September. The report forms for use by doctors were distributed during September and all GPs and other doctors likely to need them should have had access to one by 1 October.

Some delays in the distribution of these forms did occur due to a breakdown in communication between the Department and HMSO. Special arrangements were made to enable people to get supplies urgently and to ensure that claimants do not lose benefit due to delay in obtaining a form.

Pensions

Mr. Andrew Bowden: To ask the Secretary of State for Social Security what would have been the value of the state retirement pension for (i) a single person and (ii) a married couple for each of the years 1980 to 1990, if it had been uprated in line with average earnings or increase in prices, whichever was the higher.

Mrs. Gillian Shephard: The information requested is set out in the table.

It should be noted that such a link would attract a consequent increase in the national insurance contribution. It is estimated that the necessary increase in the contribution rate to support the additional cost in 1990 would be 1·25 per cent. and 1·45 per cent. on the basic rate of employees and employers contributions respectively; increasing them to 10·25 per cent. and 11·9 per cent. respectively. This would have meant for example a contribution increase for an employee on average earnings of £3·18 per week, together with an additional contribution of £4·35 per week for his employer.

Standard rate RP increased by RPI or earnings since 1980

Uprating date	*Single person*	*Married couple*
November 1980	27·45	44·00
November 1981	30·75	49·30
November 1982	33·30	53·40
November 1983	36·20	58·05
November 1984	38·05	61·00
November 1985	41·40	66·35
July 1986	43·70	70·05
April 1987	45·60	73·15
April 1988	49·20	78·95
April 1989	53·45	85·75
April 1990	58·65	94·05

Mr. Andrew Bowden: To ask the Secretary of State for Social Security what is the average weekly amount received, by quintile groups, by retirement pensioners from occupational pensions.

Mrs. Gillian Shephard: I refer my hon. Friend to my reply to the hon. Member for Oldham, West (Mr. Meacher) on 25 July at columns *305-10*.

FOREIGN AND COMMONWEALTH AFFAIRS

Sri Lanka

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will make representations to the Government of Sri Lanka to accept an immediate ceasefire in the civil war and a return to negotiations with mediation by the United Nations Secretary General.

Mr. Lennox-Boyd: Since the latest outbreak of fighting the Sri Lankan Government have twice proposed a ceasefire. The Tamil terrorists "Liberation Tigers of Tamil Eelam" have rejected these proposals on both occasions. In the circumstances, representations would not be appropriate.

Antarctica

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what activities are currently banned by the Antarctic treaty; and what information he has in respect of breaches of banned practices by any of the treaty parties since 1961.

Mr. Garel-Jones: Under the Antarctic treaty the following are prohibited:

> any measure of a military nature, such as the establishment of military bases and fortifications, the carrying out of military manoeuvres, as well as the testing of any type of weapon;
>
> any nuclear explosions and the disposal there of radioactive waste material.

None of the inspections carried out in accordance with article VII of the Antarctic treaty has indicated that there have been any breaches of these provisions of the treaty.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from Greenpeace concerning the 1989-90 Greenpeace Antarctic expedition to the abandoned British bases B and G and to Rothera base; and if he will make a statement.

Mr. Garel-Jones: We have received from Greenpeace a copy of its report on its Antarctic expedition between September 1989 and March 1990, which included visits to the British bases mentioned.

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs what total number of representations his Department has received from hon. Members and the public regarding Antarctic conservation.

Mr. Garel-Jones: We have received more than 1,400.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the activities which are regulated by the Antarctic treaty system.

Mr. Garel-Jones: The Antarctic treaty system has adopted 186 recommendations, the agreed measures for the conservation of Antarctic flora and fauna, plus three separate conventions:

> The convention for the conservation of Antarctic seals, the convention for the conservation of Antarctic marine living resources and the convention for the regulation of Antarctic mineral resource activities.

The specific activities which are regulated are set out in those documents, copies of which I have placed in the Library of the House. To list those activities separately would involve disproportionate cost.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what documents he has received from Wildlife Link regarding the conservation of the Antarctic; and if he will make a statement.

Mr. Garel-Jones: We have received a Wildlife Link draft report dated 18 July entitled "Comments on the various proposals for improved Antarctic environmental protection".

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs which government departments are to be represented on the delegation to the consultative meeting of Antarctic treaty parties in November.

Mr. Garel-Jones: Present intentions are that the Foreign and Commonwealth Office and the Departments of Energy, Environment and Trade and Industry will be represented.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all the agreements, conventions and recommendations agreed by the Antarctic treaty parties since 1961.

Mr. Garel-Jones: Apart from the Antarctic treaty itself, three Conventions have been concluded and form part of the Antarctic treaty system: the convention for the

Conservation of Antarctic seals of 1972 (Cmnd. 7209), the convention on the conservation of Antarctic marine living resources of 1980 (Cmnd. 8714), and the convention on the regulation of Antarctic mineral resource activities of 1988 (Cm. 634). In addition, in pursuance of the Antarctic treaty, the parties thereto have concluded the agreed measures for the conservation of Antarctic fauna and flora (set out in schedule 2 to the Antarctic Treaty Act 1967) as well as 186 recommendations. A list of the recommendations has been placed in the Library of the House.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the statutes, statutory instruments and the statutory rules and orders which implement the United Kingdom's obligations arising from the Antarctic treaty and the consultative meetings of the parties to the treaty.

Mr. Garel-Jones: The relevant statutes and statutory instruments currently in force are the following:

Antarctic Treaty Act 1967
The Antarctic Treaty Order in Council 1962 (SI 1962/401)
The Antarctic Treaty (Specially Protected Areas) Order 1968 (SI 1968/889)
The Antarctic Treaty (Specially Protected Species) Order 1968 (SI 1968/889)
The Antarctic Treaty (Specially Protected Area) Order 1971 (SI 1971/1236)
The Conservation of Antarctic Mammals and Birds (High Seas) Order 1973 (SI 1973/1755)
The Antarctic Treaty Act 1967 (Isle of Man) Order 1970 (SI 1970/1436)
The Antarctic Treaty Act 1967 (Channel Islands) Order 1974 (SI 1974/1109)
The Antarctic Treaty (Specially Protected Areas) Order 1977 (SI 1977/1235)
The Commission for the Conservation of Antarctic Marine Living Resources (Immunities and Privileges) Order 1981 (SI 1981/1108)
The Antarctic Treaty (Agreed Measures) Order 1988 (SI 1988/586)
The Antarctic Treaty (Specially Protected Areas) Order 1988 (SI 1988/587)
The Antarctic Treaty (Agreed Measures) (No. 2) Order 1988 (SI 1988/1296)
The Antarctic Treaty (Amendment) Order 1989 (SI 1989/841)
The Antarctic Treaty (Contracting Parties) Order 1990 (SI 1990/989)
The Antarctic Treaty Act 1967 (Isle of Man) (Variation) Order 1990 (SI 1990/1198)

Nuclear Power

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what extra expenditure has been incurred by his Department in 1990-91 following the assumption of responsibility for that part of the United Kingdom mission in Vienna which deals with the International Atomic Energy Agency; and what changes to his Department's cash limits have been made in consequence of the change in responsibilities.

Mr. Lennox-Boyd: The estimated cost to the Foreign and Commonwealth Office of assuming responsibility for that part of the United Kingdom mission in Vienna which deals with the International Atomic Energy Agency in 1990-91 is £200,000. Subject to parliamentary approval, the Foreign and Commonwealth Office cash limits for class 2 vote 1 and its running cost limits will be increased in due course.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs whether any discussions have taken place with his counterpart in the People's Republic of China on the provision of radioactive waste management technology from the United Kingdom to the Daya Bay nuclear installation in the People's Republic of China.

Mr. Lennox-Boyd: No such discussions have taken place.

Nuclear Weapons

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts in the United States and the USSR about the developing of nuclear weapons by the Democratic Republic of North Korea.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has not personally discussed North Korea's nuclear programme with his American or Russian counterparts. However, as I made clear in my speech to the non-proliferation treaty (NPT) review conference, we are concerned at North Korea's failure to conclude a safeguards agreement with the International Atomic Energy Agency, pursuant to her obligations under article III of the NPT. British officials have raised this subject on several occasions in the appropriate fora.

Brazil

Dr. Kim Howells: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives of the Brazilian Government; and what matters were discussed.

Mr. Garel-Jones: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs last met a representative of the Brazilian Government in the course of the meeting between European Community Foreign Ministers and representatives of the Rio Group in New York on 27 September, when discussion concentrated on measures to strengthen relations between the two regions.

Italy

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his Italian counterpart; what discussion took place relating to the Italian presidency of the European Community; and if he will make a statement.

Mr. Garel-Jones: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met the Italian Foreign Minister during the informal meeting of EC Foreign Ministers on 6-7 October in Asolo, Italy. They had discussions on a wide range of European Community issues. They meet frequently and shall do so again shortly during the President of Italy's state visit later this month.

Hong Kong

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the decision to prosecute demonstrators in Hong Kong for using loud hailers without prior permission.

Mr. Lennox-Boyd: The cases in question are still sub judice, pending the hearing of an appeal lodged by the five

convicted persons. The charges were brought under Hong Kong laws and at the decision of the Hong Kong Attorney-General. It is for the Hong Kong Government to handle these cases in accordance with Hong Kong law.

British Embassy, Washington

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff from the Civil Aviation Authority are attached to the embassy in Washington; and what are their grades and functions.

Mr. Lennox-Boyd: A member of the staff of the Civil Aviation Authority serves on secondment to the embassy as civil air attaché. This post is graded at DS4 (equivalent to HCS5). The civil air attachés functions are as follows:

(i) to ensure that CAA senior management is kept aware of FAA policy and technological developments in respect of air traffic services, aviation safety regulation and related research and development
(ii) to foster and develop further an harmonious relationship between the CAA and FAA based on mutual respect;
(iii) to provide technical information to the CAA on FAA intentions and programmes, to ensure compatibility on subsequent international approaches, and to minimise nugatory effort by the CAA;
(iv) to ensure that the CAA and FAA are each aware of any potential interactions of their policy decisions;
(v) to advise FAA of CAA interests and to ensure these are adequately considered in the formation of FAA policy;
(vi) to act as a focal point for CAA enquiries on technical issues at the working level; and
(vii) to advise HM Ambassador on matters relating to air traffic services and the safety regulation of civil aviation operations.

Middle East

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what role Her Majesty's Government are playing in the middle east peace process.

Mr. Waldegrave: My right hon. Friend the Foreign and Commonwealth Secretary is making clear during his present visit to Egypt, Israel and the Occupied Territories our strong support for new efforts to relaunch the middle east peace process, once the Gulf crisis is over. The recent killings in Jerusalem have tragically underlined the need to find a just and lasting solution which combines Palestinian self-determination and secure borders for the state of Israel.

Afghanistan

Mr. Ron Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about diplomatic links with Afghanistan, particularly in regard to staffing arrangements in Kabul.

Mr. Lennox-Boyd: British diplomats were withdrawn from Kabul in February 1989. It is too early to say when they will return. The Afghan Embassy in London continues to operate under a chargé d'affaires.

Toxic Waste

Dr. Thomas: To ask the Secretary of State for Foreign Affairs when he last met his European Community colleagues to discuss the export, movement and disposal of toxic wastes to and from third countries, including developing countries; and if he will make a statement.

Mr. Garel-Jones: The EC Environment Council will consider a proposal for Community and member states' ratification of the convention on the control of transboundary movements of hazardous wastes and their disposal (known as the Basel convention), under which parties to the convention shall not permit the export of toxic waste to parties which have prohibited the import of such waste. The fourth Lomé convention signed in December 1989 (and currently in the process of being ratified) has provisions prohibiting the direct or indirect export of Community waste to ACP states.

Members of Parliament (Assize)

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs what status will be given to any resolutions proposed or made at the forthcoming assize between Members of the European Parliament and Members of the United Kingdom Parliament.

Mr. Garel-Jones: We understand that the parliamentary conference of the European Community (as the assizes are now called) will probably conclude with a communiqué. This will not be binding on the inter-governmental conference. We will follow the proceedings with interest.

Gulf Energy Resources

Sir Trevor Skeet: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on *(a)* the productive capacity of the oilfields in (i) Kuwait and (ii) Iraq and *(b)* the proven reserves of petroleum and natural gas in both Iraq and Kuwait.

Mr. Waldegrave: Crude oil production capacities are estimated to be as follows: Kuwait 2.3 million barrels a day; Iraq 3.5 million barrels a day. Proven reserves of oil as at 31 December 1989 were as follows: Kuwait 94,500 million barrels; Iraq 100,000 million barrels. Proven reserves of natural gas as at 31 December 1989 were as follows: Kuwait 1.4 trillion (million million) cubic metres; Iraq 2.7 trillion cubic metres.

Kuwait Oil

Sir Trevor Skeet: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the output of Kuwait oil refineries and the export of petroleum products prior to the invasion on an annual basis.

Mr. Waldegrave: Kuwait oil refinery production and exports 1984-88 (the most recent available figures) were as follows (all figures in thousands of barrels per day):

	1984	*1985*	*1986*	*1987*	*1988*
Production	478·9	566·5	599·0	619·0	653·1
Exports	394·9	492·9	525·0	553·0	635·0

In 1987, the latest year for which detailed figures are available, the breakdown of production by product was as follows:

	Barrels[1]
Gasoline	34.0
Kerosene	68.1
Distillate fuels	132.5

	Barrels[1]
Residual fuels	2[redacted]6.7
Others	107.7

[1]All figures in thousands of barrels per day.
Source: OPEC

Kuwait (Desalination Plants)

Sir Trevor Skeet: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the impact on the operation of desalination plants in Kuwait as a result of reduced gas availability in the current crisis.

Mr. Waldegrave: Unfortunately, we have no authoritative information available on this point.

Iraq (Sanctions)

Sir Trevor Skeet: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to ensure that sanctions against Iraq are not breached by the maintenance of air transport links.

Mr. Waldegrave: Security Council resolution 670, adopted on 25 September, is designed to ensure that the embargo against Iraq is not breached by means of air transport. The resolution confirms that Security Council resolution 661 applies to all means of transport, including aircraft; requires all [redacted]tes to deny take-off rights to any aircraft carrying cargo other than food in humanitarian circumstances or medical supplies; and requires all States to deny overflight rights to aircraft destined for Iraq or Kuwait unless such aircraft land for inspection, have been approved by the sanctions committee, or are carrying supplies intended for UN forces. A number of aircraft have already landed for inspection under the terms of the resolution.

FOREIGN AND COMMONWEALTH AFFAIRS

Gulf (UN Resolutions)

Sir Trevor Skeet: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the resolutions of the Security Council 660 to 665 with a brief analysis of the purpose of each, indicating how many of the resolutions were unanimous and upon which the Yemen and Cuba abstained.

Mr. Waldegrave: The table shows the voting on each of the Security Council resolutions so far adopted on Iraq and Kuwait:

Resolution No.	*Subject*	*Voting*
SCR 660 (adopted 2 August)	Condemned invasion and called for immediate and unconditional Iraqi withdrawal.	14 votes for: 0 abstentions: 0 against. Yemen absent.
SCR 661 (6 August)	Imposed sanctions.	13: 2: 0. Yemen and Cuba abstained.
SCR 662 (9 August)	Decided annexation of Kuwait by Iraq null and void.	15: 0: 0.
SCR 664 (18 August)	Reaffirmed rights of third state nationals, including the right to leave.	15: 0: 0.
SCR 665 (25 August)	Authorised measures to halt shipping in order to inspect and verify cargoes.	13: 2: 0. Yemen and Cuba abstained.
SCR 666 (13 September)	Established system to permit food imports to Iraq and Kuwait in humanitarian circumstances.	13: 0: 2. Yemen and Cuba voted against.
SCR 667 (16 September)	Condemned Iraqi attacks against diplomatic premises and personnel.	15: 0: 0.
SCR 669 (24 September)	Called on Sanctions Committee to consider requests for economic assistance under article 50 of UN charter.	15: 0: 0.
SCR 670 (25 September)	Measures to tighten air embargo and detain or deny entry to Iraqi-registered ships breaching sanctions.	14: 0: 1. Cuba voted against.

EC Programmes

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will tabulate in the *Official Report* in alphabetical or topic sequence the past or current programmes of the European Community, denoted by acronyms where applicable, showing for each *(a)* its approved cost, *(b)* its period of operation, *(c)* the approximate contribution of the United Kingdom and *(d)* the category and number of bodies or institutions in the United Kingdom participating.

Mr. Garel-Jones: The information requested is not readily available and could only be provided at disproportionate cost. Most of the information sought by the hon. Member is available in the Official Journal of the European Communities.

Hungary

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by Her Majesty's Government in helping Hungary's economic and political development.

Mr. Waldegrave: The know-how fund for Hungary started in April. It is already running some 60 projects on the basis of priorities agreed with the Hungarians. We are involved in nine projects under the EC PHARE Programme and have taken a lead in promoting the speedy negotiation of an EC/Hungary Association agreement. The United Kingdom also participates in international financial assistance to Hungary.

European Political Union

Mr. Andrew Welsh: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress he is making in preparation for the intergovernmental conferences in December, with particular reference to the issue of political union.

Mr. Salmond: To ask the Secretary of State for Foreign and Commonwealth Affairs, what progress he is making in preparation for the intergovernmental conferences in December, with particular reference to the issue of political union.

Mr. Garel-Jones: EC Foreign and Finance Ministers discussed preparations for the intergovernmental conferences at their recent meetings and will report to the Special European Council in Rome on 27 and 28 October.

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress he is making in preparation for the inter-governmental conferences in December, with particular reference to the issue of political union.

Mr. Garel-Jones: EC Foreign and Finance Ministers discussed preparations for the inter-governmental conferences at their recent meetings and will report to the Special European Council in Rome on 27-28 October.

Kashmir

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Kashmir.

Mr. Lennox-Boyd: We remain concerned about the situation in Kashmir and welcome the discussions between India and Pakistan on ways of reducing tension. We hope these will result in progress on confidence building measures, and allow the wider issues involved to be tackled in the spirit of the 1972 Simla agreement on bilateral relations between India and Pakistan.

Central and Eastern Europe (Visas)

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the easing of visa restrictions between the United Kingdom and the states of eastern and central Europe.

Mr. Lennox-Boyd: We have received many such representations from hon. Members and members of the public. I am glad to say that visa abolition agreements have been concluded with Czechoslovakia and Hungary, and took effect on 1 October 1990. We are keeping the situation regarding the other countries of eastern and central Europe under review. There are no plans at present for further visa abolition agreements, but where possible requirements have been eased, for example by extending the validity of multiple entry visas.

Mr. Andrew MacKay: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in improving the service provided to visa applicants by the British Embassy in Warsaw.

Mr. Lennox-Boyd: The visa section in Warsaw has now succeeded in clearing the backlog that arose from the surge in applications this summer (about 30 per cent. higher than last year). Applicants are normally seen on their day of arrival and, provided they meet the requirements of the immigration rules, receive their visas that day.

Procedures have been streamlined. Greater authority has been delegated to issue visas without reference to London. The period within which single entry visas may be used has been extended from three to six months. Multiple entry visas have been extended in validity from six months to two years, and are now available to businessmen and other travellers with a genuine need to visit the United Kingdom frequently.

The Polish authorities have been asked to help in an urgent search for more adequate premises. Meanwhile plans are under way to install a temporary waiting room and expand interview facilities to improve comfort and speed processing of applicants. This will also enable us to reinforce the visa section further.

Mr. Moate: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the length of time taken to process a visa application for entry into the United Kingdom for short-term visits from *(a)* Hungary, *(b)* Romania, *(c)* Poland and *(d)* Czechoslavakia; if he has any proposals to improve this performance; and what are the comparable times for the processing of visa applications from these countries to other members of the European Economic Community.

Mr. Lennox-Boyd: Since 1 October 1990, Czechoslovak and Hungarian nationals visiting the United Kingdom no longer require visas. There are intergovernmental arrangements with Poland and Romania laying down target processing times for visas. For short visits the timescales are 14 working days for Poland (seven working days for officially sponsored applicants) and seven working days for Romania. We normally meet those targets. The great majority of applicants at both embassies now receive their visas within 24 hours and many on the day of application. We have sent additional staff to Warsaw and Bucharest and introduced new procedures to streamline visa issuing. Comparable times (where available) for processing applications from Polish and Romanian nationals visiting other European Community countries are: Belgium one to two weeks; Denmark 15 days; France 21 days (but 24 hours for Poles under 25 years); Germany 24 hours; Greece one week; Italy 15-30 days; Netherlands about five days to one month; Spain two weeks.

Romania

Mrs. Gorman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet his Romanian counterpart to discuss the plight of Romanian orphans.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met the Romanian Foreign Minister in New York on 1 October and has no further plans to meet him in the near future. However, the Foreign and Commonwealth Office is organising and partly funding a visit to Romania by Department of Health and Home Office officials to discuss how the situation can be improved.

British Hostages (Beirut)

Mr. John Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards the release of British hostages held in Beirut.

Mr. Waldegrave: We resumed diplomatic relations with Iran on 27 September. Both sides felt that our outstanding bilateral problems, including that of the British hostages in Lebanon, would be more easily resolved with diplomatic relations. Iran, which played a decisive and helpful role in the release of Mr. Brian Keenan in August, has undertaken publicly to use her humanitarian influence to achieve the release of hostages in Lebanon. We shall urge the Iranian Government to persevere in their efforts until the British hostages, Mr. Jack Mann, Mr. John McCarthy and Mr. Terry Waite, are freed.

Viraj Mendis

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department has made any representations to the West German Government following their decision to allow Viraj Mendis to settle in the Federal Republic.

Mr. Garel-Jones: We have made no such representations.

Fishing (South Atlantic)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the approach of the Falkland Islands Government to the Japanese Government over fishing in the south Atlantic.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he is making about squid fishing and related fishing matters in the south Atlantic, to the Governments of Korea and Japan, as a result of the recent Falkland Islands Government delegation to Tokyo.

Mr. Garel-Jones: Following a visit by a Falkland Islands Government (FIG) delegation to Tokyo to meet far eastern fishing associations, we reinforced to the Japanese and Korean authorities the delegation's message abut the importance of fisheries conservation in the south west Atlantic. Such Government to Government contacts are properly a matter for Her Majesty's Government rather than FIG, although the latter are fully consulted about such contacts.

Personal Data

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department will take positive steps to discuss with the Data Protection Registrar, all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Lennox-Boyd: Our officials are being reminded of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

USSR (Visas)

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russians on behalf of Leonid Belopolsky of Kiev and his family in their efforts to obtain an exit visa.

Mr. Waldegrave: We can certainly raise the case of Leonid Belopolsky and his family with the Soviet authorities, but in order to make our representations as effective as possible we shall need further details.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russians on behalf of Anatoly Butov of Bendery and his family in their efforts to obtain an exit visa.

Mr. Waldegrave: We can certainly raise the case of Anatoly Butov and his family with the Soviet authorities, but in order to make our representations as effective as possible we shall need further details.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russians on behalf of Alexander Borodyansky of Kiev and his family in their efforts to obtain an exit visa.

Mr. Waldegrave: We have made numerous representations to the Soviet authorites about this case, most recently during the CSCE conference on the human dimension in Copenhagen in June. We shall continue to press until it is satisfactorily resolved.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet Union on behalf of Boris Zolotarevsky and his family in their efforts to obtain an exit visa.

Mr. Waldegrave: These cases have now been added to the list of those on which we make regular representations to the Soviet authorities. We shall not let up until there is a satisfactory outcome.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet Union on behalf of Irina Voronkevich, a pensioner from Moscow, in her efforts to obtain an exit visa.

Mr. Waldegrave: We have raised the case of Mrs Voronkevich with the Soviet authorities on a number of occasions. I understand that she has recently been granted permission to visit her family in Israel, she has not yet been given permission to emigrate.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations have been made to the Soviet Union on behalf of Liev Frenklakh and his family in their efforts to obtain an exit visa;

(2) representations have been made to the Soviet Union on behalf of Rosa Frelikh and her family in their efforts to obtain an exit visa;

(3) what representations have been made to the Soviet Union on behalf of Leonid Chulsky of Moscow and his family in their efforts to obtain an exit visa;

(4) what representations have been made to the Soviet Union on behalf of Anatoly Brenner of Moscow and his family in their efforts to obtain an exit visa;

(5) what representations have been made to the Soviet Union on behalf of Raisa Tarasova of Moscow and her family in their efforts to obtain an exit visa;

Mr. Waldegrave: We can certainly raise these cases with the Soviet authorities, but in order to make our representations most effective we shall need further details.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet Union on behalf of Vladimir Tsivkin of Leningrad and his family in their efforts to obtain an exit visa;

Mr. Waldegrave: We raised Mr Tsivkin's case on a number of occasions with the Soviet authorities. I understand that he has now left Leningrad to join his wife and daughter in the United States.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations have been made to the Soviet Union on behalf of Lev Milman and Lia Krichman and their family in their efforts to obtain an exit visa;

(2) what representations have been made to the Soviet Union on behalf of Boris Tsireleson and his mother Esther in their efforts to obtain an exit visa;

(3) what representations have been made to the Soviet Union on behalf of Anatoly Gennis and his family in their efforts to obtain an exit visa;

(4) what representations have been made to the Soviet Union on behalf of Irina Sokolova and Mikhail Lidsky and their family in their efforts to obtain an exit visa;

(5) what representations have been made to the Soviet Union on behalf of Roman Bekker of Lvov and his family in their efforts to obtain an exit visa;

(6) what representations have been made to the Soviet Union on behalf of Evgeny Pizarevsky of Leningrad and his family in their efforts to obtain an exit visa.

Mr. Waldegrave: These cases are all among those on which we regularly press the Soviet authorities, most recently when my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs visited the Soviet Union from 11-14 September. We shall not let up until there is a satisfactory outcome.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet Union on behalf of Emil Kunin and his family in their efforts to obtain an exit visa.

Mr. Waldegrave: These cases have now been added to the list of those on which we make regular representations to the Soviet authorities. We shall not let up until there is a satisfactory outcome.

Bophuthatswana

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs whether any of his officials have visited Bophuthatswana in the last year.

Mr. Waldegrave: Staff from our diplomatic Posts in South Africa pay regular visits to all parts of the country, including Bophuthatswana.

Vietnam

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs is he will list those EEC countries which support British objections to diplomatic relations between Vietnam and the EEC.

Mr. Garel-Jones: Following agreement by the Vietnamese Government to accept back those Vietnamese who have not been accorded refugee status in other countries, we have informed our Community partners that we would welcome the renewal of formal diplomatic relations between the Community and Vietnam.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about Vietnamese money blocked in British bank accounts; and what are the obstacles to its release.

Mr. Lennox-Boyd *[holding answer 23 July 1990]*: According to the Bank of England's *Quarterly Bulletin* of May 1990, at 29 December 1989 Vietnamese deposits with banks and other financial institutions in the United Kingdom stood at US$18 million. The Government have not imposed a freeze on Vietnamese assets in the United Kingdom.

Live Animals (Burning)

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs what diplomatic representations have been made in respect of the burning of live animals in transit in France from the United Kingdom; and what responses he has received.

Mr. Garel-Jones: Both my right hon. Friend the Minister of Agriculture, Fisheries and Food and my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs have taken this up with our French counterparts. The French authorities have condemned the use of violence, initiated legal proceedings and are taking necessary police action. They have also undertaken to secure compensation.

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs what investigations the Embassy in Paris has instigated into the burning of live animals from the United Kingdom while in transit in France; and what information he now has available.

Mr. Garel-Jones: Her Majesty's embassy in Paris had repeatedly made clear the concern of the British authorities about all recent incidents affecting British exporters and hauliers. It will remain in the closest touch with the French authorities.

Mr. Michael: To ask the Minister of Agirculture, Fisheries and Food (1) what investigations he has instigated into the burning of live animals from the United Kingdom while in transit in France; and what information he now has available;

(2) what representations he has made in respect of the burning of live animals in transit in France from the United Kingdom; and what response he has received.

Mr. Curry: My colleagues and I have made it clear to the French Government that we thoroughly deplore all recent incidents in France involving attacks on imported lamb, beef and live sheep.

I have also raised the matter in the Council of Agriculture Ministers. The incident involving the burning of live animals was particularly abhorrent. The French Government, who are responsible for investigating these incidents, have emphasised their determination to maintain law and order, to take action against those concerned, and to compensate for damages sustained. I understand that a number of people have been charged in respect of the incident involving the burning of live sheep at Thouars.

Western Sahara

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the United Kingdom's role in resolving the western Saharan conflict.

Mr. Waldegrave: We have no direct role to play in resolving the dispute over the western Sahara. However as one of the five permanent members of the Security Council we have consistently supported the UN Secretary General in his efforts to arrange a free and fair referendum to determine the territory's future.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations Her Majesty's Government has made to the Moroccan government on the subject of Moroccan abuses of human rights in the occupied territories of the western Sahara.

Mr. Waldegrave: The Moroccan authorities are well aware of our condemnation of human rights abuses, no matter where they occur.

Iraq and Kuwait (Telephone Inquiries)

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs how many calls have been made on the premium-rate telephone system set up for families to make inquiries about relatives trapped in Iraq and Kuwait; how much in total has been received at the latest available date from British Telecom as the Foreign Office's share of the premium tariff; and how much British Telecom receives as its share of the agreement.

Mr. Waldegrave: A total of 38,699 calls were received between 8 August, when the system was introduced, and 3 October when it was discontinued and replaced by a freefone facility. The Foreign and Commonwealth Office's share of the premium tariff was £8,136, of which so far £4,000 has been given to the Gulf Support Group for accommodation costs.

It is not the policy of British Telecom to divulge details of their share of revenue accruing from individual agreements.

Live Animals (Export)

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list his Department's responsibilities in relation to the export of live animals purely for slaughter.

Mr. Garel-Jones: Responsibility for controls on the export of live animals, including those exported for slaughter, rests with my right hon. Friend the Minister of Agriculture, Fisheries and Food.

EC Presidency (Speech)

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will state the dates on which and means used whereby a full transcript of the speech of the Italian Foreign Minister, President of the Foreign Affairs and General Council of the European Community outlining the programme and policies of the Italian presidency of the European Parliament in Strasbourg on 11 July was made available in the United Kingdom *(a)* in Italian and *(b)* in English; and what steps were taken to circulate and publicise either.

Mr. Garel-Jones: The Italian Foreign Minister's speech, with an English summary, was passed to the Select Committee for European Legislation on 16 July, and was discussed fully when my hon. Friend the then Minister of State for Foreign and Commonwealth Affairs appeared before the Committee on 18 July. It is not the responsibility of the British Government to publicise speeches made by representatives of other member states in Strasbourg.

Iraq

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library details of official responses by Her Majesty's Government to *(a)* the use of Iraqi troops of chemical weapons against their own citizens and *(b)* the Iraqi invasion of Iran.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions, and when, since 1979 Her Majesty's Government has protested at the use by Iraq of chemical weapons *(a)* internally and *(b)* in the war between Iran and Iraq.

Mr. Waldegrave: We have repeatedly condemned in the strongest possible terms the use of chemical weapons by Iraq both during the Iran-Iraq war and against their own Kurdish population. As an illustration, I would refer the hon. Member to the following Hansard references:

Date of protest (if known)	*Hansard reference*
5 April 1984	HC 30 April 1984, Vol. 59 col. *43*
29 March 1985	HC 24 April 1985, Vol. 77 col. *442*
24 September 1986	HC 3 December 1986, Vol. 106 col. 928-9
"Recently" (October 1987)	HC 28 October 1987, Vol. 121 col. *265*
2 September 1988 21 September 1988	HC 27 October 1988, Vol. 139 col. *410*
4-8 November 1988	HC 10 November 1988, Vol. 140 col. *268-69*
"Recent" (February 1989)	HC 20 February 1989, Vol. 147 col. *368-69*

In particular, we sponsored United Nations Security Council resolution 620 in August 1988 condemning the use of chemical weapons in the Iran-Iraq conflict. At the Paris conference on chemical weapons 7-11 January 1989 I specifically referred to the full horror of the use of chemical weapons in the Iran/Iraq war and the compelling evidence of the use of chemical weapons against the Kurds. Following Iraq's right of reply we made public the evidence on which this was based.

In response to Iraq's invasion of Iran, the United Kingdom voted in favour of Security Council resolution 479, which was adopted unanimously on 28 September 1980. A copy of the resolution is available in the Library of the House.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to inform all relations of hostages of the telephone and telex numbers of the British embassy in Baghdad.

Mr. Waldegrave: The British embassy's telephone and telex numbers are (Baghdad code: 010 964 1) 5372121 and 213414 respectively. This information is published in standard reference works available in most public libraries. It is also available by telephone inquiry to the FCO Helpline on 071-430-9920/21.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs what class of post is used for forwarding hostages' mail to their families when it arrives in London.

Mr. Waldegrave: Mail forwarded by the Foreign and Commonwealth Office is sent by first class post.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iraqi Government about their continued refusal to release Mr. Alistair Ross of 19 Lidfield road, Stoke Newington N16 9NA; and if he will make a statement.

Mr. Waldegrave: The plight of those detained in Iraq is a matter of great concern to us. Representations are continuously being made in Baghdad and in London.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs what he is doing to ensure Red Cross or Red Crescent access to the British hostages in Iraq.

Mr. Waldegrave: Iraq has a clear obligation under international law to allow the International Committee of the Red Cross (ICRC) to exercise its humanitarian mandate. The ICRC continues to seek access to foreign nationals in Iraq and Kuwait but Iraq has denied this. We continue to give the ICRC our full support.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs, what he is doing to ensure diplomatic access to the hostages in Iraq.

Mr. Waldegrave: We have made and will continue to make frequent and vigorous representations in Baghdad and London for access to British nationals held in Iraq. The Iraqis have rejected all such applications.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs what he is doing to ensure continued *(a)* postal, *(b)* telephonic and *(c)* telex contact between British hostages in Iraq and their friends and relatives in the United Kingdom; and if he will make a statement.

Mr. Waldegrave: We and our Embassy in Baghdad are doing everything possible to ensure that British nationals detained in Iraq can remain in contact with their relatives and friends here.

Mr. Onslow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the economic measures that have now been taken by each of the member states of the Council of Europe to enforce effective sanctions against Iraq.

Mr. Waldegrave: The 33 members of the Council of Europe which are also members of the United Nations are required to comply with the terms of Security Council resolutions 661, 665 and 670 which impose sanctions against Iraq. All except Liechtenstein have notified the Security Council of measures taken to implement SCR 661. Of the remaining two countries, Switzerland and San Marino, Switzerland has undertaken to observe sanctions and has notified the Security Council of measures taken.

Nigeria

Mr. Speller: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Nigerian Government for assistance in training police or military personnel.

Mr. Waldegrave: At the request of the Federal Government of Nigeria, the United Kingdom has agreed to provide assistance in the training of Nigerian police officers. A joint project is currently being put together, supported by funds from the Overseas Development Administration's technical co-operation programme. The project involves the provision of a team of five British police officers as advisers to the Nigerian police force for two years. Nigerians have for many years attended a variety of military training courses in the United Kingdom. Training assistance is also provided in Nigeria.

Kurdish People

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with representatives of the Kurdish people of *(a)* Iraq, *(b)* Iran, *(c)* Syria and *(d)* the Soviet Union since 1979.

Mr. Waldegrave: There have been no formal discussions with any Kurdish groups or their representatives.

Gulf (Human Rights)

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Governments of *(a)* Kuwait, *(b)* Saudi Arabia and *(c)* the United Arab Emirates concerning the level of democracy and respect for human rights that pertain in those countries.

Mr. Waldegrave: The Governments of Saudi Arabia, Kuwait and the United Arab Emirates are well aware of the importance we attach to the observance of international human rights standards.

Fiji

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has taken any recent steps to persuade the present Fijian Government to adopt a democratic constitution.

Mr. Lennox-Boyd: My noble Friend the then Minister of State for Foreign and Commonwealth Affairs made our view known to the interim Government of Fiji when he was there for an international meeting in March. We wish to see an early return to parliamentary democracy in Fiji under a constitution acceptable to all its peoples.

Falkland Islands

Mr. Kilfedder: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the present position with regard to the development of tourism in the Falklands; and what part the new airport at Mount Pleasant has played in that development.

Mr. Garel-Jones: The Falkland Islands Government are at present diversifying their current economic base of agriculture and fisheries into other areas such as tourism. The Falkland Islands Government have close links with United Kingdom based tour operators to encourage tourist groups to visit the Islands. Links are also being developed with Chile and Uruguay. The opening of the airport at Mount Pleasant has facilitated visits by land-based groups who previously could not have visited the Falklands.

Mr. Kilfedder: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the position with regard to the purchase of large land holdings in the Falklands and their subsequent resale in smaller lots to owner occupiers.

Mr. Garel-Jones: As recommended by Lord Shackleton's report in September 1982, the Falklands Islands Government have followed in recent years a policy of subdivision of large farms into smaller units. A total of 13 large farms have been divided to create 38 new farms. In eight years the number of individual farms has increased from 36 to 92. Further subdivision has been halted until the results of the previous subdivisions have been assessed fully.

Mr. Kilfedder: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals put forward by Lord Shackleton in 1982 have been implemented in the Falklands Islands and with what results.

Mr. Garel-Jones: Most of the recommendations made by Lord Shackleton and his team in September 1982 have been implemented, such as the establishment of a Falkland Islands Development Corporation, the subdivision of large farms, the development of agriculture and tourism industries, the establishment of a fisheries zone (of 150 miles but not the 200 recommended in the report) and the employment of a chief executive. Others, such as the provision of camp roads are in the process of being implemented. All the recommendations which have been implemented have had a positive effect on the islands' economy.

Major Herbert Harwood (Arrest)

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth affairs what representations he has made to the Government in the Greek sector of Cyprus about the arrest of Major (Retd.) Herbert Norton Harwood; what age is the prisoner; what is the state of his health; whether he has been charged with any offence; and if he will make a statement.

Mr. Lennox-Boyd: Mr. Herbert Norton Harwood, a 77-year-old British national resident in Kyrenia, was arrested in Nicosia on 11 September 1990 and charged with photographing National Guard positions without permission. On 4 October 1990 he was sentenced to two years' imprisonment. In consultation with his lawyer he is considering an appeal.

He has received regular consular visits, most recently on 5 October 1990. He did not mention any health problems and appeared fit for his age. Nevertheless, the prison authorities have been reminded of the need to provide him with prompt medical treatment should he require it.

We have made no representations to the Cyprus Government about Mr. Harwood.

St. Helena (Airstrip)

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs whether there has been any progress in the establishment of an airstrip on St. Helena; and if he will make a statement.

Mr. Garel-Jones: We understand that the private company planning to build an airstrip on St. Helena is currently seeking financial backing for the project. We welcome all measures which will improve St. Helena's transport links with the outside world. We have already financed the construction of a replacement ship which from later this year will continue to operate the Island's only regular link with the outside world, and we are considering other measures to reduce St. Helena's isolation.

Cyprus

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the application by Cyprus to join the European Community relates to the whole island of Cyprus; whether he has spoken to the Government in the Greek sector about this application; whether he has spoken to the Government in the Turkish sector about this application; whether the United Kingdom supported this application at the Council of Ministers' meeting in Brussels; and if he will make a statement.

Mr. Garel-Jones: The application for European Community membership was submitted by the Government of the Republic of Cyprus. The United Kingdom received representations from both the Government of Cyprus and the leaders of the Turkish Cypriot community. On 17 September, the Council referred the application to the Commission for its Opinion, a purely procedural act, in accordance with Article 237 of the EEC Treaties. In doing so, the Council reaffirmed its longstanding view that the benefits of relations with the European Community should extend to the whole population of the island.

Foreign Affairs Council

Mr. Andrew Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the Foreign Affairs Council on 17 and 18 September.

Mr. Hurd: The Foreign Affairs Council met in Brussels on 17 September. My hon. Friend the Minister of State for Foreign and Commonwealth Affairs and I represented the United Kingdom.

Ministers discussed the Iraq-Kuwait crisis. They reiterated their condemnation of Iraqi policies of aggression. In response to illegal acts against certain EC embassies in Kuwait, they decided to expel military personnel attached to Iraqi embassies and to limit the freedom of movement of other members of their staff. They reaffirmed their commitment to reinforcing United Nations sanctions against Iraq.

The Council discussed provision of short-term economic assistance to the countries most seriously affected by the strict implementation of the sanctions against Iraq, notably Egypt, Jordan and Turkey.

The Council also approved 30 mecu additional emergency aid for the region and agreed that negotiations for an EC/GCC free trade agreement should start as soon as possible and that the Commission should start negotiations with Syria for a third financial protocol.

The Council approved a regulation to extend economic aid to Czechoslovakia, GDR, Bulgaria and Yugoslavia in addition to Poland and Hungary. The Council also decided to remove quantitative restrictions on exports to the EC from Czechoslovakia, Bulgaria, GDR, Yugoslavia and Romania. The Council asked the Commission to make preparations for the signature of the Community's Trade and Co-operation Agreement with Romania. The Council had a preliminary discussion of the Commission's paper on association agreements with east European countries and invited the Commission to conduct exploratory talks with Poland, Hungary and Czechoslovakia.

Ministers welcomed the continued progress towards German unification and the signature of the two-plus-four settlement. The Council considered the Commission's proposals for the integration of the former GDR territory into the Community, and adopted two interim measures governing the short period between unification and final adoption of the overall package.

The Council confirmed the need to accelerate consideration of Commission proposals to strengthen the Community's Mediterranean policy. The United Kingdom encouraged a greater emphasis on reform of EC trade with the Mediterranean countries. The Council also had a first discussion of the proposed declaration on transatlantic relations. The Council received a progress report from the Commission on the negotiations between the EC and EFTA for the creation of the European Economic Area.

In accordance with article 237 of the treaty of Rome, the Council referred the applications for EC membership received from Cyprus and Malta to the Commission for an Opinion. In the case of Cyprus, the Council reaffirmed its consistent position that the advantages of relations between the EC and the Republic of Cyprus should benefit the whole population of the island and its full support for the independence, sovereignty, territorial integrity and unity of Cyprus.

Meetings of the EC-Israel and EC-Algeria co-operation councils were held in the margins of the Council.

AGRICULTURE, FISHERIES AND FOOD

Forestry

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food whether, following the European Community report on forest damage in Europe, his Department intends to raise in the European Community the issue of forestry policy in England; and if he will make a statement.

Mr. Curry: I refer the hon. Member to the answer given to him by my hon. Friend the Parliamentary Under-Secretary of State for Scotland on 26 July at column *599*.

Mr. Benyon: To ask the Minister of Agriculture, Fisheries and Food if his Department has considered an application for an exhibition relating to forestry to be displayed in the Upper Waiting Hall.

Mr. Michael Forsyth: I have been asked to reply.

I understand that, under procedures agreed by the Services Committee, arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from Monday 12 November to Friday 16 November.

Aflatoxin

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer in the *Official Report*, 18 July, column *612*, if the consideration being given by the Food Advisory Committee to statutory limits of aflatoxin in nuts and nut products extends to nuts and nut products intended for consumption by wild birds.

Mr. Maclean: There are at present no plans to introduce statutory limits of aflatoxin in nuts and nut products for wild birds. My Department, along with that of my right hon. Friend the Secretary of State for the Environment, which has responsibility for the general protection of wild birds, is keeping the matter under close review.

Equine Exports

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement on how the United Kingdom laws restricting the export of horses and ponies are affected by current discussions in the Council of Ministers; and if he will make a statement.

Mr. Maclean: This subject has not yet been discussed in the Council of Ministers. As explained in the reply given to my hon. Friend on 26 June, we will be pressing to maintain controls on the export of horses and ponies.

EC Budget

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the latest figure for the provision which has been made for expenditure relating to agriculture in the 1991 EEC Budget; and what was the estimate for 1990.

Mr. Curry: The provisions for expendure relating to agriculture in the European Community's 1990 budget and 1991 draft budget are 30.3 billion ecu (£21.4 billion) and 33.4 billion ecu (£23.9 billion) respectively. In addition there is provision in each year for a monetary reserve of a further 1 billion ecu (£0.7 billion), which may be drawn on if unfavourable movements in the ecu : US dollar exchange rate cause an increase in expenditure on agricultural price support of more than 400 mecu (£286 million).

Surplus Produce

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what provision has been made in the 1991 EEC budget for the dumping and destruction of surplus food and wine.

Mr. Curry: The 1991 European Community draft budget provides for 854 million ecu (£610 million) of expenditure on the withdrawal of agricultural produce, not all of which is destroyed.

Sheep

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food how much additional aid to farmers has been announced by the French Government following incidents involving British sheep and if this additional aid is subject to EEC approval.

Mr. Curry: On 31 August the French Government announced a package of national aid, costing some £120 million, giving immediate help to livestock farmers affected by the drought. A further package of aid to these farmers was announced on 26 September. This involves a three-year restructuring programme; the cost in the first year (1991) will be around £35 million. All national aids must be approved by the European Commission.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the price support system for sheep in *(a)* the United Kingdom and *(b)* France; how much is spent on such protection; and what price is guaranteed per pound for producers.

Mr. Curry: The sheep industry in the United Kingdom currently benefits under various support schemes, including particularly the sheep annual premium and the sheep variable premium: sheep producers in less-favoured areas also benefit from hill livestock compensatory allowances. These support payments are made under European Community schemes and, with the exception of sheep variable premium which is payable in Great Britain only and is to be phased out by the end of 1992 at the latest, are available in all member states. In 1989, sheep annual premium and sheep variable premium expenditure amounted to 423 million ecu in the United Kingdom and 196 million ecu in France. The 1990 basic price under the sheepmeat regime is 303.6p/kg (137.7p/lb), but this is subject to seasonal adjustment and the operation of the stabiliser mechanism.

Expenditure

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food, what provision has been made for expenditure by his Department relating to agriculture in

the current financial year; and if he will publish a table showing the actual spending in each of the previous 10 years.

Mr. Curry: Provision for expenditure relating to agriculture in the current year is contained in the Supply estimates. Figures for the previous 10 years are available in the publication "Agriculture in the United Kingdom 1989" and in the annual review of agriculture White Papers. These publications are available in the Library of the House.

Mr. Moate: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table showing the level of direct expenditure in support of United Kingdom agriculture not extended via the European Community, in each of the last 20 years.

Mr. Curry: Details of agricultural support in the United Kingdom for the years 1985-86 to 1989-90 (forecast) are set out in the publication "Agriculture in the United Kingdom 1989". Figures for preceding years are contained in the annual review of agriculture White Papers. These publications are available in the Library of the House.

Sheep Farmers

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what actions he proposes to take to safeguard the interests of British sheep farmers in the context of (a) falling prices for lamb, (b) threats of dumping from Ireland and (c) attacks on British lamb exports in France; and if he will make a statement.

Mr. Curry: I fully appreciate the difficulties faced by sheepmeat producers in this country as a result of a number of factors currently affecting the market. The Government already provide very substantial support to the sheep sector, and have been in constant touch with the French authorities to ensure that our exports flow freely and safely. I shall continue to watch the situation very carefully.

Fishing (North-east)

Mr. Trotter: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in respect of the review of the north-east coast salmon fishery; and when he expects the conclusions of the review to be published.

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food if he has published the results of the inquiry into the north-east coast drift net policy; and if he will make a statement.

Mr. Curry: Under the terms of section 39 of the Salmon Act 1986, Ministers are required to carry out a review of salmon fishing on the east coast of Scotland and the north-east coast of England and to lay a report before Parliament as soon as practicable after November last year. The report, incorporating background information collected by the Department of Agriculture and Fisheries for Scotland and the Department will be submitted to Parliament as soon as possible.

Dairy Products

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about the relationship between Dairy Crest and the Milk Marketing Board.

Mr. Curry: We receive representations on this subject from organisations and individuals from time to time. The Department monitors the relationship between the Milk Marketing Board and its subsidiary Dairy Crest to ensure that the latter operates on an equal footing with independent dairy companies.

Agricultural Exports (France)

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food what action he has taken in respect of French attacks on agricultural exports from the United Kingdom; what further proposals he has to support the United Kingdom farming industry; and if he will make a statement.

Mr. Curry: My colleagues and I have taken every opportunity to make clear to the French authorities that everything possible should be done to ensure the safety of British drivers, livestock and vehicles, allowing our exports to flow freely and safely. The Government already provide very significant support for farmers, both nationally and through our membership of the European Community. I will continue to keep the situation of the agricultural industry under review.

Livestock Industry

Mr. Moate: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to assist the livestock industry to encourage beef consumption; and what are the latest trends and figures.

Mr. Maclean: The Meat and Livestock Commission, which is financed by a statutory levy on the meat industry, is charged, among other tasks, with the promotion of the meat and livestock industry. The latest figure of beef consumption from the national food survey (which does not include beef consumed in restaurants or as processed products) covers the period from April to June 1990. In that period the average person in the United Kingdom consumed 5·13 ounces of beef and veal a week. This compares with 5·62 ounces a week in the same period last year.

Mineral Hydrocarbons

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to introduce further controls on the use of mineral hydrocarbons in veterinary medicines, pesticides or food additives.

Mr. Maclean: Our intention to prohibit the remaining uses of mineral hydrocarbons in food following the advice of the Food Advisory Committee and the Committee on Toxicity was announced to the House on 9 February 1989, at column *781*. Proposals to amend the Mineral Hydrocarbons in Food Regulations 1966 were subsequently issued for public comment. The comments received are currently under consideration and I shall make a further announcement on the outcome as soon as possible.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library the report of the committee on toxicology on mineral hydrocarbons.

Mr. Maclean: In this instance the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) did not produce a report. Its findings were passed directly to the Food Advisory Committee, which in turn advised me of its recommendations. However, the considerations on which the COT based its advice were published in a consultation letter to interested parties on 9 February 1989. I have arranged for a copy of this letter to be lodged in the Library.

Personal Data

Mr. Cohen: To ask the Minister of Agriculture, Fisheries and Food whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Curry: My Department will take all necessary steps to ensure that new legislation or major computer applications wherein personal data, as defined by the Act, are used, will be drawn to the attention of the Data Protection Registrar, and his views sought, before the introduction of such legislation.

The hon. Member will no doubt be aware that the Home Office is currently considering a system to cover the notification by Government Departments of any legislation likely to be sensitive in the area of personal data. My Department will comply fully with its instructions.

Eastern Europe (Imports)

Mr. Moate: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about the level of soft fruit imports from eastern Europe; what steps are being taken to monitor quantities and prices; and what is his assessment of whether the European Economic Community and the United Kingdom have the necessary information and power to ensure that such imports are unsubsidised.

Mr. Curry: My right hon. and learned Friend the Secretary of State for Scotland and I have received numerous representations from growers and their representatives about the instability in the Community market for semi-processed soft fruit in recent months. This market is significantly influenced by substantial imports from Poland and Yugoslavia, with which the EC Commission makes annual agreements involving monitoring of quantities and prices of imports. Subsidies on imports from third countries generally are a matter for the EC Commission which has the necessary power to take any appropriate action. Following a request from the United Kingdom, the Commission has now introduced minimum import prices in the face of a disturbed market.

I have continued to press the Commission to implement the undertaking it gave last year when substantial tariff concessions were granted on Polish imports of the products in question. These involved the strengthening of the agreements with suppliers, notably by the introduction of different prices for the different qualities of products involved.

Fur Farms

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what agricultural grants are available for fur farms; whether there are grants which apply specifically to fur farms; and what has been the level of agricultural grant uptake by fur farms in the past three years.

Mr. Maclean: Fur farmers are eligible for the same grants under the farm and conservation grant scheme and the farm diversification grant scheme as other farmers. No agricultural grants are targeted specifically to fur farms. Figures indicating the level of grant uptake by farmers do not allow for separate identification of fur farmers.

Live Animals (Export)

Mr. Michael: To ask the Minister of Agriculture, Fisheries and Food if he will list his responsibilities in relation to the export of live animals purely for slaughter.

Mr. Maclean: The Minister has licensing responsibilities for the export of farm livestock from Great Britain under the Export of Animals (Protection) Order 1981. Under the requirements all animals destined for slaughter must be rested for a minimum of 10 hours at an approved export lairage near the port, and be offered food and water. They receive a veterinary inspection for fitness to travel and their loading is supervised. Other orders made under the Animal Health Act 1981 lay down requirements for welfare conditions during export journeys.

There are also responsibilities under sections 40 to 49 of the 1981 Act which were designed to prevent the export of horses and ponies for slaughter.

The Minister is responsible for the issue of health certification for exported cattle and pigs in accordance with the requirements of EC directive 64/432.

Written Answers to Questions

Tuesday 16 October 1990

ATTORNEY-GENERAL

Advisory Committee on Education and Conduct

Mr. Arbuthnot: To ask the Attorney-General whether the Lord Chancellor has decided whom he proposes to appoint as chairman of the Lord Chancellor's advisory committee on education and conduct.

The Attorney-General: I am pleased to say that, subject to the Courts and Legal Services Bill receiving Parliament's approval, the right hon. the Lord Griffiths MC has accepted the Lord Chancellor's invitation to serve as chairman of the Lord Chancellor's advisory committee on legal education and conduct.

TRANSPORT

A249

Mr. Moate: To ask the Secretary of State for Transport what is the date for the public inquiry into the dualling of the A249.

Mr. Chope: A public inquiry into my Department's proposals for the A249 Iwade bypass—Bobbing to Kingsferry Bridge—is to start at 10 am on 20 November at Kemsley concert hall, Ridham avenue, Kemsley, near Sittingbourne. A pre-inquiry meeting is fixed for 23 October at the same venue. All those who have expressed an interest will receive personal notification.

Mr. Moate: To ask the Secretary of State for Transport when he intends to publish the draft orders for the dualling of the A249 from the M2 Stockbury viaduct to the A2 at Bobbing.

Mr. Chope: My Department hopes to publish formal proposals for the A249—M20 to Bobbing improvement —on 19 October 1990.

Personal Data

Mr. Cohen: To ask the Secretary of State for Transport whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Chope: The Department's officials are aware of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

British Rail

Mr. Wray: To ask the Secretary of State for Transport how many British Rail trains operated by fuel-burning locomotives use each day on average the railway systems of *(a)* the north London link line, *(b)* Greater Glasgow and *(c)* the Strathclyde region.

Mr. Freeman: This is an operational matter for British Rail.

Waterloo—Exeter Line

Sir David Mitchell: To ask the Secretary of State for Transport what information he has about progress in re-equipping the Waterloo-Exeter line.

Mr. Freeman: I understand that British Rail is considering the use of some of the class 158 vehicles currently in production, with suitable modifications, for this line in order to replace the present rolling stock as quickly as possible. It might thus be possible to have vehicles in service in about 18 months' time.

A13 (Newham Intersection)

Mr. Spearing: To ask the Secretary of State for Transport by what date he expects to publish one or more plans for public consultation for a grade intersection between Prince Regents lane and Newham way (A13); and from what date he expects to be able to purchase affected property by voluntary agreement.

Mr. Chope *[holding answer 15 October 1990]:* A public consultation on options for placing Newham way in an underpass beneath Prince Regents lane was held at Newham leisure centre on 12 and 13 October. A questionnaire was available there, and from Newham council offices and the borough library. Respondents have been asked to comment by 9 November. A preferred option will be selected in the light of these comments and it is hoped to publish draft orders by the autumn of next year.

Any requests to purchase property in cases involving hardship will be considered by the Department.

Holloway Road, London

Mr. Corbyn: To ask the Secretary of State for Transport when he plans to introduce red routes to the A1 Holloway road; and what has been the response to his consultation exercise on this.

Mr. Chope *[holding answer 15 October 1990]:* The consultation exercise brought helpful responses from many individuals, businesses, interested groups, and organisations, and they are now being considered. I hope to make an announcement shortly.

ENVIRONMENT

Chemical Industry

Mr. Ted Garrett: To ask the Secretary of State for the Environment if his Department has considered an application for an exhibition in the Upper Waiting Hall in the Palace of Westminster relating to "The Chemical Industry: Yesterday, Today and Tomorrow".

Mr. Trippier: I understand that, under procedures agreed by the Services Committee, arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from 15 to 19 October.

Sport and Recreation

Mr. Sayeed: To ask the Secretary of State for the Environment when he will publish a draft planning policy guidance note on sport and recreation.

Mr. Atkins: My right hon. Friends the Secretary of State and the Secretary of State for Wales have today published a planning policy guidance note on sport and recreation in draft for public consultation.

The Government attach great importance to the retention of adequate recreational open space in urban areas. The planning system needs to ensure that adequate land is and continues to be allocated for organised sport and informal recreation. The draft PPG asks local planning authorities to ensure that their policies address local needs, protect valuable sites and identify suitable sites for new provision.

It is particularly important to retain sufficient recreational open space in urban areas to avoid "town cramming". The draft advises local authorities about means of safeguarding open spaces while providing for necessary development.

The PPG also addresses the issues raised by Lord Justice Taylor in his report on the Hillsborough stadium disaster. It is the Government's intention that all first and second division grounds shall be all-seated by the 1994-95 season and third and fourth division grounds by the 1999-2000 season. The draft requests local planning authorities to give sympathetic consideration to development proposals designed to meet these objectives.

Tree Preservation

Mr. Arbuthnot: To ask the Secretary of State for the Environment whether he will make a statement on the review of tree preservation policies and legislation.

Mr. Heathcoat-Amory: On 2 October we published a report by Mr. James Batho commissioned by us as part of that review. I have arranged for copies of the report to be placed in the Library of the House, together with my statement which accompanied its issue.

The Government accept that the tree preservation order system should be maintained in broadly its present form. We plan to issue a consultation paper later this year with detailed proposals to clarify and streamline current procedures, aimed at enhancing their general effectiveness. We also welcome the report's recommendation that local authorities should have a new power to make hedgerow management orders to protect important hedgerows in their areas, with payments to owners to assist upkeep. Further details will be given in the forthcoming consultation paper.

Oxides of Nitrogen

Mr Bendall: To ask the Secretary of State for the Environment when the United Kingdom will ratify the Sofia protocol on emission of oxides of nitrogen.

Mr. Trippier: The Government have today ratified the NOx protocol. This commits the United Kingdom to return overall emissions of oxides of nitrogen to 1987 levels by 1994 from all sources. It also commits us to develop further programmes for longer-term reductions based on critical loads. This important step emphasises our determination to deal with both acid rain and ground-level ozone.

Museums and Galleries (Property Transfer)

Mr. Summerson: To ask the Secretary of State for the Environment why a Treasury minute was not laid before Parliament before the transfer of freehold and leasehold property to the trustees of certain museums and galleries took place.

Mr. Key: In 1986 the Office of Arts and Libraries conducted a review into the relationship between the Property Services Agency and certain museums and galleries. This concluded that these organisations should be untied from PSA for their works services. When the recommendations of this report were being implemented it was decided that the most logical way forward would be for transfers to be made to the trustees of these organisations of the freehold and leasehold properties that they were then occupying rent free. This would remove any remaining element of PSA control. Ministers agreed that these transfers should take place at nil charge as the trustees were not being presented with any assets that they did not already have the use of. The trustees' powers to dispose of property are of course subject to legislative and other constraints.

During 1988-89 and 1989-90, 16 such properties were transferred. The value of 13 of these is approximately £53 million; the other three properties have not yet been valued. Two further properties have been transferred in the current financial year. However, under established procedures, transfers at less than market value, which technically constitute gifts, should be notified to Parliament before they are made. It is normal practice in such cases for the Department proposing to make the gift to arrange with the Treasury for a minute to be presented to the House of Commons giving the particulars of the gift and explaining the circumstances in which it is being made and for the Treasury's assent to the gift to be withheld for 14 days, excluding Saturdays and Sundays, after the issue of the minute except in cases of special urgency.

I very much regret that the correct procedures were not observed in making the transfers of these properties. A further 40 or so properties remain to be transferred to the relevant trustees. Since 1 April 1990 these transfers have become the responsibility of the Office of Arts and Libraries which will arrange for the Treasury minutes to be presented to the House before any further transfers are made.

WALES

Mid-Wales Development

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning his policies for mid-Wales.

Mr. David Hunt: Government policies are directed towards the establishment of a thriving and self-sustaining economy in mid-Wales. The Development Board for Rural Wales has the principal responsibility for the

economic regeneration of the area, and its "Strategy for the 1990s" sets out the board's future intentions for mid-Wales. Apart from the DBRW, other sources of economic and industrial assistance are available to mid-Wales through the WDA, WTB and central Government.

Laura Ashley

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet the Development Board for Rural Wales concerning the proposed job losses at the Laura Ashley company.

Sir Wyn Roberts: I refer the hon. Gentleman to the reply that my right hon. Friend gave him on 15 October.

Job Losses (Clwyd)

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he will take in Clwyd to counteract the loss of jobs at Brymbo steelworks, Corning at Wrexham and Laura Ashley at Leeswood; and if he will make a statement.

Sir Wyn Roberts: The WDA will take these job losses in Clwyd into account in planning its future activities. We are in close and regular touch with the chairman of the agency on this and other matters.

OVERSEAS DEVELOPMENT

Tibet

Mr. Kirkwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to assist environmental protection in Tibet.

Mrs. Chalker: To date the Government have received no official request for assistance with environmental protection in Tibet.

HOME DEPARTMENT

Peacetime Emergencies

Mr. Hague: To ask the Secretary of State for the Home Department if he has received the report from the civil emergencies adviser, Mr David Brook, on the role of local authorities in planning for peacetime emergencies; and if he will make a statement.

Mr. Waddington: I have received Mr Brook's advice and will be considering it in conjunction with the review I have initiated of the options for the future of civil defence arrangements in the light of developments in east-west relations. This will enable me to consider whether a more coherent approach to emergency planning for the protection of the public in both peace and war can be achieved. I shall—together with my right hon. and learned Friend the Secretary of State for Scotland, who has also received Mr Brook's report—announce proposals in due course.

TRADE AND INDUSTRY

Trade Statistics

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a list of finished consumer goods whose exports have more than doubled since 1985, together with the percentage increase in imports and in United Kingdom output.

Mr. Sainsbury: On the basis of trade analysed in terms of the industries of which they are the principal product, consumer goods industries whose exports have more than doubled in value since 1985 are shown in the table, together with the corresponding percentage increase in imports and output.

Industry	*Exports*	*Percentage Increase Imports*	*Output*
Gramophone records and tapes	108	159	90
Electronic consumer goods	128	33	130
Domestic electric appliances	116	22	50
Caravans	183	57	130

Vietnam

Mr. Mullin: To ask the Secretary of State for Trade and Industry if he will list the quotas on the import of goods from Vietnam.

Mr. Sainsbury: The import of those goods, which are normally restricted from state trading countries, are totally restricted from Vietnam. The products covered by the embargo are matches, footwear, TV sets, gloves, headgear, some agricultural products and a wide range of textile products.

The United Kingdom has however quotas on imports on a number of products as shown in the table.

The import of any other goods from Vietnam is not restricted.

Product	*Quota Level (1990)*
Tableware of porcelain, china or pottery; ornaments or statuettes	£23,100
Bedlinen, tablelinen, curtains; synthetic yarn and woven fabrics of synthetic yarn (MFA categories: 20, 23, 34, 35, 36, 39, 40)	7 tonnes

Rover Group

Mr. Jack: To ask the Secretary of State for Trade and Industry whether he has yet replied to the Commission's decision of 17 July on the terms of the sale of Rover Group to British Aerospace.

Mr. Lilley: A reply was sent to the Commission on 14 September setting out the measures taken by the Government to comply with the Commission's decision. The Commission had earlier agreed to extend the deadline for reply by one month to 17 September 1990. The Government informed the Commission that they had issued demands for payment by 17 August 1990 of £42·9 million by BAe and £1·5 million by Rover Group and that,

as no payment had been made, they had served writs on both companies to enforce repayment of the principal sums and payment of interest from 18 August 1990. The formal demands for payment were dated 16 August 1990 and the writs were issued and served on 10 September 1990.

The Government then went on to reply to the other points raised by the Commission by giving the specific assurances requested. In particular, the Government assured the Commission that no tax concessions had been given and:

(i) that the tax treatment of BAe and the Rover Group was strictly in accordance with United Kingdom tax law;

(ii) that the statement made by the then Chancellor of the Duchy of Lancaster on 4 May 1988 about the operation of the on-sale penalty was now superseded and that the penalty would not be set aside in any circumstances except by a subsequent decision of the Commission;

(iii) that there was no question of BAe having any preferential access to Government assistance and that it would be treated as would any other applicant.

Next Steps

Mr. John Greenway: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of the "next steps" initiative in his Department.

Mr. Lilley: On 5 October, I launched the national engineering laboratory as the ninth executive agency within the DTI. The launch of NEL means that more than half my Department's staff now work in executive agencies. As a result, the DTI is able to improve further its ability to deliver cost-effective services.

I am placing a copy of the NEL framework document in the Library. The document explains that the primary aim for NEL is to attain commercial viability by 1994-95. I have also set NEL a number of efficiency targets as follows:

to recover its full economic costs through arm's-length contracts from customers by 1994-95.

non-DTI income as a proportion of full economic cost to grow by 12 per cent. in 1991-92 compared with 1990-91, and to continue to grow so that by 1994-95 two thirds of NEL's total income is non-DTI.

fee-earning hours on arm's-length contracts as a proportion of all hours to increase by 10 per cent. in 1991-92 compared with 1990-91.

5 per cent. increase in average fee-earning hours on arm's-length contracts as a proportion of engineer hours possibly available in 1991-92 compared with 1990-91. Ratio to reach 80 per cent. by 1994-95.

to reduce average per capita office space occupied by 25 per cent. in 1991-92 compared with 1990-91.

to complete development of a commercial accounting system by 1 October 1991.

Hawk Aircraft (Kenya)

Mr. David Davis: To ask the Secretary of State for Trade and Industry whether Export Credits Guarantee Department cover will be provided for the sale by British Aerospace of Hawk aircraft to Kenya.

Mr. Lilley: In view of the importance that the Government attach to this contract, I have instructed ECGD to provide cover under the provisions of section 2(1) of the Export Guarantees and Overseas Investment Act 1978 and under the procedures set out in the answer given by the then Minister for Trade, my hon. Friend the Member for Plymouth, Sutton (Mr. Clark) on 28 June 1988 at columns *164-65*.

Trade Statistics

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish a table showing the import penetration and export performance ratios for the electrical and electronic engineering industry as a group in 1968, 1973, 1977, 1985 and 1989 together with the import/export ratios by value and volume for the European Economic Community and for the rest of the world based on 1973 = 100.

Mr. Sainsbury *[holding answer 15 October 1990]*: The available information is in the table. The figures in the table are based on the NACE (1970) class 34. No information is available for years before 1975 for the European Community.

In 1987, the equivalent ratios for import penetration, export performance and import/export for the current membership of the EC were 16·4 per cent., 16·5 per cent. and 105·4 per cent. respectively.

No information is available for "the rest of the world". The figures in the table are based on current price data. There are no constant price data available.

Import Penetration, Export Performance and import/export ratios[1] for the Electrical Engineering Industry[2] within the European Community percentages

	Import Penetration	*Export Performance*	*Import/ Export*
Year[3]			
1975	8·8	15·5	52·8
1977	11·3	19·0	54·2
1985	17·7	20·6	82·5
1987	16·3	17·0	95·2

[1] Figures are based on the extra-EC exports, extra-EC imports and EC production by those nine countries which were members of the European Community in 1980.
[2] Electrical Engineering as defined by NACE (1970) class 34.
[3] There are no data available for years before 1975. The latest year for which data are available is 1987.
Source: Eurostat

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish a table showing the import penetration and export performance ratios for the textile, clothing, leather and footwear industries as a group in 1968, 1973, 1977, 1985 and 1989 together with the import/export ratios by value and volume for the European Economic Community and for the rest of the world based on 1973 = 100.

Mr. Sainsbury *[holding answer 15 October 1990]*: The available information is in the table. The figures in the table are based on the NACE (1970) class 43. No information is available for years before 1975 for the European Community.

In 1987, the equivalent ratios for import penetration, export performance and import/export for the current membership of the EC were 16·7 per cent., 16·0 per cent. and 105·4 per cent. respectively.

No information is available for "the rest of the world". The figures in the table are based on current price data. There are no constant price data available.

Import Penetration, Export Performance and import/export ratios[1] for the Textile, Clothing, Leather and Footwear Industries[2] within the EEC percentages

Year[3]	Import penetration Index	Export performance Index	Import/ export ratio
1975	11·8	13·0	90·0
1977	14·1	14·1	99·7
1985	19·0	19·1	99·1
1987	18·3	16·8	110·8

[1] Figures are based on the extra-EC exports, extra-EC imports and EC production by those nine countries which were members of the European Community in 1980.
[2] Textile, Clothing, Leather and Footwear industries as defined by NACE (1970) class 43.
[3] There are no data available for years before 1975. The latest year for which data are available is 1987.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish a table showing the import penetration and export performance ratios for the mechanical engineering industry less groups 320 and 329 in 1968, 1973, 1977, 1985 and 1989 together with the import/export ratios by value and volume for the European Economic Community and for the rest of the world based on 1973 = 100.

Mr. Sainsbury *[holding answer 15 October 1990]:* The available information is in the table. The figures in the table are based on the NACE (1970) class 32 less the NACE group 352. No information is available for years before 1975 for the European Community.

In 1987 the equivalent ratios for import penetration, export performance and import/export for the current membership of the EC were 16·6 per cent., 33·1 per cent. and 40·0 per cent.

No information is available for the rest of the world.

Import penetration, export performance and import/export ratios[1] for the mechanical engineering industry[2] within the European Community percentages

Year[3]	Import penetration index	Export performance index	Import/ export ratio
1975	10·5	31·9	25·1
1977	11·7	34·5	25·2
1985	17·1	37·6	34·3
1987	16·1	33·4	38·3

[1] Figures are based on the extra-EC exports, extra-EC imports and EC production by those nine countries which were members of the European Community in 1980.
[2] Mechanical Engineering as defined by NACE (1970) class 32 less group 325.
[3] There are no data available for years before 1975. The latest year for which data are available is 1987.
Source: Eurostat.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish a table showing the import penetration and export performance ratios for the motor vehicle industry in 1968, 1973, 1977, 1985 and 1989 together with the import/export ratios by value and volume for the European Economic Community and for the rest of the world based on 1973 = 100.

Mr. Sainsbury *[holding answer 15 October 1990]:* The available information is in the table. The figures in the table are based on the NACE (1970) group 351. No information is available for years before 1978 for the European Community.

In 1987 the equivalent ratios for import penetration, export performance and import/export for the current membership of the EC were 8·8 per cent., 17·1 per cent. and 47·1 per cent. respectively.

No information is available for "the rest of the world". The figures in the table are based on current price data. There are no constant price data available.

Import penetration, export performance and import/export ratios[1] for the motor vehicle industry[2] within the European Community percentages

Year[3]	Import penetration index	Export performance index	Import/ export ratio
1978	13·5	33·3	31·2
1985	12·5	23·7	46·0
1987	9·1	18·1	45·5

[1] Figures are based on the extra-EC exports, extra-EC imports and EC production by those nine countries which were members of the European Community in 1980.
[2] The motor vehicle industry as defined by NACE (1970) group 351.
[3] There are no data available for years before 1978. The latest year for which data are available is 1987.
Source: Eurostat.

Iraq

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what is his estimate of the scale of export guarantee losses arising from the invasion of Kuwait by Iraq.

Mr. Sainsbury *[holding answer 15 October 1990]:* It has not been the policy of this or previous Governments to disclose the details of ECGD's claims experience with individual countries. It would not in any case be possible at this time to estimate the Department's loss on Iraq and Kuwait, since the full extent of insured costs of manufacture in respect of frustrated contracts will not be known for some time. Claims payments will be made over a number of years, and the eventual loss will be reduced by any recoveries made under arrangements which might follow if and when Iraq eventually seeks to restore normal international relations. For these reasons, the eventual loss which ECGD might face should not be deduced from the value of credits made available to Iraq under the various financial protocols.

FOREIGN AND COMMONWEALTH AFFAIRS

Yanomami People

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent contacts he had with the leaders of the Yanomami people; and what support Her Majesty's Government are giving to them *(a)* aimed at the protection of their environment and traditions and *(b)* otherwise.

Mr. Garel-Jones: Overseas Development Administration officials met Chief Davi Yanomami, a Yanomami leader, in December 1989 and April 1990. The ODA last month granted £88,000 to Oxfam for a health care project for the Yanomami in the state of Roraima. This project should provide medical benefits and help the Yanomami to care for themselves in future.

Iran

Mr. Nelson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Iran.

Mr. Waldegrave: Diplomatic relations with Iran were resumed on 27 September on the basis of mutual respect and non-interference in each other's internal affairs. We and the Iranians will re-open our embassies in Tehran and London by 27 October. There will be further discussion of the outstanding problems between the two countries. It is the Government's view that these problems will more easily be resolved with diplomatic relations than without them.

BA Flight (Kuwait)

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts were made to contact the passengers of flight BA 199 immediately after their detention on 2 August; and when the ambassador in Kuwait first visited them.

Mr. Waldegrave *[holding answer 15 October 1990]:* Although the embassy telephones were cut following the Iraqi invasion and movement around town was difficult for several days, the embassy made contact with British Airways shortly after the flight was detained and was able to establish that all the BA 149 passengers were fit and well. As soon as freedom of movement was restored the passengers were visited regularly in their hotels by consular staff.

Ms. Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps were taken to inform British Airways of the situation in Kuwait immediately prior to the landing of flight BA 199 on 2 August.

Mr. Waldegrave *[holding answer 15 October 1990]:* The captain of BA 149 checked the position with BA staff in Kuwait, who in turn checked with the British embassy, before take-off from Heathrow on 1 August. Three hours before landing he was told by the pilot of a BA plane which had just left Kuwait that all was well there. The aircraft landed without incident, well before Kuwait airport was closed as a result of the invasion.

NORTHERN IRELAND

Personal Data

Mr. Cohen: To ask the Secretary of State for Northern Ireland whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Cope: I am reminding officials in the Northern Ireland Office and Northern Ireland Departments of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Fair Employment Commission

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland whether he will make a statement on progress made to date by the Fair Employment Commission towards achievement of fair employment as between Protestants and Roman Catholics within its own organisation.

Mr. Needham: I have placed in the Library a copy of a press release issued on 16 October by the Fair Employment Commission which deals with the religious composition of its staff.

Drainage Costs

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what was the estimated cost to the Department of Agriculture of drainage works arising from new building developments in 1989-90.

Mr. Brooke: A total of £1·8 million.

Meat Industry

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what examination he has made of the implications for the Northern Ireland beef and meat industry of the recent changes in the circumstances of Goodman International; what proposals he has to safeguard Ulster beef producers; and if he will make a statement.

Mr. Brooke *[holding answer 15 October 1990]:* The Goodman slaughter plants in Northern Ireland are continuing to trade normally and producers who sell to these plants are not experiencing difficulties. Should there be any disruption or discontinuation of trading by these plants the Government believe that sufficient alternative outlets in Northern Ireland are available to handle all the stock to be slaughtered. I do not anticipate, therefore, the need for any Government action to protect the interests of producers.

Students

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland from what date income support for students was withdrawn; when local social security offices were advised of this date, in what manner students were advised in advance of this date; whether the students who applied before this date will continue to receive this benefit after this date until they resume their studies; and if he will make a statement.

Mr. Needham *[holding answer 15 October 1990]:* Most students ceased to be eligible for income support from 1 September 1990. However, any student who was entitled before 1 September 1990 did not lose entitlement until the resumption of his course of study. Initial guidance was issued to social security offices on 20 August 1990. Information about the new arrangements for student support was contained in a leaflet, copies of which were issued in June 1990 to universities, colleges of education, further education colleges and secondary schools. I have placed copies of the leaflet in the Library.

SOCIAL SECURITY

Child Benefit

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will make it his policy to uprate child benefit annually in line with inflation.

Mrs. Gillian Shephard: I refer the hon. Member to the reply given to the hon. Member for Orkney and Shetland (Mr. Wallace) on 15 October at columns 920-21.

Resettlement Units

Mr. Conway: To ask the Secretary of State for Social Security whether the current business plan of the resettlement units executive agency, and the accounts of its first year of operation, are yet available.

Mrs. Gillian Shephard: The current business plan has been placed in the Library today and it is proposed to place the agency's accounts there on 31 October, once audit is complete.

NATIONAL FINANCE

Football Clubs (Safety)

Mr. Pendry: To ask the Chancellor of the Exchequer when his Department will make the necessary changes in taxation regulations to ensure that capital expenditure incurred by football clubs on safety improvement work on football stands in complying with the recommendations of Lord Justice Taylor's report into the Hillsborough disaster becomes eligible for tax relief.

Mr. Maude: Expenditure incurred by clubs to comply with the requirements of a safety certificate already attracts tax relief. The Government do not consider it right to single out football stands for a specific relief when other commercial premises do not generally qualify. Moreover, such a relief would not help the large majority of clubs which are not profitable and do not pay tax. The Government believe that the cash injection of £100 million over five years from the reduction in pool betting duty is a better way of helping league football clubs carry out the improvements recommended by Lord Justice Taylor.

Exchange Rates

Mr. Allen: To ask the Chancellor of the Exchequer what mechanisms exist for revaluing or devaluing currencies in the ERM; and when such a mechanism was last used.

Mr. Maude: The central exchange rates of currencies in the exchange rate mechanism of the European monetary system may be changed by agreement of the members. The last realignment of central rates took place on 8 January this year when the lira moved from wide to narrow bands in the system.

Mr. Allen: To ask the Chancellor of the Exchequer what estimate he has made of when the Madrid conditions originally laid down for entry into the ERM will be met.

Mr. Maude: The conditions for entry into the ERM have been met.

Mr. Allen: To ask the Chancellor of the Exchequer if he will make a statement on the reasons it was decided to modify the Madrid conditions for entry into the exchange rate mechanism.

Mr. Maude: The Madrid conditions have not been modified.

European Community

Mr. Allen: To ask the Chancellor of the Exchequer what is his current policy on European monetary union.

Mr. Maude: The Government are fully committed to stage 1 of the Delors report recommendations; a commitment underlined by our decision to enter the exchange rate mechanism. We remain opposed to the imposition of a single currency as prescribed in stage 3 of the Delors report. On 20 June my right hon. Friend the Chancellor of the Exchequer set out alternative proposals for a "hard ecu" and a European monetary fund. We shall be arguing forcefully for our approach in and during the intergovernmental conference on EMU which opens on 13 December.

Interest Rates

Mr. Allen: To ask the Chancellor of the Exchequer if he will state his current policy on interest rates.

Mr. Maples: Interest rates will continue to be set at an appropriate level in order to bear down on inflation.

Eastern Europe

Mr. Allen: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 July, *Official Report*, column *655*, what assessment he has made of the implications for the Treasury's policies of the book "End of the Cycle", by Morgan Stanley; and if he will make a statement.

Mr. Maples: This report is an informative assessment of the economic situations and investment opportunities within the countries of western and eastern Europe. The analyses of these countries show a great deal of insight.

Retail Prices Index

Mr. Speller: To ask the Chancellor of the Exchequer when his Department first used the Laspeyres-based formula for the retail prices index.

Mr. Maples *[holding answer 15 October 1990]:* The retail prices index and its predecessor, the cost of living index, have always been based on the Laspeyres formula. These figures were first compiled in 1914. Since 1962 a variant known as the "chain Laspeyres" formula has been used, whereby the weights, while remaining fixed for 12 months at a time, are brought up to date at the beginning of each calendar year.

DEFENCE

Housing Statistics

Mr. Wray: To ask the Secretary of State for Defence how many Government-owned empty dwellings of *(a)* one, *(b)* two, *(c)* three and *(d)* four or more bedrooms there are in (i) Glasgow, (ii) Strathclyde region and (iii) Scotland.

Mr. Archie Hamilton: As at 30 June 1990, the latest date for which figures are available, 1,576 MOD-owned dwellings were vacant in Scotland, of which seven were in Glasgow and 388 were in the Strathclyde region. Many of these properties were either undergoing or awaiting major

maintenance work or modernisation, some were already allotted to service families who were due to move in shortly and others were in the process of disposal. A breakdown according to the number of bedrooms could be obtained only with disproportionate effort.

AGRICULTURE, FISHERIES AND FOOD

Plum Orchards

Mr. Moate: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about serious frost damage suffered by United Kingdom plum orchards; if he has received representations for maintenance aid to help growers who have modernised orchards and marketing and who are now at risk; and if there is any European Economic Community assistance in this respect.

Mr. Curry: I have received representations from the NFU and individual growers on the possibility of aid for plum producers affected by severe frosts earlier this year. I naturally sympathise with the difficulties experienced by some producers but the Government do not normally offer compensation for the effects of adverse weather. EC assistance is not available for growers in these circumstances.

Farm Incomes

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the cost of supporting existing farm incomes by a system of guaranteed prices instead of import levies.

Mr. Curry: The Organisation for Economic Co-operation and Development has estimated the value of total transfers to European Community farmers to be some 48 billion ecu in 1989: this gives an indication of the cost of administering all forms of support, including border protection, through a guaranteed price-deficiency payment system. This estimate covers the main products, which account for 75 per cent. of agricultural output, and is based on many assumptions, notably about "world" prices. Details are set out in "Agricultural Policies, Markets and Trade: Monitoring and Outlook 1990": OECD, Paris 1990.

LORD PRESIDENT OF THE COUNCIL

German Unification

Mr. Page: To ask the Lord President of the Council if he will list the documents relevant to the debate on Friday 19 October on the transitional measures relating to the EC consequences of German unification.

Sir Geoffrey Howe: European Community documents Nos. Com(90)400 on transitional measures consequent upon German unification and 8782/90 on revision of the Community's financial perspective in the light of German unification, the fourth report from the Foreign Affairs Committee on "German Unification: Some Immediate Issues"—House of Commons paper No. 335, the observations by the Government on the report—Cm. 1246—and the seventh report from the Treasury and Civil Service Committee on "International Monetary Arrangements: Eastern Europe"—House of Commons paper No. 431—so far as it relates to German economic and monetary union.

HEALTH

Land Sales

11. **Mr. Win Griffiths:** To ask the Secretary of State for Health what assessment he has made of the impact of reduced receipts from land sales on the national health service capital programme.

53. **Mr. Graham:** To ask the Secretary of State for Health what assessment he has made of the impact of reduced receipts from land sales on the national health service capital programme.

91. **Mrs. Heal:** To ask the Secretary of State for Health what assessment he has made of the impact of reduced receipts from land sales on the national health service capital programme.

102. **Mr. Henderson:** To ask the Secretary of State for Health what assessment he has made of the impact of reduced receipts from land sales on the national health service capital programme.

Mr. Dorrell: The state of the property market is one of the many factors that health authorities have to take into account in managing their capital programmes.

Nursing Staff

13. **Mr. McCartney:** To ask the Secretary of State for Health when he last met representatives of the Royal College of Nursing to discuss recruitment and levels of nursing staff.

Mr. Tony Lloyd: To ask the Secretary of State for Health when he last met representatives of the Royal College of Nursing to discuss recruitment and levels of nursing staff.

52. **Mr. Loyden:** To ask the Secretary of State for Health when he last met representatives of the Royal College of Nursing to discuss recruitment and levels of nursing staff.

Mrs. Virginia Bottomley: We attach great importance to the need to recruit and retain sufficient numbers of nursing staff. A wide range of issues relating to this objective are discussed in the various meetings which Ministers and officials regularly hold with representatives of the Royal College of Nursing.

Health Care

17. **Mr. Flannery:** To ask the Secretary of State for Health what action he is taking to achieve a reduction in inequalities in access to health care between regions and socio-economic groups.

46. **Mrs. Fyfe:** To ask the Secretary of State for Health what action he is taking to achieve a reduction in inequalities in access to health care between regions and socio-economic groups.

71. **Ms. Gordon:** To ask the Secretary of State for Health what action he is taking to achieve a reduction in inequalities in access to health care between regions and socio-economic groups.

Mr. Dorrell: We are committed to providing a national health service, free at the point of access, that is geographically comprehensive. The NHSCC Act provides the machinery to improve the targeting of NHS resources towards identified needs.

District Health Authorities

18. **Mr. McWilliam:** To ask the Secretary of State for Health what is the latest estimate of the likely cumulative deficit levels for district health authorities in England during the current financial year.

75. **Mr. Martlew:** To ask the Secretary of State for Health what is the latest estimate of the likely cumulative deficit levels for district health authorities in England during the current financial year.

84. **Mr. Bill Michie:** To ask the Secretary of State for Health what is the latest estimate of the likely cumulative deficit levels for district health authorities in England during the current financial year.

100. **Mr. Meale:** To ask the Secretary of State for Health what is the latest estimate of the likely cumulative deficit levels for district health authorities in England during the current financial year.

Mr. Dorrell: The NHS management executive is engaged in continuing discussions with regional health authorities. It is not yet possible to identify the number of district health authorities that will have an underlying deficit in 1990-91.

NHS Hospitals

19. **Mr. Knox:** To ask the Secretary of State for Health how many patients were treated in national health service hospitals in the most recent year for which figures are available; and what were the comparable figures for 1978.

Mr. Dorrell: Provisional figures for 1989-90 show almost 7.5 million in-patient cases were treated as compared with some 6 million in 1978—a rise of 23 per cent. Day cases rose even more sharply by 103 per cent. from 562,000 to over 1 million. Over the same period there has been a 10 per cent. rise in new out-patient attendances and a 7 per cent. rise in total out-patient attendances.

Capital Charges

20. **Mr. George Howarth:** To ask the Secretary of State for Health what assessment he has made of the impact of capital charges on long-stay hospital provision.

59. **Mr. Lambie:** To ask the Secretary of State for Health what assessment he has made of the impact of capital charges on long-stay hospital provision.

65. **Mr. John Hughes:** To ask the Secretary of State for Health what assessment he has made of the impact of capital charges on long-stay hospital provision.

80. **Mr. Martyn Jones:** To ask the Secretary of State for Health what assessment he has made of the impact of capital charges on long-stay hospital provision.

Mr. Dorrell: The introduction of capital charges will give managers of long-stay units, as with all other health service hospitals, information which will help them to use their assets more efficiently. Management and accountability of long-stay units will be improved by the increased awareness of the costs of capital.

NHS Trusts

21. **Mr. Winnick:** To ask the Secretary of State for Health if he will make a statement on the latest position in respect of hospitals becoming self governing.

54. **Mr. Cohen:** To ask the Secretary of State for Health if he will make a statement on the progress made on public consultation following proposals for the formation of self-governing hospital trusts.

82. **Mr. Fatchett:** To ask the Secretary of State for Health if he will make a statement on the progress being made on public consultation following proposals for the formation of self-governing hospital trusts.

86. **Mr. Cunliffe:** To ask the Secretary of State for Health if he will make a statement on the progress made on public consultation following proposals for the formation of self-governing hospital trusts.

Mr. Kenneth Clarke: I refer the hon. Members to the reply I gave the hon. Member for Easington (Mr. Cummings) earlier today.

103. **Mr. Nellist:** To ask the Secretary of State for Health how many formal applications have now been received for national health service trust status; and if he will make a statement.

Mrs. Virginia Bottomley: A total of 66 applications for trust status have been received from units which wish to become operational on 1 April 1991.

68. **Mr. Dykes:** To ask the Secretary of State for Health if he will make a statement on progress by the Royal National Orthopaedic hospital in developing national health service trust status.

Mr. Kenneth Clarke: The North East Thames regional health authority is currently consulting on the application from the Royal National Orthopaedic hospital to become a national health service trust.

51. **Mr. Pawsey:** To ask the Secretary of State for Health if he will list the principal benefits that will attend trust status for national health service hospitals.

Mrs. Virginia Bottomley: Units that are established as national health service trusts will have the freedom to manage their own affairs. They will be able to acquire, own and dispose of assets to ensure the most effective use is made of them; make their own cases for capital developments direct to the national health service management executive; borrow money, within annually agreed limits; establish their own management structures; employ their own staff, determine their own staffing structures, and set their own terms and conditions of employment; and advertise their services, within the guidelines set down by professional codes of practice on such advertising. Trusts will be able to use these freedoms to achieve better, faster decision-making to the benefit of patients, their community and their staff.

55. **Mr. Atkinson:** To ask the Secretary of State for Health how many hospitals have indicated an interest in

becoming self-governing trusts; and how many general practices have indicated an interest in applying for their own funds to date.

Mrs. Virginia Bottomley: A total of 66 units have applied to become NHS trusts in the first wave, which will become operational in April 1991. We will be able to announce the number of units which have expressed an interest in becoming NHS trusts in April 1992 by the end of this month. As far as general practices are concerned, I refer my hon. Friend to the reply my right hon. and learned Friend the Secretary of State gave my hon. Friends the Members for Isle of Wight (Mr. Field) and for Gravesham (Mr. Arnold) earlier today.

45. **Mr. Fearn:** To ask the Secretary of State for Health what representations he has received from health workers and the general public in the north-west, on the need for balloting to occur before hospitals become self-governing national health service trusts.

Mrs. Virginia Bottomley: A number of representations from interested parties in the north-west have been received. We have consistently made clear that ballots are not appropriate. Mersey and North Western regional health authorities are responsible for statutory consultation on proposals to establish NHS trusts in their regions. It is for the regional health authority concerned to determine the manner in which it carries out such consultation and reports the results to my right hon. and learned Friend the Secretary of State.

49. **Mr. Matthew Taylor:** To ask the Secretary of State for Health what representations he has received from health workers and the general public within the South Western regional health authority on the need for balloting to occur before hospitals become self-governing national health service trusts.

Mrs. Virginia Bottomley: A number of representations from interested parties within the South Western regional health authority have been received. We have consistently made clear that ballots are not appropriate. The South Western regional health authority is responsible for statutory consultation on proposals to establish NHS trusts in its region. It is for the regional health authority concerned to determine the manner in which it carries out such consultation and reports the results to my right hon. and learned Friend the Secretary of State.

30. **Mr. Alan W. Williams:** To ask the Secretary of State for Health what is his estimate of the total amount of interest-bearing debts facing proposed self-governing hospital trusts which is now to be written off.

41. **Mr. Worthington:** To ask the Secretary of State for Health what is his estimate of the total amount of interest-bearing debts facing proposed self-governing hospital trusts which is now to be written off.

99. **Mr. Watson:** To ask the Secretary of State for Health what is his estimate of the total amount of interest-bearing debts facing proposed self-governing hospital trusts which is now to be written off.

Mr. Dorrell: I refer the hon. Members to the reply I gave to the hon. Member for Preston (Mrs. Wise) on 23 July at column 77.

Hospital Treatment

22. **Mr. Beith:** To ask the Secretary of State for Health what assessment he has made of the extent to which contracts being made by health authorities for hospital treatment take account of established patient and general practitioner preference for hospital treatment outside district boundaries, particularly in respect of non-budget holding practices.

Mr. Kenneth Clarke: I have made it clear that district health authorities should place contracts in line with GPs' preferences. DHAs are consulting GPs now on referral patterns and analysing their own information on existing patient flows. I expect DHAs to be discussing their contracting intentions with local GPs throughout the autumn.

NHS Reform

23. **Mr. Leadbitter:** To ask the Secretary of State for Health what representations he has received from voluntary organisations regarding the implementation of the National Health Service and Community Care Act 1990.

Mrs. Virginia Bottomley: We have received many such representations.

83. **Mr. Sims:** To ask the Secretary of State for Health if it is his intention to implement in full in April 1991 that part of the National Health Service and Community Care Act relating to the national health service; and if he will make a statement.

Mrs. Virginia Bottomley: Yes. It is important that patients and national health service staff reap the benefits of these changes as soon as possible.

Mr. McAvoy: To ask the Secretary of State for Health when he last met representatives of the British Medical Association to discuss implementation of the National Health Service and Community Care Act 1990.

31. **Mr. McLeish:** To ask the Secretary of State for Health when he last met representatives of the British Medical Association to discuss implementation of the National Health Service and Community Care Act 1990.

44. **Mr. McKelvey:** To ask the Secretary of State for Health when he last met representatives of the British Medical Association to discuss implementation of the National Health Service and Community Care Act 1990.

47. **Mr. McAllion:** To ask the Secretary of State for Health when he last met representatives of the British Medical Association to discuss implementation of the National Health Service and Community Care Act 1990.

Mr. Kenneth Clarke: My last formal meeting with representatives of the BMA specifically to discuss the implementation of our reforms of the NHS took place on 18 October 1989.

Community Care

24. **Mr. Pendry:** To ask the Secretary of State for Health what progress has been made on the implementation of the community care proposals contained in the National Health Service and Community Care Act 1990.

25. **Mr. Patchett:** To ask the Secretary of State for Health what representations he has received regarding funding arrangements for the Government's community care proposals.

27. **Mr. Home Robertson:** To ask the Secretary of State for Health what representations he has received from local authorities regarding the Government's proposed changes in the organisation of community care.

29. **Mr. Macdonald:** To ask the Secretary of State for Health if he has revised his timetable for the implementation of his community care proposals.

34. **Mr. Hinchliffe:** To ask the Secretary of State for Health what representations he has received from local authorities regarding the Government's proposed changes in the organisation of community care.

42. **Mr. Orme:** To ask the Secretary of State for Health what progress has been made on the implementation of the community care proposals contained in the National Health Service and Community Care Act 1990.

43. **Mrs. Margaret Ewing:** To ask the Secretary of State for Health what representations he has received from organisations on the new arrangements for community care; and if he will make a statement.

48. **Mr. Sillars:** To ask the Secretary of State for Health what representations he has received from organisations on the new arrangements for community care; and if he will make a statement.

56. **Mr. Livsey:** To ask the Secretary of State for Health if he will make a statement on the time scale for the introduction of the community care reforms.

60. **Mr. James Lamond:** To ask the Secretary of State for Health what representations he has received from voluntary organisations regarding the implementation of the National Health Service and Community Care Act 1990.

73. **Mr. Morley:** To ask the Secretary of State for Health what progress has been made on the implementation of the community care proposals contained in the National Health Service and Community Care Act 1990.

77. **Mr. Leighton:** To ask the Secretary of State for Health what representations he has received from voluntary organisations regarding the implementation of the National Health Service and Community Care Act 1990.

97. **Mr. Hood:** To ask the Secretary of State for Health what representations he has received from local authorities regarding the Government's proposed changes in the organisation of community care.

101. **Mr. Morgan:** To ask the Secretary of State for Health what representations he has received from voluntary organisations regarding the implementation of the National Health Service and Community Care Act 1990.

Mrs. Virginia Bottomley: I refer the right hon. and hon. Members to the reply I gave the hon. Members for Barnsley, Central (Mr. Illsley) for Normanton (Mr. O'Brien), for Cumbernauld and Kilsyth (Mr. Hogg) and for Angus, East (Mr. Welsh) earlier today.

28. **Mr. Andrew Smith:** To ask the Secretary of State for Health what representations he has received concerning the timetable for the implementation of his community care proposals.

Mrs. Virginia Bottomley: Many such representations have been received, from local authorities, health authorities, voluntary organisations and other interested bodies.

Mr. Wigley: To ask the Secretary of State for Health how many representations he has received from local authorities on the implementation of community care arrangements since the commencement of the Parliamentary summer recess.

Mrs. Virginia Bottomley: We have received many such representations.

Indicative Prescribing

26. **Mr. Sumberg:** To ask the Secretary of State for Health what progress is being made in implementing the measures outlined in his further working paper on the indicative prescribing scheme for general practitioners; and if he will make a statement.

Mrs. Virginia Bottomley: Since the publication of "Improving Prescribing" on 23 May further progress has been made towards implementation of the scheme. Arrangements have been made to hold a series of six seminars in different parts of the country for key NHS personnel who will be closely involved in operating the scheme. Their purpose is to update these personnel on the development of the scheme. The first two seminars were held at Leicester on 5 October and Birmingham on 12 October.

We propose to issue to regional health authorities and family health services authorities later this month further detailed guidance on the financial framework of the scheme and the setting of indicative prescribing amounts.

The introduction and development of the necessary information systems at the Prescription Pricing Authority is also progressing smoothly.

Consultants

32. **Mr. David Evans:** To ask the Secretary of State for Health how many of the 100 additional consultant posts announced in the White Paper, "Working for Patients", are now in place or have been allocated; and when he expects the process to be complete.

Mrs. Virginia Bottomley: All the 100 new posts have now been allocated. I announced the first 35, to be appointed in 1989-90, on 30 October 1989 at column *124* and I announced the allocation of the remaining 65 posts, for appointment in 1990-91 and 1991-92, on 27 February 1990 at columns *125-26*. Districts are expected to complete the appointment process for the last of the new consultants by early in 1991-92.

NHS Inflation

33. **Mr. Vaz:** To ask the Secretary of State for Health what were the levels of health service inflation for each of the last five financial years.

78. **Mr. Stott:** To ask the Secretary of State for Health what were the levels of health service inflation for each of the last five financial years.

90. **Mr. Turner:** To ask the Secretary of State for Health what were the levels of health service inflation for each of the last five financial years.

Mr. Dorrell: Changes in input unit costs in the national health service over the last five financial years are as follows:

	Changes
1984-85	6·0
1985-86	5·2
1986-87	6·4
1987-88	7·9
1988-89	9·9
1989-90	[1]7·2

[1]estimate

Children Act

35. **Mr. Buckley:** To ask the Secretary of State for Health what progress has been made on the implementation of the Children Act 1989.

36. **Mr. Bradley:** To ask the Secretary of State for Health what progress has been made on the implementation of the Children Act 1989.

66. **Mr. Boyes:** To ask the Secretary of State for Health what progress has been made on the implementation of the Children Act 1989.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave the hon. Member for Middlesbrough (Mr. Bell) earlier today.

Junior Doctors

37. **Mr. Dunnachie:** To ask the Secretary of State for Health what progress has been made in negotiations on proposals for a reduction in the hours worked by junior doctors.

81. **Mr. Doran:** To ask the Secretary of State for Health what progress has been made in negotiations on proposals for a reduction in the hours worked by junior doctors.

90. **Mr. Terry Fields:** To ask the Secretary of State for Health what progress has been made in negotiations on proposals for a reduction in the hours worked by junior doctors.

Mrs. Virginia Bottomley: The Government are very concerned to reduce the hours worked by some junior hospital doctors. For this reason I held a meeting earlier this year with representatives of the medical profession at consultant and junior level, the royal colleges, and NHS management to discuss the way forward. A working group was set up at that meeting to take forward a detailed examination of the issues.

After a second meeting on 20 September, I am delighted to report that excellent progress is being made. The working group has covered a considerable amount of ground in examining both the precise nature of the problem and what can be done further to reduce the long hours still being worked by some junior hospital doctors. As work loads and staffing patterns vary so much between different hospitals, specialties and grades of doctor, the intention is to produce a package of practical measures from which those concerned locally can choose the solutions best suited to their particular circumstances. All parties are aiming to reach broad agreement in principle on specific changes by the end of the year. This will then be followed by a detailed plan for implementation.

All those concerned should face up to the true nature of the problem so that further progress can follow.

Eye Tests

38. **Mr. Ronnie Campbell:** To ask the Secretary of State for Health what is his latest information on the impact of charging for eyesight checks on attendances for examinations.

69. **Mr. Clay:** To ask the Secretary of State for Health what is his latest information on the impact of charging for eyesight checks on attendances for examinations.

87. **Mr. Caborn:** To ask the Secretary of State for Health what is his latest information on the impact of charging for eyesight checks on attendances for examinations.

94. **Mr. Clelland:** To ask the Secretary of State for Health what is his latest information on the impact of charging for eyesight checks on attendances for examinations.

Mrs. Virginia Bottomley: The independent NOP survey, supported by evidence from other similar surveys, suggests that demand for sight tests is now broadly in line with the expected trend.

Patient Care

39. **Mr. Franks:** To ask the Secretary of State for Health what steps are being taken to promote quality of care for patients.

58. **Mr. David Davis:** To ask the Secretary of State for Health what assessment he has made of the effects of the National Health Service and Community Care Act on the quality of services to patients; and if he will make a statement.

Mrs. Virginia Bottomley: I refer my hon. Friends to the reply I gave to my hon. Friend the Member for Gedling (Mr. Mitchell) earlier today.

Hospital Facilities (North-west)

50. **Mr. Favell:** To ask the Secretary of State for Health if he will make a statement on plans to improve hospital facilities in the north-west.

Mr. Dorrell: The North Western regional health authority has recently published a statement of its plans to improve hospital services in 1990-91 in the region, a copy of which has been placed in the Library.

Family Planning

57. **Ms. Short:** To ask the Secretary of State for Health if he will bring forward proposals to improve family planning services.

72. **Mrs. Wise:** To ask the Secretary of State for Health if he will bring forward proposals to improve family planning services.

Mrs. Virginia Bottomley: I refer the hon. Members to the replies I gave my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) on 19 June at column *508* and on 27 June at columns *249-50*.

Communicable Diseases

61. **Mr. Knapman:** To ask the Secretary of State for Health what progress has been made in implementing the recommendations on the management of communicable diseases contained in the chief medical officer's report, "Public Health in England".

Mr. Dorrell: In December 1988, circular HC (88) 64 was issued to health authorities. The circular asked health authorities to review the arrangements for the discharge of their responsibilities to improve the health of the population including the control of communicable disease and infection. Health authorities were reminded of the need for effective measures to prevent and control infection and, for example, asked to move towards management arrangements which assigned executive responsibility for the surveillance, prevention and control of communicable disease and infection to a named medical practitioner of consultant status, the consultant in communicable disease control—CCDC.

A survey of training needs for CCDCs was commissioned in 1989 and the resulting report was issued to health authorities. A total of £164,000 has been allocated to health authorities to meet the cost of course fees for CCDC training in the 1990-91 financial year. In addition £119,000 has been made available to the communicable disease surveillance centre to enable it to develop a practical communicable disease control training module for CCDCs.

A consultation document "Review of the Law on Infectious Disease Control" was published in October 1989 inviting comments on proposals to change the relevant legal provision in England and Wales. The responses to this consultation document are currently being considered.

Copies of documents mentioned are available in the Library.

Social Work

62. **Ms. Armstrong:** To ask the Secretary of State for Health what steps are taken by his Department to monitor the ability of individual local authorities to carry out their statutory social work functions.

67. **Mr. Battle:** To ask the Secretary of State for Health what steps are taken by his Department to monitor the ability of individual local authorities to carry out their statutory social work functions.

76. **Mr. Bidwell:** To ask the Secretary of State for Health what steps are taken by his Department to monitor the ability of individual local authorities to carry out their statutory social work functions.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave to the hon. Member for Derbyshire, North-East (Mr. Barnes) earlier today.

Regional Health Authorities

63. **Mr. Colin Shepherd:** To ask the Secretary of State for Health what advice he gives to regional health authorities in planning their capital expenditure programmes.

Mr. Dorrell: Regional health authorities plan their capital expenditure programme according to their needs

within the resources available to them. Advice is available centrally to health authorities on the integration of service provision, manpower, finance and estate management in the planning of capital programmes.

Community Health Councils

64. **Mr. Steinberg:** To ask the Secretary of State for Health if he will bring forward proposals to increase the powers of community health councils.

85. **Mr. John P. Smith:** To ask the Secretary of State for Health if he will bring forward proposals to increase the powers of community health councils.

92. **Mr. Rogers:** To ask the Secretary of State for Health if he will bring forward proposals to increase the powers of community health councils.

95. **Mr. Rogers:** To ask the Secretary of State for Health if he will bring forward proposals to increase the powers of community health councils.

Mrs. Virginia Bottomley: There are no plans to change the fundamental role of community health councils. Their main interest should be the quality of care and personal attention given to patients by the health service in their locality. The NHS management executive issued guidance on the role of CHCs in the post-reform NHS on 19 September with departmental press notice 90/462, a copy of which is in the Library.

Competitive Tendering

70. **Mr. David Martin:** To ask the Secretary of State for Health what are the estimated annual savings generated from competitive tendering within the national health service.

Mr. Dorrell: Up to 1988-89, health authorities in England had achieved savings worth £110 million from competitive tendering of domestic, catering and laundry services. In 1989-90, authorities reported a further £10 million worth of savings from these and other services put out to tender. The anticipated new savings for 1990-91 are £10 million.

Hospital Construction

74. **Mr. Irvine:** To ask the Secretary of State for Health how many hospitals have been built in the past 11 years; and how many more are being planned.

Mr. Dorrell: Almost 500 health building schemes, each costing over £1 million, have been completed in the national health service in the last 11 years. A further 462 schemes are currently at various stages of planning, design and construction in a programme worth about £5 billion. This represents the largest sustained building programme in the history of the NHS.

Nurse: in-patient Ratio

Mr. David Porter: To ask the Secretary of State for Health what was the nurse: in-patient ratio in 1979 and the latest date for which figures are available.

Mrs. Virginia Bottomley: Manpower statistics cover staff working in hospitals and are collected at a particular time; they do not show what activities within the hospital the staff engaged upon—for example, whether they are providing treatment to in-patients, out-patients, or accident and emergency patients. By contrast, activity statistics show the number of cases treated during the year in national health service hospitals. It is possible however, to give a ratio in terms of the population being served. At 30 September 1979, the number of qualified nursing and midwifery staff, measured in whole-time equivalents, was 438.6 per 100,000 population for England. At 30 September 1988, the number of qualified nursing and midwifery staff, measured in whole-time equivalents, was 508.9 per 100,000 population. These ratios have been adjusted to take account of the change in nurses' working hours, from 40 to 37.5 hours per week, during 1980-81. The average number of in-patients treated in a week was 103,848 in 1979 and 126,654 in 1988.

Out-patient Departments

88. **Mr. Janman:** To ask the Secretary of State for Health whether any initiatives are being taken to improve out-patient departments.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Wyre Forest (Mr. Coombs) on 1 May at column *532*. A further series of projects to be set up in 1990-91 has recently been announced. They will be at Hillingdon, Stockport, Canterbury and Carlisle.

Liver Transplants

89. **Mr. French:** To ask the Secretary of State for Health how many liver transplants were carried out in the United Kingdom in each year from 1979 to 1989.

Mr. Dorrell: According to information provided by the United Kingdom transplants service the number of liver transplants performed in NHS hospitals in the United Kingdom each year from 1982, the first year that figures were available, was as follows:

	Numbers
1982	21
1983	20
1984	51
1985	88
1986	127
1987	172
1988	241
1989	295

NHS Management

93. **Mr. Hague:** To ask the Secretary of State for Health what progress is being made in the streamlining of management within the national health service.

Mrs. Virginia Bottomley: Our aim is to streamline the management of the national health service to ensure that it is better able to bring about improvements in health of the population, through services provided effectively, efficiently and economically. Our reforms have ensured a maximum devolution of functions and NHS authorities are now smaller, lines of accountability are clearer and primary health care is becoming better integrated with the hospital and community health service. Under the

leadership of its chief executive, Duncan Nichol, the NHS management executive is working closely with health service managers to clarify and simplify their tasks, so that they focus on their core functions and on outcomes. The national programme of health targets which my right hon. and learned Friend the Secretary of State announced on 9 October underlines this new focus.

Dentists

96. **Mr. John Greenway:** To ask the Secretary of State for Health what recent discussions he has held with the British Dental Association about the future for general dental practitioners' services.

Mr. Kenneth Clarke: I met the general dental services committee of the British Dental Association on 12 July, when we agreed that the new contract for general dental practitioners would be introduced on 1 October, and that the proposals were in the best interests of patients, dentists and dentistry.

Family Doctors

Mr. Hardy: To ask the Secretary of State for Health if he will take steps to ensure that the reimbursement rate for the cost of baby sitters whose employment is necessary to allow a family doctor to attend to his patients is set at a level which takes account of the prevailing level of charges made for such services.

Mrs. Virginia Bottomley: No specific payment can be claimed by a family doctor for employing a baby sitter.

Mr. Hardy: To ask the Secretary of State for Health what is his estimate of the hourly cost of employment of a locum to assist or to substitute for a family practitioner; and if the cost is fully reflected in the financial arrangements made by his Department.

Mrs. Virginia Bottomley: As independent contractors, general medical practitioners make their own arrangements for locum cover. Where a locum is employed due to specific circumstances such as sickness or confinement, family health services authorities may make a direct contribution to the cost of a locum up to £328 for a five-day week. Similar payments can be made in certain circumstances where the GP is absent from the practice for educational purposes. Locum costs in addition to this direct payment, or incurred for reasons unconnected with the circumstances described above, are reimbursed indirectly through the generality of fees and allowances payable in respect of all patients on the GP's list. By these means all locum costs are reimbursed to the profession.

Mr. Hardy: To ask the Secretary of State for Health if allowances and capitation fees paid to family doctors under the new arrangements are more or less than the previous out-of-hours allowances.

Mrs. Virginia Bottomley: The only fee payable for out-of-hours services is the night visit fee. Since April 1990, this fee has been split into two with a much higher fee—£43·35 compared to £20·25—payable if the family doctor does the visit himself and a lower fee—£14·45—payable if a deputising service doctor makes the visit. This change was made as part of the performance-related pay introduced under the new contract.

Before April 1990 supplementary capitation fees and a supplementary basic practice allowance were paid for out-of-hours services. These have been abolished and the money redistributed amongst other fees and allowances, in particular by way of capitation fees. These have gone up by some 30 per cent. for patients under 75 and by some 110 per cent. for patients aged 75 and over.

Mr. Hardy: To ask the Secretary of State for Health what reimbursement is permitted for family doctors for service between 7 and 10 pm in weekdays or during the period to 10 pm on Saturdays, Sundays and bank holidays.

Mrs. Virginia Bottomley: Family doctors are responsible for their patients 24 hours a day for seven days a week. In recognition of this responsibility family doctors receive a capitation fee for each patient on their NHS list. This amounts to £11·95 per annum for each patient under 65, £15·75 per annum for each patient aged 65 to 74 and £30·35 for each patient aged 75 and over. These amounts are to be increased, from 1 January 1991, to £12·40, £16·30 and £31·45 respectively. Home visits between the hours of 10 pm and 8 am attract additional payments of £43·35—£45 from 1 January 1991—if the doctor undertakes the visit himself or the visit is made by another doctor in the same group, and £14·45—£15 from 1 January 1991—if a deputising service doctor makes a visit.

Accident and Emergency Units

Mr. Janman: To ask the Secretary of State for Health what is the population served of each district health authority; and how many accident and emergency centres each district has.

Mr. Dorrell [*pursuant to his reply, 24 May 1990, c. 341-46*]: I regret that the tables published contained inaccuracies.

The corrected infromation is as follows:

Resident population estimates, by District Health Authority, as at 30 June 1988, and numbers of NHS hospital sites having Accident & Emergency Departments, by Health Authority, as at 31 March 1989

Health Authority	*Resident population (thousands)*	*Number of hospital sites having A and E departments*
Northern RHA		
Hartlepool	88·4	1
North Tees	176·8	1
South Tees	287·9	5
East Cumbria	179·4	5
South Cumbria	172·6	2
West Cumbria	137·2	4
Darlington	124·5	1
Durham	233·9	1
North West Durham	85·9	1
South West Durham	152·5	1
Northumberland	301·4	7
Gateshead	206·2	1
Newcastle	279·6	2
North Tyneside	192·9	2
South Tyneside	155·7	2
Sunderland	296·1	2
Yorkshire RHA		
Hull	297·6	3
East Yorkshire	198·8	3
Grimsby	157·5	1
Scunthorpe	196·6	3
Northallerton	117·2	3
York	264·7	3
Scarborough	145·8	3
Harrogate	135·8	2

Health Authority	Resident population (thousands)	Number of hospital sites having A and E departments
Bradford	337·0	2
Airedale	176·7	2
Calderdale	195·9	1
Huddersfield	211·5	1
Dewsbury	163·8	1
Leeds Western	365·3	2
Leeds Eastern	344·3	2
Wakefield	145·2	1
Pontefract	166·4	2
Trent RHA		
North Derbyshire	363·2	4
Southern Derbyshire	530·8	5
Leicestershire	885·5	8
North Lincolnshire	273·2	5
South Lincolnshire	309·4	6
Bassetlaw	104·8	1
Central Nottinghamshire	289·2	2
Nottingham	613·7	1
Barnsley	220·9	1
Doncaster	291·6	2
Rotherham	251·8	1
Sheffield	528·3	3
East Anglian RHA		
Cambridge	275·6	1
Peterborough	208·5	3
West Suffolk	228·1	2
East Suffolk	322·6	3
Norwich	472·4	5
Great Yarmouth and Waveney	200·1	4
West Norfolk and Wisbech	191·4	3
Huntingdon	135·7	1
North West Thames RHA		
North Bedfordshire	251·6	1
South Bedfordshire	279·1	1
North Hertfordshire	186·0	2
East Hertfordshire	294·6	1
North West Hertfordshire	261·4	2
South West Hertfordshire	243·9	1
Barnet	301·4	3
Harrow	197·1	1
Hillingdon	231·7	2
Hounslow and Spelthorne	276·6	3
Ealing	297·3	1
Riverside	276·0	4
Parkside	373·7	4
North East Thames RHA		
Basildon and Thurrock	282·0	2
Mid Essex	290·8	1
North East Essex	311·6	3
West Essex	249·9	5
Southend	325·3	1
Barking, Havering and Brentwood	453·1	2
Hampstead	108·4	1
Bloomsbury	126·7	1
Islington	169·2	1
City and Hackney	193·3	2
Newham	207·0	1
Tower Hamlets	161·8	2
Enfield	260·9	1
Haringey	192·3	1
Redbridge	230·8	1
Waltham Forest	213·3	1
South East Thames RHA		
Brighton	308.2	4
Eastbourne	235.2	2
Hastings	169.3	3
South East Kent	268.4	3
Canterbury and Thanet	309.3	5
Dartford and Gravesham	217.2	2
Maidstone	199.3	2
Medway	330.2	2
Tunbridge Wells	196.0	6
Bexley	220.4	1
Greenwich	214.5	2
Bromley	298.2	2
West Lambeth	158.6	1
Camberwell	210.5	1
Lewisham and North Southwark	316.3	3
South West Thames RHA		
North West Surrey	206.9	3
West Surrey and North East Hants	277.6	1
South West Surrey	181.1	4
Mid Surrey	165.2	2
East Surrey	182.6	4
Chichester	182.6	na
Mid Downs	276.8	3
Worthing	244.0	2
Croydon	317.2	2
Kingston and Esher	177.2	2
Richmond, Twickenham and Roehampton	229.7	1
Wandsworth	188.2	2
Merton and Sutton	332.3	4
Wessex RHA		
East Dorset	451.7	5
West Dorset	203.9	6
Portsmouth and South East Hampshire	527.9	6
Southampton and South West Hampshire	419.7	2
Winchester	212.3	2
Basingstoke and North Hampshire	220.9	1
Salisbury	121.0	2
Swindon	234.2	2
Bath	407.0	12
Isle of Wight	129.8	1
Oxford RHA		
East Berkshire	362.1	2
West Berkshire	454.2	3
Aylesbury Vale	145.4	2
Wycombe	268.2	3
Milton Keynes	177.6	1
Kettering	258.3	1
Northampton	312.0	1
Oxfordshire	545.9	12
South Western RHA		
Bristol and Weston	367.7	4
Frenchay	221.8	2
Southmead	232.3	2
Cornwall and Isles of Scilly	460.6	9
Exeter	308.6	10
North Devon	135.6	7
Plymouth	334.3	8
Torbay	242.6	11
Cheltenham	212.4	7
Gloucester	315.1	6
Somerset	405.0	7
West Midlands RHA		
Bromsgrove and Redditch	167.1	2
Herefordshire	157.3	6
Kidderminster and District	102.6	2
Worcester and District	243.9	5
Shropshire	400.8	14
Mid Staffordshire	313.8	2
North Staffordshire	461.5	3

Health Authority	Resident population (thousands)	Number of hospital sites having A and E departments
South East Staffordshire	257.6	4
Rugby	86.3	1
North Warwickshire	175.1	1
South Warwickshire	223.2	3
Central Birmingham	180.2	2
East Birmingham	196.9	1
North Birmingham	164.0	1
South Birmingham	246.1	2
West Birmingham	206.6	2
Coventry	306.2	2
Dudley	304.3	1
Sandwell	296.3	1
Solihull	204.9	1
Walsall	262.3	1
Wolverhampton	249.4	2
Mersey RHA		
Chester	176.7	1
Crewe	248.5	2
Halton	143.6	1
Macclesfield	179.9	4
Warrington	187.7	1
Liverpool	469.6	7
St. Helens and Knowsley	346.0	2
Southport and Formby	120.1	1
South Sefton	177.5	2
Wirral	354.3	2
North Western RHA		
Lancaster	131.1	1
Blackpool, Wyre and Fylde	320.0	4
Preston	128.1	1
Blackburn, Hyndburn and Ribble Valley	264.8	2
Burnley, Pendle and Rossendale	228.3	1
West Lancashire	105.4	1
Chorley and South Ribble	196.8	1
Bolton	263.6	2
Bury	175.0	2
North Manchester	139.7	2
Central Manchester	122.4	4
South Manchester	183.8	2
Oldham	219.5	1
Rochdale	214.2	1
Salford	235.6	1
Stockport	290.9	1
Tameside and Glossop	247.0	1
Trafford	215.8	2
Wigan	307.6	2
Special Health Authorities		
The Hospitals for Sick Children	—	1
Moorfields Eye Hospital	—	1
Bethlem Royal and Maudsley Hospitals	—	1
Hammersmith and Queen Charlotte's	—	1
The Eastman Dental Hospital	—	1

Sources: Population estimates, Office of Population, Censuses & Surveys.
A & E depts, KH03 return.
na = not available

GPs (Budgets)

Mr. Butler: To ask the Secretary of State for Health if he will make a statement on the progress of the general practitioners' budget-holding initiative.

Mr. Kenneth Clarke: I refer my hon. Friend to the reply I gave my hon. Friends the Members for Isle of Wight (Mr. Field) and for Gravesham (Mr. Arnold) earlier today.

SCOTLAND

Local Government Finance

Mr. Kirkwood: To ask the Secretary of State for Scotland how many people in Scotland and the Borders who are currently paying the community charge did not previously pay the rates.

Mr. Lang: We estimate that about 1·9 million more people in Scotland are liable to pay the community charge than were liable to pay domestic rates. The information for Borders region is not available centrally.

Sandeels

Mr. William Ross: To ask the Secretary of State for Scotland how many tonnes of sandeels have been taken in Scottish coastal waters by commercial fishermen in each of the last five years; and what is his estimate of the annual sustainable yield.

Mr. Michael Forsyth: Sandeel catches, in tonnes, landed into Scotland from Scottish inshore waters in the last five years are:

	tonnes
1985	35,809
1986	36,429
1987	21,705
1988	35,283
1989	24,585

Sandeels are short-lived, so the stocks sizes are very dependent on recruitment which is neither predictable nor constant. The concept of annual sustainable yield is therefore not appropriate for species such as sandeels.

Fishing Vessels

Mr. Morley: To ask the Secretary of State for Scotland how many vessels crossed the 4 deg. line in June 1989; and what percentage radioing in were called in for inspection.

Mr. Michael Forsyth: In June 1989 a total of 514 calls were received from vessels indicating that they were intending to cross the 4 deg W line. None of these vessels was called in for physical inspection.

Arrestment of Wages

Sir David Steel: To ask the Secretary of State for Scotland whether he will seek to confer powers of arrestment of wages on local authorities in Scotland similar to those available to local authorities in England and Wales in respect of the collection of poll tax from persons evading payment but able to pay.

Mr. Rifkind: The powers available to local authorities to pursue arrears of community charge from a debtor by means of an earnings arrestment are those which are already available to a range of creditors under the terms of the Debtors (Scotland) Act 1987. I do, of course, keep all aspects of the community charge under review, but I have no plans at present to amend these provisions as they relate to community charge arrears cases.

Personal Data

Mr. Cohen: To ask the Secretary of State for Scotland whether his Department will take positive steps to discuss with the Data Protection Registrar, all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

Mr. Rifkind: I am reminding my officials of the need to consult the registrar about proposed legislation that might affect or be affected by the Data Protection Act 1984.

Public Rented Housing

Sir David Steel: To ask the Secretary of State for Scotland, what financial help the Government propose to give to councils to build new public sector rented accommodation in areas where there is a shortage of such accommodation.

Mr. Rifkind: The housing capital allocations which the Government make available to local authorities may be used to fund the building of new council housing if this is seen by local authorities as a priority in their areas. It is for local authorities to determine their own policies and priorities, based on their assessment of housing needs in their districts, and to programme capital expenditure accordingly within the resources made available. If councils consider that additional council housing is necessary, they should in the first instance include proposals in the housing capital programmes they are due to submit to my Department by 2 November. Capital allocations for 1991-92 will be determined, as in previous years, in the light of the aggregate resources available and the competing requirements of all 56 housing authorities.

Hospices

Mr. Wigley: To ask the Secretary of State for Scotland how many hospices there are in each of the counties of Scotland; and what is his policy regarding the expansion of hospice provision.

Mr. Michael Forsyth: The numbers of hospices within each regional and islands council area are as follows:

Area	*Number*
Borders	1 (Independent)
Central	1 (Independent)
Dumfries and Galloway	1 (NHS)
Fife	Nil
Grampian	1 (NHS)
Highland	1 (Independent)
Lothian	3 (Independent)
Orkney	Nil
Shetland	Nil
Strathclyde	8 (Independent)
Tayside	2 (NHS)
Western Isles	Nil
	18

With effect from 1 April 1990, the 12 independent hospices in Scotland that require no contribution from patients have received Government funding of at least 50 per cent. of their running costs. This initiative is designed to ensure that the partnership which exists between the NHS and the hospice movement is fostered and the hospices enabled to grow and develop.

Scottish Development Agency

Mr. Dewar: To ask the Secretary of State for Scotland what was the annual budget for the Scottish Development Agency in real terms in each year since its establishment to the most recent year for which figures are available.

Mr. Rifkind: The information is set out in the table.

	£ million at 1989-90 prices
1976-77	54·6
1977-78	126·2
1978-79	150·3
1979-80	161·7
1980-81	165·5
1981-82	150·5
1982-83	176·5
1983-84	159·3
1984-85	154·3
1985-86	162·9
1986-87	157·3
1987-88	154·5
1988-89	152·0
1989-90	158·3
1990-91	[1]169·0

[1] Estimated.

Health Minister

Mr. Dewar: To ask the Secretary of State for Scotland how many meetings the Minister in his Department with responsibility for health has had with hon. Members in each of the past five years.

Mr. Rifkind: Information on the number of official meetings that my hon. Friend the Minister for education and health has had with hon. Members to discuss health matters is as follows:

	Number
[1]1987	6
1988	19
1989	17
[2]1990	10

[1]After 15 June.
[2]To 30 September.

Crime

Mr. Wray: To ask the Secretary of State for Scotland what are the figures of crime rates in Scotland for each year since 1974.

Lord James Douglas-Hamilton: The information is set out in the table.

Crimes recorded by the police, Scotland 1974-89

Year	*Number*	*Rate per 100,000 population*
1974	233,552	4,456
1975	281,485	5,380
1976	317,877	6,074
1977	363,382	6,953
1978	334,957	6,426
1979	346,680	6,662
1980	364,587	7,020
1981	408,204	7,880
1982	435,081	8,421
1983	448,260	8,703
1984	474,914	9,229

Year	Number	Rate per 100,000 population
1985	461,970	8,994
1986	463,837	9,058
1987	481,230	9,413
1988	469,986	9,226
1989	493,385	9,692

Notes:

1. The figures for recorded crime in this table are based on the revised classification of crimes and offences which was introduced at the beginning of 1980.
2. Following the reorganisation of local government in Scotland in 1975, there was greater consistency in recording crimes.
3. Prior to 1980, the figures include crimes reported to the Procurator Fiscal by agencies other than the Police (for example the Department of Health and Social Security) in which a prosecution was taken.

Community Care

Mr. Wray: To ask the Secretary of State for Scotland if he will make a statement on the full implementation of community care schemes in Scotland.

Mr. Michael Forsyth: I have nothing of substance to add to the written reply given by my right hon. and learned Friend to my hon. Friend the Member for Tayside, North (Mr. Walker), on 18 July 1990. The implementation of the arrangements referred to in this reply is proceeding. A timetable for issuing of guidance circulars and related initiatives was sent by my Department to local authorities and health boards on 26 September and a copy has been placed in the Library.

Junior Doctors

Mr. Wray: To ask the Secretary of State for Scotland what studies have been carried out by Her Majesty's Government in Scotland *(a)* about health problems produced by working hours of junior doctors and *(b)* about the effect of such problems on junior doctors' performance.

Mr. Michael Forsyth: None, but it is Government policy to improve the working arrangements of junior doctors.

Eye Tests

Mr. Wray: To ask the Secretary of State for Scotland how many eye tests were carried out in the first seven months of each year since 1983 in Scotland.

Mr. Michael Forsyth: Information about NHS sight tests carried out under the general ophthalmic service in Scotland is collected centrally on a quarterly basis only. Information for seven-month periods is not centrally available.

Dental Tests

Mr. Wray: To ask the Secretary of State for Scotland how many dental tests were carried out in the first seven months of each year since 1981 in Scotland.

Mr. Michael Forsyth: Information about NHS dental examinations carried out under the general dental service in Scotland is collected centrally on a quarterly basis only and published annually in "Scottish Health Statistics". Information for seven-month periods is not centrally available.

Second Homes

Mr. Maxton: To ask the Secretary of State for Scotland if he will give the number of second homes for each district and island council in Scotland on the basis of information collected for the community charge.

Mr Lang *[holding answer 15 October 1990]:* Information on second homes as such is not collected for the purpose of levying the community charge. The number of premises liable for the standard community charge for each district and islands council area as at 1 July 1990—figures which include holiday homes and certain vacant houses as well as second homes—is set out in the table.

Authority	Number of standard charge premises July 1990
Berwickshire	303
Ettrick and Lauderdale	276
Roxburgh	303
Tweeddale	161
Clackmannan	469
Falkirk	1,723
Stirling	1,249
Annandale and Eskdale	612
Nithsdale	841
Stewartry	780
Wigtown	750
Dunfermline	346
Kirkcaldy	398
North East Fife	1,359
Aberdeen	5,173
Banff and Buchan	1,753
Gordon	1,706
Kincardine and Deeside	1,390
Moray	2,158
Badenoch and Strathspey	1,113
Caithness	1,075
Inverness	1,464
Lochaber	923
Nairn	298
Ross and Cromarty	2,057
Skye and Lochalsh	984
Sutherland	1,140
East Lothian	2,420
Edinburgh	15,912
Midlothian	1,629
West Lothian	2,759
Argyll and Bute	3,826
Bearsden and Milngavie	138
Clydebank	738
Clydesdale	518
Cumbernauld and Kilsyth	340
Cumnock and Doon Valley	304
Cunninghame	2,130
Dumbarton	991
East Kilbride	418
Eastwood	301
Glasgow	12,920
Hamilton	675
Inverclyde	965
Kilmarnock and Loudoun	652
Kyle and Carrick	1,039
Monklands	874
Motherwell	1,164
Renfrew	2,278
Strathkelvin	290
Angus	1,943
Dundee	5,275
Perth and Kinross	4,049
Orkney	553
Shetland	833
Western Isles	3,199
All Scotland Total	99,937

Capercaillie

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on the conference convened by the Nature Conservancy Council, at his request, on the capercaillie.

Lord James Douglas-Hamilton *[holding answer 15 October 1990]:* As yet, no date has been set for the meeting, to which scientific, land use and sporting interests will be invited. Its purpose will be to identify the information which is required to develop a conservation strategy for capercaillie.

Hypertension

Mr. Dunnachie: To ask the Secretary of State for Scotland what provision is made within Scotland for research into hypertension and treatment of cardiac failure; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 15 October 1990]:* A wide range of research into hypertension and cardiac failure has been supported by the Scottish Home and Health Department throughout the 1980s at a cost of £239,000. In addition the Medical Research Council's blood pressure unit in Glasgow is conducting research in this field.

Multiple Sclerosis

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will list research projects currently being undertaken in Scotland into multiple sclerosis; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 15 October 1990]:* The Scottish Home and Health Department is not currently supporting research into multiple sclerosis, but favourable consideration would be given to any application for funding for soundly based research projects.

PRIME MINISTER

Monetary Developments (EC)

Q19. **Mr. Teddy Taylor:** To ask the Prime Minister what representations and views she has received from member states of the EEC about United Kingdom proposals on monetary developments to be considered by the intergovernmental conference; and if she will make a statement.

The Prime Minister: The United Kingdom's proposals for a "hard ecu" have been widely welcomed by our Community partners as a positive, constructive contribution to the on-going debate on what should follow stage 1 of economic and monetary union. We will continue to advance our proposals before and during the intergovernmental conference which opens on 13 December.

Natural History Museum

Q150. **Mr. Dalyell:** To ask the Prime Minister if she will pay an official visit to the natural history museum.

The Prime Minister: I have at present no plans to do so.

General Elections

Mr. Allen: To ask the Prime Minister if she will bring forward proposals for a fixed-term Parliament with set dates for general elections.

The Prime Minister: No.

EC Intergovernmental Conference

Mr. Allen: To ask the Prime Minister if she will list the items which Her Majesty's Government have asked to be discussed at the European Community intergovernmental conference.

The Prime Minister: The paper prepared by Foreign Ministers and endorsed by the June Dublin European Council, the conclusions of which were deposited in the Library of the House, covers all the areas which Her Majesty's Government would like to be discussed. The United Kingdom is playing an active part in the preparations for the intergovernmental conferences and is making specific suggestions as appropriate within the broad lines set down by that document.

Mr. Allen: To ask the Prime Minister if she will list the officials and Ministers who will represent Her Majesty's Government at the forthcoming European Council's intergovernmental conference.

The Prime Minister: No decisions have yet been taken on who will represent Governments at the intergovernmental conferences on economic and monetary union and on "political union". The size and composition of national delegations will be decided nearer the time for each meeting.

Economy

Mr. Allen: To ask the Prime Minister if she will make a statement on the changes in the economy and exchange rate mechanism which have occurred since her reply on 30 January 1986, *Official Report*, column 1091.

The Prime Minister: Since the first quarter of 1986 the underlying improvement in the economy seen since this Government took office in 1979 has continued. Up to and including the second quarter of 1990, output rose by 15·5 per cent., business investment increased by 44 per cent. and real personal disposable income was 23 per cent. higher. By March this year there were over 2·5 million more people in work and in August unemployment was over 1,400,000 lower. A period of over-rapid demand growth in 1987 and 1988 led to a resurgence of inflationary pressures, but tight monetary policy has now slowed demand, and a fall in inflation will shortly follow. Since 30 January 1986 both the peseta and the pound sterling have joined the exchange rate mechanism. The lira moved from wide to narrow bands within the mechanism earlier this year. Between January 1986 and January 1987 there were three other realignments of central rates within the system.

Engagements

Mr. Robert G. Hughes: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Skinner: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Burns: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Hind: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 16 October.

Mr. Ron Davies: To ask the Prime Minister, to list her official engagements for Tuesday 16 October.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Eastern Europe

Mr. Allen: To ask the Prime Minister, pursuant to her answer of 19 July, *Official Report*, column *674*, what assessment she has made of the implications for her policy of the book "End of the Cycle", by Morgan Stanley; and if she will make a statement.

The Prime Minister: This report is an informative assessment of the economic situations and investment opportunities within the countries of western and eastern Europe.

Demographic Trends

Mr. Wray: To ask the Prime Minister what specific measures Her Majesty's Government are taking in order to address the economic and social effects of the changes in demographic trends, in particular the reduction of births.

The Prime Minister: Each Minister in charge of a Government Department takes due account of changes in demographic trends when putting current policies into effect and when formulating proposals for the future.

Sanctions

Mr. Wray: To ask the Prime Minister if she will make a statement on the Government's policy in respect of the use of sanctions in international or foreign affairs.

The Prime Minister: Where there is flagrant violation of international law such as the Iraqi occupation of Kuwait, comprehensive sanctions, collectively and effectively implemented, may be an appropriate response. Each case must, however, be examined individually, bearing in mind the objectives of our policy and the likely effectiveness of sanctions in achieving those objectives.

Written Answers to Questions

Wednesday 17 October 1990

PRIME MINISTER

Natural History Museum

Mr. Fraser: To ask the Prime Minister whom she intends to appoint to replace Sir Gerald Ronson on the board of trustees at the natural history museum.

The Prime Minister: There are at present no vacancies on the board of the natural history museum to which I appoint but any new appointments will be announced in due course.

Exchange Rate Mechanism

Mr. Allen: To ask the Prime Minister what is the policy of Her Majesty's Government on seeking a revaluation of the sterling exchange rate mechanism band.

The Prime Minister: Together with our European partners we are fully committed to maintain the system of central rates and intervention limits agreed with them over the weekend of 6 and 7 October.

Mr. Allen: To ask the Prime Minister if she has anything to add to her statement of 12 July 1989, *Official Report*, column *518*, about the conditions for United Kingdom adherence to the European monetary system.

The Prime Minister: I have nothing to add to the statement made by my right hon. Friend the Chancellor of the Exchequer on 15 October at columns 928-29.

Single European Currency

Mr. Allen: To ask the Prime Minister, pursuant to the reply of the Lord President of the Council to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), *Official Report*, 26 June, columns 179-80, whether she will make a further statement on progress towards a single European currency.

The Prime Minister: The Government remain opposed to the imposition of a single European currency as prescribed in stage 3 of the Delors report. The Chancellor of the Exchequer set out the Government's alternative proposals for developments beyond stage 1 on 20 June. These include a new institution, the European monetary fund, and a common European currency, the hard ecu.

Economy

Mr. Allen: To ask the Prime Minister if she will make a statement on the changes in economic circumstances which have taken place since 16 September.

The Prime Minister: Since 16 September there has been further evidence that sustained tight monetary policy backed by firm budgetary control has now checked demand growth and is reducing inflationary pressures in the economy. The Chancellor was able to announce, with effect from 8 October, a one-point reduction in interest rates and, at the same time, United Kingdom entry to the exchange rate mechanism of the European monetary system.

Departmental Costs

Mr. Tony Banks: To ask the Prime Minister how much was spent by her office on official hospitality in 1989-90.

The Prime Minister: The cost of official hospitality met by my office during 1989-90 was £27,427.

Mr. Tony Banks: To ask the Prime Minister if she will provide the final figures for 1989-90 for *(a)* the cost of maintaining and running No. 10 Downing street and additional costs at Chequers, *(b)* the grant-in-aid to the Chequers Trust and *(c)* the costs on a consistent basis and expressed at constant 1984-85 prices.

The Prime Minister: The figures requested are as follows:

(a) Cost of maintaining and running 10 Downing street and additional costs at Chequers (1) (2) (3)
1989-90—£7,669,276

(b) Grant in aid to the Chequers Trust
1989-90—£238,000

(c) Costs at (a) and (b) in 1984-85 price terms (4)
1989-90 (a) £5,856,878
(b) £181,756

Notes:

(1) The figures include costs at both 10 Downing street and Chequers; the information is not available by location.

(2) Salaries and wages, notional pension liability, administration costs, the costs of office services and the grant in aid to the Chequers Trust are included. The Prime Minister's salary is excluded.

(3) These totals are calculated on a consistent basis with the total for 1986-87 in sub-paragraph (a) of the reply to the hon. Member on 23 October 1987 at column *846*. If office services costs are excluded (to produce a figure consistent with those at sub-paragraph (c) of that reply) the total is:
1989-90 £7,155,708 £5,464,676 (5)

(4) Constant costs have been calculated using the Treasury's GDP deflator for 1989-90 rebased to 1984-85.

(5) At 1984-85 prices.

Mr. Tony Banks: To ask the Prime Minister if she will provide the final figure for 1989-90 for the total cost to public funds of all her offices, duties, accommodation and expenses.

The Prime Minister: The total cost of all my offices in 1989-90 was £7,704,396 (1).

Note:

(1) Salaries and wages, notional pension liability, administration costs, and the grant in aid to the Chequers Trust are included. My salary as a Cabinet Minister is also included. My pay and allowances as a Member of this House are excluded.

Mr. Tony Banks: To ask the Prime Minister what was the total cost of travel incurred by her office in 1989-90.

The Prime Minister: The total cost of my travel and that of my staff in 1989-90 was £948,656.

OVERSEAS DEVELOPMENT

Know-how Fund

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs how much money *(a)* has been and *(b)* is to be allocated to each country under the know-how fund.

Mrs. Chalker: A total of £50 million has been allocated to Poland, and £25 million to Hungary both for expenditure over a period of years. The know-how fund was extended to the German Democratic Republic and Czechoslovakia in March and April respectively. No specific country financial limits were announced. The know-how fund for the GDR ceased on 3 October.

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the projects funded by the know-how fund in each of the countries of eastern and central Europe since its inception.

Mrs. Chalker: I refer to the replies I gave to my hon. Friend the Member for Battersea (Mr. Bowis) on 14 March at column *236*, to my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) on 13 June at column *213* and to my hon. Friends the Members for Daventry (Mr. Boswell) and for Hazel Grove (Sir T. Arnold) on 2 July at column *417*. The additional activities approved since then under the know-how fund are as follows:

CZECHOSLOVAKIA

Title: *Anglo-Czechoslovak Law Seminar*
Description: Four Czechoslovak lawyers attended a seminar in London organised by the Anglo-Czechoslovak Law Association.
Status: Completed.
Cost: £2,000.

Title: *Data Envelopment Analysis Programme*
Description: The London School of Economics ran a short computer programming course based at the Ecole Polytechnique de Brno. A computer has been installed at the Polytechnique to enable them to undertake further courses.
Status: Completed.
Cost: £10,000.

Title: *Prince of Wales Scholarships*
Description: Two Czechoslovak students will be sponsored to attend courses at Atlantic College, Wales.
Status: The two students took-up their courses in October 1990.
Cost: £9,300.

Title: *Workshops on Tax Structure and Public Finance*
Description: The Institute of Fiscal Studies in cooperation with the Czechoslovak Institute of Economics and Sociology is to arrange, over a two year period, a programme of workshops to examine tax requirements and procedures resulting from the changes in Czechoslovakia. In addition there will be inward and outward visits by researchers and the provision of computer equipment.
Status: Started September 1990.
Cost: £25,000.

Title: *Training for personnel of Czechoslovak TV*
Description: VISNEWS have arranged a short training programme for key personnel from Czechoslovak TV News to enable them to see how news coverage is approached in Britain and to look at United Kingdom equipment and production techniques.
Status: Completed.
Cost: £5,000.

Title: *Media Training for Czechoslovak Radio*
Description: A group of journalists from Czechoslovak Radio undertook a two day training session with an individual consultant looking at ways of improving presentation and content.
Status: Completed.
Cost: £200.

Title: *Legal Education*
Description: The Jan Hus Foundation is to advise Czechoslovak Universities on the reform of their system of legal education.
Status: Underway.
Cost: £5,000.

Title: *Assistance for Privatisation*
Description: A team of privatisation advisers from Ernst and Young, Schroders and Denton Hall will undertake a six month assignment to advise the Czechoslovak Privatisation Agency.
Status: Started September 1990.
Cost: £450,000.

Title: *Broadcasting Training*
Description: The BBC World Service is to provide a six week course for Czechoslovak broadcasters on the methods and techniques of broadcasting and journalism in a plural society.
Status: To start February 1991.
Cost: £250,000.

Title: *Banking Training*
Description: A visit to assess the training needs of the Czechoslovak banking sector.
Status: Completed.
Cost: £12,000.

Title: *Banking Training*
Description: A programme of six two week seminars for senior managers of various banks in Czechoslovakia.
Status: To be implemented.
Cost: £170,000.

Title: *Assistance to the Ceskoslovenska Obchodnoi Banka*
Description: Two consultants will work alongside bank staff as part of a team finalising the evaluation of an integrated software package.
Status: Started October 1990.
Cost: £14,500.

Title: *Assistance to the Komercni Banka*
Description: The placement of ten Czechoslovak bankers, selected by the Komercni Banka, with British clearing banks, mainly in their documentary credits departments in order to obtain practical, working experience of international commercial banking business.
Status: Started October 1990.
Cost: £35,000.

Title: *Assistance to the Investicni Banka*
Description: Barclays Bank to provide a three day training course to two employees of the Investicni Banka in the issue of Certificates of Deposit.
Status: Completed.
Cost: £900.

Title: *Development of employment Services in Slovakia.*
Description: A short visit by two Employment Service officials to Slovakia to ascertain needs in the employment sector.
Status: To be implemented.
Cost: £3,000

Title: *Book Sector Study.*
Description: A study to consider all factors relevant to educational book development which will form the basis for a more detailed book development programme to be linked to an IBRD contribution to this sector.
Status: To be implemented.
Cost: £44,500.

Title: *Training for Employment Services Managers.*
Description: The Employment Service are to provide a number of courses for the Czechoslovak equivalent of Jobcentre managers.
Status: To be implemented.
Cost: £53,000.

Title: *Training and Retraining of Adults.*
Description: Up to ten Czechoslovak officials will visit the United Kingdom for two weeks to look at adult training facilities and policy.

Status: To be implemented.
Cost: £39,300.

Title: *Development of Employment Services.*
Description: A visit by United Kingdom Employment Service officials to Czechoslovakia to look at existing arrangements for dealing with unemployment and a return visit by officials from the Ministry of Labour and Social Affairs to discuss with institutions in the United Kingdom the handling of unemployment issues.
Status: Completed.
Cost: £19,600.

Title: *Insurance Sector*
Description: To help establish a new insurance company.
Status: Underway.
Cost: £140,700.

Title: *Management Training in the Telecommunications Sector*
Description: The training, by British Telecom, of 10 senior executives in the Czechoslovak Federal Ministry of Posts and Telecommunications.
Status: Underway.
Cost: £58,800.

Title: *Accountancy Training*
Description: The placement of eight Czechoslovak accountants selected by the Ministry of Finance with British accountancy firms.
Status: Underway.
Cost: £13,000.

Title: *English Language Teaching In-Service Seminar*
Description: A two-week seminar in Bratislava to prepare teachers for the introduction of new English teaching materials and methodology.
Status: Completed.
Cost: £10,500.

Title: *Russian Teachers' Conversion Course*
Description: The British Council are to organise a three-month intensive teacher training/conversion course for Czech and Slovak teachers of Russian to prepare them for English teaching duties in state primary and secondary schools.
Status: Underway.
Cost: £195,000.

Title: *Advice to the Federal Minister of Economy and the Chairman of the State Bank*
Description: The payment of airfares for up to 15 visits per year to Prague by Mr. Stanley Rudcenko, Vice President and Chief Economist at the Bankers Trust and one of an informal group of advisers to the Chairman of the State Bank and Federal Ministry of Economy.
Status: Underway.
Cost: £6,000.

Title: *Secondment to the Federal Ministry of Economy*
Description: The secondment of Dr. Drabek of the World Bank to act as a principal economic adviser to both the Ministry of Economy and the Czech Ministry of Strategic Planning.
Status: To be implemented.
Cost: £50,000.

Title: *Secondment to the Prime Minister's Office*
Description: The Department of Employment have seconded an official to the Czechoslovak Prime Minister's office to advise on the employment and other implications of the economic reform programme.
Status Underway.
Cost: £50,000.

Title: *Management Training in the Construction Sector*
Description: A pilot management training course for the construction sector.
Status: Completed.
Cost: £57,950.

HUNGARY
Title: *Share Ownership*
Description: Job Ownership advised the Resz-Vetel Foundation on the legislation for employee share ownership schemes.
Status: Completed.
Cost: £3,200.

Title: *European Accounting Association Conference*
Description: Ten Hungarian accountants attended the conference held in Budapest.
Status: Completed.
Cost: £2,000.

Title: *Employment and Trade Union Issues*
Description: Members of ACAS visited to advise on employment and Trade Union issues.
Status: Completed.
Cost: £2,500

Title: *International Institute of Administrative Sciences Seminar*
Description: The Royal Institute of Public Administration provided a speaker to a seminar organised by the Hungarian Institute of Administrative Sciences.
Status: Completed.
Cost: £900

Title: *Support for UNIDO initiatives*
Description: A contribution to the various industrial based projects in Hungary funded by UNIDO.
Status: Underway.
Cost: £500,000

Title: *Biotechnology*
Description: Consultants have been looking at potential productivity improvements in the fine chemicals sector.
Status: Underway.
Cost: £86,000

Title: *Broadcasting Training*
Description: The BBC will arrange for a number of broadcasters from Hungary to be trained in the United Kingdom.
Status: Underway.
Cost: £220,000

Title: *Prince of Wales Scholarships*
Description: Two Hungarian students will be sponsored to attend courses at Atlantic College, Wales.
Status: Underway.
Cost: £9,300.

Title: *Franchise Booklets*
Description: The translation and printing of two booklets on franchise procedures for distribution to interested parties through the Hungarian Franchise and Distribution Centre.
Status: Underway.
Cost: £4,000.

Title: *Training for Small Businesses*
Description: The development of training materials and the delivery of courses for small business advisers
Status: Underway.
Cost: £99,000.

Title: *Book Sector Study*
Description: A study to consider all factors relevant to educational book development. This will form the basis of a medium term book development policy and strategy to guide donor priorities in the book sector.
Status: To be implemented.
Cost: £44,500.

Title: *Developing Teacher Competency in Enterprise Education*
Description: A five day workshop to introduce teachers to the British enterprise curriculum, the materials developed for pupils and teachers and the associated required teaching styles.
Status: To be implemented.
Cost: £5,800.

Title: *Developing Small Business Counsellor and Trainer Competencies*
Description: A stage by stage approach to developing the competencies of counsellors and trainers of small and medium sized enterprises in Hungary.
Status: To be implemented.
Cost: £5,800.

Title: *Assistance for Employee Share Ownership Schemes*
Description: As a follow up to their visit in March, Job Ownership Ltd are to examine in more detail the feasibility of introducing employee share ownership into up to five Hungarian Businesses which are currently state owned.
Status: Underway.
Cost: £80,000.

Title: *Management Training in the Telecommunications Sector*
Description: The training of 12 senior executives in the Hungarian Telecommunications Company in management skills essential for operating in a free market environment.
Status: To be implemented.
Cost: £72,000.

Title: *Seminar on the Agri-Food Sector*
Description: The seminar is designed to stimulate business links between British and Hungarian partners in the agri-food processing sector.
Status: To be implemented.
Cost: £7,600.

Title: *Kecskemet Business Support Centre*
Description: A feasibility study to look at the potential to establish a support centre in Kecskemet to stimulate the development of the small business sector.
Status: Underway.
Cost: £10,500.

Title: *Seminar on Commercial Law*
Description: A three-day seminar on commercial law held in Budapest by the British-Hungarian Legal Association in conjunction with the Association of Hungarian lawyers.
Status: Completed.
Cost: £32,000.

Title: *Advice to the Hungarian Parliament*
Description: A visit by the Clerk of the Overseas Office of the House of Commons to give the officials of the Hungarian Parliament an overview of British methods of parliamentary organisation.
Status: Completed.
Cost: £3,000.

GERMAN DEMOCRATIC REPUBLIC
Title: *Scholarships*
Description: A programme of 28 scholarships.
Status: Underway.
Cost: £261,000.

Title: *Summer School*
Description: 50 places for GDR English specialists at a British Council managed summer school.
Status: Completed.
Cost: £69,000.

Title: *ELT*
Description: Programme of four institutional links.
Status: Underway.
Cost: £75,000.

Title: *Media training*
Description: Attachment of two producers from East German radio to the world service.
Status: Completed.
Cost: £35,000.

POLAND
Title: *Management Training sector mission*
Description: Project identification.
Status: Completed May 1990.
Cost: £39,000.

Title: *UNIDO projects*
Description: Trust Fund agreement to use UNIDO as management agent for industrial sector.
Status: Commenced April 1990.

Title: *Book Presentation Programme*
Description: Provision of essential books to libraries/educational institutes—administered by the British Council.
Status: To be implemented.
Cost: £100,000 a year.

Title: *Solidarity Economic Foundation*
Description: Equipment for Gdansk centre.
Status: Completed March 1990.
Cost: £20,000.

Title: *English Management Advisory Service*
Description: Pilot programme to increase us33seage and quality of English by Polish Businessmen, involving establishment of a resource centre in Warsaw and a team of peripatetic trainers/advisers to work with regionally based Polish institutes and trainers.
Status: Started September 1990.
Cost: £530,000.

Title: *Management Training*
Description: Contribution towards one year training programme in all aspects of International freight forwarding for two Polish trainees.
Status: Started July 1990.
Cost: £20,000.

Title: *Polish Access to English*
Description: Assistance to Ministry of Education to achieve a sustainable English Language teacher training programme through provision of:—planning support for development of strategy; EL teacher training; curriculum development; materials/equipment for new colleges.
Status: Started August 1990.
Cost: £454,000.

Title: *Assets and Liabilities Restructuring*
Description: One year secondment of member of Barclays Bank to assist Minister of Finance in analysis and restructuring of State banks.
Status: Started August 1990.
Cost: £45,000.

Title: *Ministry of Industry—Industrial Restructuring Fund*
Description: Six month attachment of United Kingdom expert to upgrade the structure and management of the Industrial Restructuring Fund.
Status: Started July 1990.
Cost: £85,000.

Title: *Stock Exchange Training*
Description: Six month attachment for five Polish trainees with a firm of traders on the London Stock Exchange.
Status: To be implemented.
Cost: £105,000.

Title: *Ealing Language Courses*
Description: Two six week English Language training courses for Polish Vice-Ministers.
Status: Started July 1990.
Cost: £45,000.

Title: *Accountancy Training Project*
Description: Intensive five year programme of accountancy training in Poland.
Status: To be implemented.
Cost: £4,093,000.

Title: *Police Training*
Description: Project identification visit.
Status: Completed June 1990.
Cost: £4,000.

Title: *Polish Publishing House*
Description: Four week secondment of United Kingdom expert to State Scientific Publishers (PWN) to advise on restructuring.
Status: To be implemented.
Cost: £15,000.

Title: *Coal Industry Training*
Description: Additional training in colliery management techniques—two follow-up courses in United Kingdom; six courses in Poland.
Status: Underway.
Cost: £186,000.

Title: *Insurance Consultancy*
Description: Restructuring of Polish State Insurance Company.
Status: To be implemented.
Cost: £300,000.

Title: *Assistance to Krakow Veterinary Hygiene Institute*
Description: Visit to United Kingdom institutions by 12 Veterinary Officers.
Status: Due to start October 1990.
Cost: £40,000.

Title: *Overlay cellular telephone network*
Description: Provision of consultancy advice on tender evaluation procedures.
Status: Started September 1990.
Cost: £42,000.

Title: *Training of Polish Diplomats*
Description: Training for 6 weeks of 10 students at the Diplomacy Acadamy of London (Polytechnic of Central London).
Status: Started October 1990.
Cost: £50,000.

SOCIAL SECURITY

Community Charge

Mr. Nellist: To ask the Secretary of State for Social Security what was the poll tax benefit case load, as at 31 May, for *(a)* Coventry, *(b)* Warwickshire and *(c)* each standard region.

Mrs. Gillian Shephard: I shall write to the hon. Member as soon as all the information becomes available.

Invalid Care Allowance

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security what plans he has to raise the level of invalid care allowance to the level of other income maintenance benefits.

Mr. Scott: The Government are committed to increasing invalid care allowance in line with movements in the retail prices index.

Refugee Monitoring

Mr. Tony Banks: To ask the Secretary of State for Social Security (1) when the refugee monitoring and review programme was started at Woodgrange Park house, Forest Gate, London; and how many refugee cases were then in the office;

(2) what method of identifying refugee status was used when fraud section staff inspected files at Woodgrange Park house, Forest Gate, London;

(3) how many fraudulent claims have been discovered through the refugee monitoring and review programme at Woodgrange Park house, Forest Gate, London.

Mrs. Gillian Shephard: No system of monitoring and controlling claims from refugees has been used at Woodgrange Park house. Consequently, there has been no such identification of fraudulent claims. Normally statistics are not held on the number of claims from refugees, but in order to assess the resources needed to deal with an influx of claims, a special count was made on 19 July 1990. Identification of these claims was made in the normal way from claim forms, and as a result a total of 1,200 claims from refugees was identified on that date.

Pensioners

Ms. Short: To ask the Secretary of State for Social Security what is the number of men over retirement age; and what number are in receipt of means-tested benefits.

Mrs. Gillian Shephard: In mid-1988 there were approximately 3·5 million men over age 65 in Great Britain. Of these an estimated 1·1 million were in receipt of an income-related benefit.

Hostels

Mr. Carrington: To ask the Secretary of State for Social Security what arrangements he has made to transfer the money made available by the October 1989 changes in hostel dwellers' benefit entitlements to alternative funding sources.

Mrs. Gillian Shephard: In line with the announcement made by my right hon. Friend the former Secretary of State on 16 March 1989 at columns 546-54, funds will be transferred from the Department of Social Security as follows:

Department	*Allocation*
Department of the Environment (for the Department of Health)	For local authority social services departments in England
Home Office	For probation, bail and after care hostels
Scottish Office	For local authority social work departments in Scotland
Welsh Office	For all relevant hostels in Wales

In addition, a small proportion of the available total will be retained by the Department of Social Security for the Resettlement Agency.

The other Departments concerned will be initiating discussions about consequent arrangements for hostel funding from April 1991 with local authorities and other interested parties. Details of temporary payments currently being made to hostels by the Department of Social Security are being provided to these Departments to inform their discussions.

Mr. John Pattinson

Mr. Franks: To ask the Secretary of State for Social Security when he expects the Medical Appeal Tribunal in Liverpool to arrange another hearing for Mr. John Pattinson, case no. L195/5/90, who first made a claim for industrial injury in 1983.

Mr. Scott: I have written to my hon. Friend.

Benefit Payments (Reviews)

Mr. Pendry: To ask the Secretary of State for Social Security if he will publish the returns from each local office requested in circular RD TECH 100/90, showing the number of payments made and the total amount paid to claimants as a result of reviews following the commissioners' decisions CIS/144/89 and CIS/180/89.

Mr. Scott: Returns received up to and including 11 October 1990 are shown in the table.

Local Office	*Number of payments*	*Amount*
Aberdeen South	1	363·99
Aberystwyth	0	—
Airdrie	9	15,857·42
Arbroath	0	—
Ashington	37	12,838·00
Ashton-under-Lyne	18	31,342·81
Balham	12	9,689·82
Barnet	1	366·80
Barnsley (East)	76	26,027·84
Barnstaple	0	—
Barrow-in-Furness	29	10,480·60
Basildon	82	27,929·20
Basingstoke	0	—
Bathgate	0	—
Birmingham (Erdington	30	12,801·83
Birmingham (Northfield)	38	12,884·17
Birmingham (Perry Bar)	28	10,743·45
Birmingham (Sparkhill)	19	11,959·38
Birmingham (Washwood Heath)	44	18,677·90
Blackpool (South)	12	4,538·71
Blackwood	38	12,223·40
Blyth	35	11,361·45
Bolton	15	6,266·70
Boston	3	1,074·20
Bournemouth	2	838·40
Braintree	19	31,508·33
Bridgend	4	1,332·36
Bridgwater	0	—
Bristol (Central)	2	681·20
Bristol (East)	0	—
Bristol (West)	0	—
Burnley	29	4,343·70
Buxton	1	213·34
Campbeltown	2	618·20
Cannock	2	516·80
Chester	10	3,376·41
Chester le Street	4	4,319·40
Chesterfield	84	78,827·79
Clydebank	10	16,652·83
Colwyn Bay	1	340·60
Coventry (East)	41	13,797·76
Cowdenbeath	0	—
Crawley	0	—
Crewe	2	3,623·61
Croydon	0	—
Deeside	24	n/k
Derby (Becket Street)	31	40,979·59
Derby (Heritage Gate)	20	6,864·40
Derby (London Road)	38	n/k
Dewsbury	39	13,979·04
Diss	2	3,913·25
Dolgellau	0	—
Doncaster (East)	1	393·00
Doncaster (West)	12	4,611·20
Dudley (North)	23	11,126·58
Dumbarton	2	428·08
Dumfries	0	—
Dunfermline	0	—
Durham	22	7,846·55
Eastbourne	2	759·80
Edinburgh (East)	1	183·40
Edinburgh (South)	0	—
Edinburgh (West)	0	—
Elgin	3	1,837·00
Epsom	0	—
Exeter	1	635·10
Folkestone	2	733·60
Fort William	0	—
Galashiels	37	63,546·01
Glasgow (Anniesland)	24	8,714·23
Glasgow (City)	2	883·40
Glasgow (Laurieston)	0	—
Glasgow (Partick)	7	4,818·72
Glasgow (Provan)	44	20,717·45
Glasgow (Rutherglen)	15	8,883·35
Goole	0	—
Gravesend	0	—
Great Yarmouth	1	336·14
Guildford	0	—
Harlow	7	1,384·20
Harrow	0	—
Havant	1	340·60
Hereford	0	—
Houghton le Spring	1	290·29
Hove	1	314·40
Huddersfield	30	10,537·53
Hull (East)	29	34,000·00
Hyde	12	3,658·40
Ilkeston	0	—
Johnstone	5	1,514·03
Keighley	2	786·00
Kidderminster	4	1,362·40
Kings Lynn	0	—
Kingston upon Thames	0	—
Lancaster	13	3,623·10
Launceston	0	—
Leamington	4	1,336·26
Leeds (East)	0	—
Leeds (North West)	1	1,942·00
Leeds (North)	0	—
Leeds (South)	0	—
Leicester (Lower Hill Street)	19	6,101·39
Leicester (Norton Street)	0	—
Leigh	0	—
Lichfield	5	1,321·23
Lincoln (Newland)	0	—
Lincoln (Orchard Street)	31	11,609·41
Liverpool (City)	1	150·00
Liverpool (Edgehill)	1	238·44
Liverpool (Huyton)	0	—
Liverpool (West Derby)	0	—
Llanelli	37	12,444·18
London (Battersea)	5	1,425·83
London (Hendon)	1	162·50
London (Highgate)	3	2,557·30
London (Peckham)	0	—
London (Poplar)	0	—
London (Shoreditch)	0	—
London (Streatham)	2	2,774·75
London (Wandsworth)	6	11,829·95
London (Wimbledon)	2	2,338·16
Loughborough	2	406·94
Lowestoft	9	6,612·85
Macclesfield	1	1,993·00
Manchester (Cheetham)	3	2,101·32
Manchester (Failsworth)	6	7,451·95
Manchester (Longsight)	17	22,630·78
Manchester (Rusholme)	12	20,925·25
Mansfield	145	62,284·89
Merthyr Tydfil	32	9,953·92
Middlesborough	88	34,637·70
Milton Keynes	0	—
Mitcham	0	—
Motherwell	2	786·00
Neath	5	1,703·00
Newbury	0	—
Newcastle Upon Tyne (St. James)	54	20,539·80
Newtown	1	340·60
North Shields	11	16,717·49
Northallerton	8	2,474·34
Northwich	0	—

Local Office	Number of payments	Amount
Norwich (Chantry)	2	732·31
Nottingham (Shakespear Street)	5	1,788·28
Nottingham (Station Street)	13	4,824·54
Nuneaton	38	18,272·63
Oban	6	1,819·59
Oxford	2	733·60
Pembroke Dock	0	—
Penrith	2	890·80
Perth	8	1,980·60
Peterlee	11	3,930·00
Pontypridd	1	314·40
Port Glasgow	18	29,255·14
Porth	4	1,446·22
Preston (North)	0	—
Preston (South)	9	n/k
Reading	8	14,335·83
Redcar	19	11,846·44
Rhyl	55	15,268·40
Romford	1	340·60
Rotherham (North)	0	—
Salford (North)	0	—
Scarborough	25	8,063·94
Scunthorpe	8	10,327·95
Sheffield (North West)	3	1,021·80
Skipton	0	—
Smethwick	19	6,336·53
South Shields	22	11,735·51
Southampton	1	829·70
Southend on Sea	30	10,349·00
St. Austell	0	—
Stanley	10	12,800·79
Stockport (North)	0	—
Stockton	71	25,625·06
Stoke on Trent (South)	0	—
Stroud	0	—
Sunderland (North)	26	8,436·22
Sunderland (South)	31	9,822·05
Sutton In Ashfield	46	28,374·60
Swansea	0	—
Telford	1	393·00
Truro	1	235·80
Twickenham	1	1,968·20
Wallsend	13	1,297·42
Walsall (East)	42	13,021·40
Walsall (West)	48	14,701·14
Warrington	9	3,432·20
Watford	0	—
Wath On Dearne	18	6,209·40
West Bromwich	2	1,466·14
Weymouth	3	969·40
Wick	0	—
Wilmslow	1	3·75
Wolverhampton North	2	753·65
Worksop	88	32,948·70
Wrexham	60	20,739·94
Yeovil	2	686·05
York	1	314·40
Unidentified	2	786·00
Unidentified	1	340·06
Total	2,501	1,267,979·65

Social Fund

Ms. Mowlam: To ask the Secretary of State for Social Security how many applications for review were received during the period April 1989 to March 1990 inclusive in respect of *(a)* social fund community care grants, *(b)* social fund budgeting loans and *(c)* social fund crisis loans, by each of his Department's local offices at Eston, Hartlepool, Middlesbrough, Redcar and Stockton, and how many of each of these applications for review resulted in revised decisions.

Mr. Scott *[pursuant to his reply, 23 July 1990, columns 88-89]:* Some of the information given in the table was found to have been misinterpreted. The corrected information is as follows:

April 1989 to March 1990

	Applications received	Decisions revised
Eston		
Community care grants	98	23
Budgeting loans	251	57
Crisis loans	9	4
Hartlepool		
Community care grants	163	38
Budgeting loans	270	57
Crisis loans	9	3
Middlesbrough		
Community care grants	569	158
Budgeting loans	771	295
Crisis loans	44	13
Stockton		
Community care grants	520	164
Budgeting loans	561	173
Crisis loans	17	6
Redcar		
Community care grants	127	49
Budgeting loans	162	48
Crisis loans	4	2

Some of the revised decisions will refer to review applications made in a previous period and decisions may not have been made on some of the review applications made in the period shown.

HOME DEPARTMENT

Bingo Clubs

Mr. Moate: To ask the Secretary of State for the Home Department what representations he has received in support of relaxing present restrictions on advertising licensed bingo clubs; what consideration he is giving to this question; and if he will make a statement.

Mr. Peter Lloyd: Since the reply by my right hon. and learned Friend to a question from my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) on 19 March at column *455*, we have received a further 25 letters from hon. Members about the controls on the advertising of licensed bingo clubs.

I understand that in April the Bingo Association of Great Britain resumed discussions with the Gaming Board for Great Britain on the scope, if any, for some partial relaxation of the controls on bingo club advertising, and that the board hopes soon to be in a position to report, for our consideration, its advice in light of these discussions.

Public Interest Immunity Certificates

Mr. McNamara: To ask the Secretary of State for the Home Department if he will list in the *Official Report* the number of occasions in the past 10 years when public interest immunity certificates have been issued concerning matters before coroners and other courts preventing members of police forces and others within the remit of his Department from attending such courts, and to prevent such courts from hearing details of operations; indicating which operations were involved and how many individuals were covered by such certificates.

Mr. Waddington: There is no systematic record kept centrally of all cases in which public interest immunity is claimed in respect of police forces and others within the responsibility of the Home Office and it would not be possible to provide the information sought except at disproportionate cost.

FOREIGN AND COMMONWEALTH AFFAIRS

Public Interest Immunity Certificates

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list in the *Official Report* the number of occasions in the past 10 years when public interest immunity certificates have been issued concerning matters before coroners and other courts preventing officials of his Department and others within the remit of his Department from attending such courts, and to prevent such courts from hearing details of operations, indicating which operations were involved and how many individuals were covered by such certificates.

Mr. Lennox-Boyd: It would not be possible to provide the information sought except at disproportionate cost.

Sri Lanka

Mr. Fraser: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Sri Lanka about human rights violations in that country, including harassment and murder of lawyers.

Mr. Lennox-Boyd: We have made our concern about human rights known to the Sri Lankan Government on many occasions, both bilaterally in London and in Colombo, and together with our European partners.

Conventional Forces

Mr. O'Neill: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 26 July, *Official Report*, column *538*, when he expects the high-level task force to complete its examination of further limitations on the offensive capabilities of conventional armed forces beyond those currently under negotiation at the CFE talks; and if he will place a copy of their report in the Library upon completion.

Mr. Waldegrave: The London summit declaration set out the alliance's position that once a CFE treaty has been signed follow-on talks on the basis of the same membership and mandate should begin with the aim of building on the current agreement including measures to limit manpower in Europe. There is now agreement on this in Vienna and the HLTF is currently preparing the alliance's negotiating position. The London declaration also undertook to seek new conventional negotiations within the CSCE framework in the 1990s on further far-reaching measures to limit the offensive capability of conventional armed forces in Europe so as to prevent any nation from maintaining disproportionate military power in Europe. The HLTF will be formulating a detailed position for these talks.

A copy of the London summit declaration has been placed in the Library. The contents of HLTF papers are, however, classified.

EMPLOYMENT

Association of Community Enterprises—Highlands and Islands

Mr. Wallace: To ask the Secretary of State for Employment what steps his Department has taken to try to expedite payment by the European social fund of an interim grant payment due to the Association of Community Enterprises—Highlands and Islands in June, following representations to his Department about the delay in receiving payment.

Mr. Forth: The association's claim for its interim payment from the European social fund was received in my Department on 22 June, and forwarded to the European Commission on 26 June.

I understand from the Commission services that an interim payment of £42,089 was finally approved on 24 September, and that authority to pay should be received later this month.

EDUCATION AND SCIENCE

Under-fives

Ms. Armstrong: To ask the Secretary of State for Education and Science when he intends to publish the report on under-fives prepared by the group chaired by the hon. Member for Mitcham and Morden (Mrs. Rumbold); and if he will make a statement.

Mr. Eggar: My right hon. Friend has just received, and is now considering, the report of the committee of inquiry chaired by my hon. Friend the Member for Mitcham and Morden. He will make a further statement in the near future.

Iraqi Students

Mr. Dalyell: To ask the Secretary of State for Education and Science what is his policy in relation to the provision of loans to Iraqi students at universities in the United Kingdom.

Mr. Alan Howarth: Students, of whatever nationality, are entitled to loans from the Student Loans Company provided that they meet the eligibility requirements set out in the Education (Student Loans) Regulations 1990. These include the condition that a student should satisfy the ordinary residence requirements set out in the schedule to the regulations or in the Students' Allowances (Scotland) Regulations 1987, or be a refugee—or a spouse or child of a refugee—who has been ordinarily resident in the British Islands since being recognised as a refugee.

HEALTH

Young People (Secure Accommodation)

Mr. Michael: To ask the Secretary of State for Health if he will list, for each of the years 1975, 1980, 1985, 1987, 1988 and 1989 the names of those community homes and other facilities providing secure accommodation for young persons according to each local social services authority area.

Mrs. Virginia Bottomley: Information in the form requested is not available for the full period. The table

gives details of approved secure units in England, and their managing local authority, as at 31 December 1989. Comparable details covering the period 1984-1988 are given in the annual publication "Children Accommodated in Secure Units During the Year Ending 31 March", copies of which are available in the Library.

In addition, two centrally provided youth treatment centres are available. St. Charles YTC at Brentwood, Essex opened in 1971 and Glenthorne YTC in Birmingham opened in 1978.

Secure units provided by local authorities: 31 December 1989

Region	*Name of Unit*	*Local Authority*
Northern	New Aycliffe (Royston House)	Durham
	Clavering House	Newcastle
	Aycliffe Special Unit	Durham
	Netherton Park	Northumberland
Yorkshire and Humberside	Kepples View	Rotherham
	East Moor	Leeds
	East Moor	Leeds
North Western	Red Sands	Cheshire
	Derwent House	Liverpool
	Red Bank (Vardy House)	Lancashire
	Red Bank Special Unit	Lancashire
	Blackbrook House (Labore House)	St. Helens
	Briars Hey (Orchard House)	Lancashire
	Dyson Hall	Liverpool
	Barton Moss (Park House)	Salford
West Midland	Danescourt	Wolverhampton
	St. Johns	Birmingham
East Midlands	Moorfield	Derbyshire
	Kesteven	Lincolnshire
	Amberdale	Nottinghamshire
	Greenacres	Derbyshire
Thames/Anglia	Salters	Cambridgeshire
	Woodside Young People's Cnt	Hertfordshire
	Thornbury House	Oxfordshire
	Brookside	Berkshire
London	Middlesex Lodge	Hillingdon
	Little Heath Lodge	Newham
	Orchard Lodge	Southwark
	Frant Court	Greenwich
	Stamford House	Hammersmith
Southern	Landsdowne	East Sussex
	Beechfield	West Sussex
	Fairfield	Hertfordshire
	Glen House	Hertfordshire
South Western	Atkinson Unit	Devon
	Kingswood	Avon

Ambulance Dispute

Mr. Tony Banks: To ask the Secretary of State for Health what is the latest total cost figure for military assistance during the recent ambulance workers' dispute; and whether more bills are expected from the Ministry of Defence.

Mrs. Virginia Bottomley: The final total cost of military assistance was £7·2 million. Bills for this amount have been received and paid.

Channel Tunnel

Mr. Teddy Taylor: To ask the Secretary of State for Transport if he was consulted by the European Investment Bank over its decision to provide further loan finance to the channel tunnel project; and if he will make a statement.

Mr. Freeman: Under the EIB statute, the bank is obliged to consult the host Government before making a loan to any project. As is the case with all proposed loans to projects in the United Kingdom, the Government were consulted on a further loan for the channel tunnel project.

Mr. Teddy Taylor: To ask the Secretary of State for Transport if it remains the policy of Her Majesty's Government not to engage in the provision of public funding for the channel tunnel project.

Mr. Freeman: Yes. Section 2 of the Channel Tunnel Act 1987 specifically prohibits the provision of Government funds or guarantees for the project.

Glasgow-London Line

Mr. Dalyell: To ask the Secretary of State for Transport if he has any plans to meet British Rail to discuss the shelving of the £750 million rail scheme for the Glasgow-London route; and if he will make a statement.

Mr. Freeman: British Rail has not shelved its scheme for investment in the west coast main line from London to Glasgow, and currently plans for the first of the new trains to come into operation in the mid-1990s.

Moray Adventurer

Mr. Foulkes: To ask the Secretary of State for Transport what information he has about an incident involving the fishing vessel Moray Adventurer at noon on 4 October; what investigations have been or will be carried out; whether the report will be made public; and if he will make a statement.

Mr. Patrick McLoughlin *[holding answer 15 October 1990]:* A report was received by HM coastguards on 4 October that the fishing vessel Moray Adventurer had an object caught in her nets and was at one stage in danger of capsizing. The incident is being investigated by the marine accident investigation branch. No decision can be made about whether or not to publish a report on the incident until the investigation has been completed.

AGRICULTURE, FISHERIES AND FOOD

EC Stocks

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what is the latest estimate of the stocks of skimmed milk powder and butter in the European Economic Community; and what was the position 12 months previously.

Mr. Curry: Physical stocks of skimmed milk powder and butter (including aided private storage) in the European Community at the end of September were as follows:

	(Tonnes)	
	1989	*1990*
Butter	252,689	378,168
Skimmed milk powder	4,811	333,406

Suckler Cow Premium

Mr. Mudd: To ask the Minister of Agriculture, Fisheries and Food if he will extend the suckler cow premium by putting young bulls into intervention.

Mr. Curry: My right hon. Friend the Minister has already announced that the suckler cow premium will be paid at the maximum rate allowed under Community legislation in the less-favoured areas, and will be maintained at last year's rate for other producers. This will provide an extra £8 million for beef farmers. Intervention coverage has also been extended, and expenditure so far this year has been over £130 million. It would be difficult to justify any further extension in intervention coverage in view of the substantial cost of existing measures.

Food Advisory Committee

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what advice he has received to date from the Food Advisory Committee concerning health claims made for foods not requiring a medical product licence; what advice he has given to the European Commission on the issue; and when he intends to introduce new draft regulations.

Mr. Maclean: The Food Advisory Committee is currently considering the question of health claims as part of the review of food labelling which I announced on 15 November 1989. My right hon. Friend expects to receive its report at the end of the year and it is likely that the European Commission will be advised of the relevant findings of the review. Any proposals for further legislation controls will be the subject of wide consultation with interested parties before any new draft regulations are introduced.

Beef

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food when he last met European Commission Agriculture Ministers to discuss trade in beef.

Mr. Gummer: I have regular contacts with Agriculture Ministers from other Community countries, in particular during meetings of the Agriculture Council. Matters related to the trade in beef are discussed as the need arises.

Zoonoses Order

Mrs. Gorman: To ask the Minister of Agriculture, Fisheries and Food if he will repeal the Zoonoses Order.

Mr. Maclean: I have no plans to do so.

Dairy Products

Mr. John Marshall: To ask Minister of Agriculture, Fisheries and Food what is the latest estimate of expenditure by the European Commission on the dairy sector during the 1990-91 dairy marketing year.

Mr. Curry: Estimates of EC expenditure are not available on a market year basis. The preliminary draft budget for 1991 includes provision of 4,927 million ecu (£3,433 million) for the dairy sector. This does not take account of any costs arising from German unification, which are still under consideration.

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what changes have occurred in the level of consumption within the European Community of dairy products since 1983.

Mr. Curry: Consumption of the major milk products in 1983 and 1989, including disposals of skimmed milk powder for animal feed, was as follows:

'000 tonnes	[1] *1983*	[2] *1989*
Butter	1,520·0	1,571·0
Skimmed Milk Powder	1,606·0	1,057·0
Cheese	3,631·0	4,134·0

[1] EC10
[2] EC12

Agricultural Exports (France)

Mr. Mudd: To ask the Minister of Agriculture, Fisheries and Food what estimate he places on the effect of recent French action on the quantity and value of British-produced lamb sold to France.

Mr. Curry: The level of British lamb exports is influenced by a number of different factors. We cannot identify the effects of individual factors.

Less-favoured Areas

Mr. Mudd: To ask the Minister of Agriculture, Fisheries and Food if he will consider interim relief for farmers in less-favoured areas by introducing the special premium scheme for ewes during the current financial year.

Mr. Curry: The payment to producers in the less-favoured areas (LFAs) of an additional 4 ecu per ewe in sheep annual premium, due to come into effect from the 1991 marketing year, could not be made this year without a proposal from the European Commission and agreement by member states. This is unlikely to happen. All sheep producers, however, will benefit from the decision to bring forward the second advance of annual premium; and we have decided to pay suckler cow premium at the maximum possible rate in the LFAs.

Mr. Mudd: To ask the Minister of Agriculture, Fisheries and Food if he will monitor beef and lamb imports from eastern Europe with a view to reducing the volume if it proves detrimental to the interests of British producers.

Mr. Curry: I have made clear to the Commission our concern about the effects which such imports might have on the market and the need to monitor the situation closely.

British-produced Meat

Mr. Mudd: To ask the Minister of Agriculture, Fisheries and Food what estimate he places on the effect, according to quantity and variety, of the hot summer on sales of British-produced meat.

Mr. Curry: It is not possible to isolate the effects of the hot weather from other factors affecting meat consumption. The latest figure for consumption of meat and meat products from the national food survey (which covers only domestic consumption and does not distinguish between home-produced and imported meat) covers the period from April to June 1990. The table gives the estimated average consumption per person per week for that period, for the same period in 1989, and for the first quarter of 1990.

	Ounces per person per week		
	Second quarter 1989	*First quarter 1989*	*Second quarter 1990*
Meat and meat products	36·45	33·99	35·77
of which beef and veal	5·62	6·06	5·13
mutton and lamb	2·65	2·72	2·75
pork	3·15	3·21	3·30
bacon and ham	4·88	4·12	4·29
poultry and cooked chicken	8·00	7·25	8·88

Slaughterhouses

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of knackermen and slaughterhouses to discuss working conditions; and if he will make a statement.

Mr. Maclean: I, and my officials, have regular meetings with representatives of knackermen and slaughterhouses to discuss a wide range of issues. However, working conditions in knackers yards and slaughterhouses are a matter for my right hon. and learned Friend the Secretary of State for Employment.

Nuclear Emergency

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in publishing his Department's arrangements for dealing with a nuclear emergency in the United Kingdom.

Mr. Maclean: My right hon. Friend the Minister announced on 26 March this year at column *56* his intention to publish details of the Department's arrangements at each of the major United Kingdom nuclear sites. Plans have now been published for the nuclear installations at Sizewell, Bradwell, Hinkley Point, Oldbury, Winfrith, Capenhurst and Springfields. Copies are being sent to public libraries in the vicinity of each installation and have also been placed in the Library of the House. Plans for other installations will be issued as they become available.

Wild Birds

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what checks are carried out by his Department to monitor the transportation conditions of wild birds being imported into the United Kingdom.

Mr. Maclean: The Ministry is responsible for legislation under the Animal Health Act 1981 to protect the welfare of animals and birds during transport and to prevent the introduction of diseases. This legislation is enforced by local authorities. Ministry veterinary staff maintain close liaison with the authorities concerned, particularly with the corporation of the city of London which operates the Animal Quarantine Station (AQS) at Heathrow airport through which all commercial consignments of wild birds are routed. On release from the AQS imported birds are held for 35 days at quarantine premises approved by the Ministry. During this period the health and welfare of the birds is monitored by veterinary inspectors including Ministry veterinary officers.

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what information he has regarding the number of wild birds imported into the United Kingdom during 1988 and 1989 which were dead on arrival or died in quarantine.

Mr. Maclean: Details of mortalities in imported wild birds in 1988 compiled by the Ministry were published in

December 1989 and placed in the Library of the House. The figures show that of 184,577 birds imported, 4,732 (2·6 per cent.) were found to be dead on arrival and a further 20,619 (11·2 per cent.) died during quarantine. A similar analysis of imports in 1989 is currently being compiled.

EC Food Surpluses

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what increases or decreases have taken place in the surpluses of food and wine in the EEC, both in public and private storage, over the most recent 12-month period for which figures are available; and if he anticipates that they will increase or decline over the next 12 months.

Mr. Curry: The information is as follows:

Commodity	*1989*	*1990*	*Reference date*
EC Intervention Stocks ('000 tonnes)			
Butter	30	187	September
SMP	5	333	September
Beef	123	145	June
Olive oil	133	71	June
Total cereals	8,586	11,651	September
Durum	1,117	1,053	September
Wheat	2,466	5,346	September
Barley	3,136	3,412	September
Rye	1,089	1,521	September
Table wine (ML)	1,531 (March)	624	January
EC Private Storage ('000 tonnes)			
Butter	223	191	September
Cheese	159	167	September
Beef	38	0	September
Pigmeat	0	2	July

Stock levels are affected by a variety of factors and changes for the next 12 months cannot be predicted.

Set-aside Scheme

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is the total amount of land now covered by the set-aside arrangements; and what expenditure is involved in financing this per annum.

Mr. Curry: The latest information available indicates that the total amount of land to be set aside in England in the year commencing 1 October 1990 will be some 105,000 hectares. A total of £7·4 million was paid in the financial year 1989-90 to participants in the first year of the set-aside scheme and a further £17·5 million has been allocated in the 1990-91 financial year in respect of participants in the second year of the scheme.

Fishing Quotas

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food how many Spanish vessels will be permitted to engage in fishing of the United Kingdom quota in terms of the decision of the British and Euro courts on interim relief; how many United Kingdom boats are entitled to fish for the same quota; and if the Spanish vessels which have successfully claimed interim relief will be entitled to compensation from the United Kingdom Government.

Mr. Curry: Only United Kingdom-registered and licensed vessels may fish against the United Kingdom quota. The interim relief granted to applicants in the Factortame case is restricted to the requirement that owners and shareholders be resident and domiciled in this country and affects only 53 vessels. The requirement that vessels should be managed and their operations controlled from the United Kingdom remains.

At present approximately 3,200 boats are licensed to fish in the United Kingdom. The House of Lords granted interim relief to the Factortame applicants on the grounds, among others, that damages would not be available.

Agriculture Council

Mr. David Davis: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Luxembourg on 15 and 16 October.

Mr. Gummer: I represented the United Kingdom at this meeting together with my hon. Friend the Member for Skipton and Ripon (Mr. Curry), Parliamentary Secretary in my Department.

The main subject discussed was the Commission's proposal for a Community offer for reductions in agricultural support and protection in the current GATT round. Some Ministers were not able to take a definite stance and eventually the chairman decided to suspend the meeting and resume discussion on 19 October to allow them the opportunity for consultations in capitals.

I much regret that, with so much preparation, this Council was not able to endorse the Commission's package, which provides a useful basis for taking forward the talks in the GATT round.

The Council agreed on a useful amendment to the pesticides prohibition directive and on a resolution on veterinary measures required for the achievement of the single market.

ENVIRONMENT

ILEA (Abolition)

Mr. Tony Banks To ask the Secretary of State for the Environment if the London residuary body made a full inventory of items of historic importance prior to the abolition of ILEA.

Mr. Heathcoat-Amory: The London residuary body made an inventory of items known as the heritage collection once the Greater London council had been abolished.

Ivory

Mr. Tony Banks: To ask the Secretary of State for the Environment, pursuant to his reply of 26 July, *Official Report*, column *702*, if he will give details of the various pieces of ivory for which his Department has given formal consent for sale within the European Community.

Mr. Heathcoat-Amory: No. Information contained in individual applications for CITES licences is considered by the Department as confidential and cannot be released.

Mr. Tony Banks: To ask the Secretary of State for the Environment how many licences he has issued for the sale of elephant ivory since the current ban came into force.

Mr. Heathcoat-Amory: Nine licences have been issued for sale of ivory within the United Kingdom, in conformity with the European Commission guidance and CITES regulations.

Mr. Tony Banks: To ask the Secretary of State for the Environment, pursuant to his reply of 26 July, *Official Report*, column *702*, if it remains the policy of Her Majesty's Government to allow the ivory ban to be lifted in some respects in the not-too-distant future.

Mr. Heathcoat-Amory: The Government remain firmly committed to maintaining the ivory trade ban for as long as is necessary to ensure the survival and recovery of elephant populations. CITES provides for species to be removed from annex 1 when no longer endangered, but the Government have no plans to initiate proposals for such a reclarification.

Sea Birds

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has on the number of sea birds washed up dead on the beaches of East Anglia in each of the past five years; and what were the main recorded reasons for death.

Mr. Heathcoat-Amory: This information is not available.

Local Government Finance

Mr. John Greenway: To ask the Secretary of State for the Environment what further information he has made available to local authorities about standard spending assessments.

Mr. Key: Two publications, "Standard Spending Assessments: Background and Underlying Methodology", and the "Standard Spending Assessment Handbook 1990-91" were produced in August. These describe the way local authority services are reflected in standard spending assessments and how each SSA element is constructed. They are similar to the "Blue" and "Green Books" which we produced under the rate support grant system. Copies of the publications have today been placed in the Library of the House. Copies have also been sent to every local authority in England and to the local authority associations.

County Hall

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will direct the London residuary body not to entertain any use of county hall, other than of a temporary nature, until after the next general election; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 16 October 1990]:* No.

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has regarding damage to the interior and removal of contents from county hall; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 16 October 1990]:* I am not aware of any damage to county hall.

Mr. Tony Banks: To ask the Secretary of State for the Environment when was the last occasion that staff from his Department responsible for listed buildings made an inspection of county hall.

Mr. Trippier *[holding answer 16 October 1990]:* This is a matter for English Heritage.

London Residuary Body

Mr. Tony Banks: To ask the Secretary of State for the Environment when he last met the chairman of the London Residuary Body; and what matters were discussed.

Mr. Heathcoat-Amory *[holding answer, 16 October 1990]:* I met Sir Godfrey Taylor on 19 April. A number of issues were discussed.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will give details of current members of the London residuary body, together with their salaries and expenses, hours worked, vehicles allocated to them and dates of their appointment.

Mr. Heathcoat-Amory *[holding answer 16 October 1990]:* The information is as follows:

	Time commitment	*£ per annum (from 1 April 1990)*
Sir Godfrey Taylor (Chairman and Chief Executive)	Full-time	63,530
Mr. Jack Esling	2 days per week	15,350
Mr. Reg Hartles	2 days per week	15,350
Mr. Wallace Mackenzie, OBE	2 days per week	15,350
Mr. Michael Roberts	2 days per week	15,350
Cllr. Sir Peter Bowness, CBE	1 day per week	7,650
Mr. Jack Wolkind, CBE	1 day per week	7,650

Sir Godfrey Taylor was reappointed from 12 August 1990 and Mr. Hartles from 23 October 1989. All other members were reappointed from 12 August 1988.

The total expenses paid to the chairman and members in 1988-89, the latest year for which information is available, was £6,430. Travelling arrangements are a matter for the residuary body.

Mr. Tony Banks: To ask the Secretary of State for the Environment, pursuant to his reply of 21 June, *Official Report* Column *637*, if he will list the fittings removed from county hall for safekeeping by the London residuary body.

Mr. Heathcoat-Armory: The fittings that were removed from the principal floor of county hall are stored in county hall.

WALES

General Surgery

Mr. Barry Jones: To ask the Secretary of State for Wales what information he has on the reasons for the rise in the number of people waiting for general surgery in Wales; and if he will make a statement.

Mr. Grist: I refer the hon. Gentleman to the "Welsh Hospital Waiting List Bulletin 1990; No. 2" which illustrates a variable performance in the light of developing demand and activity levels. During 1989 generally surgery in-patient and day care throughput increased by 2·9 per cent., out-patient throughput rose by 0·1 per cent., with new out-patient attendances up by 4 per cent. In addition, at 31 March 1990 the number of urgent in-patients waiting fell by 9 per cent. over the previous year, the number of non-urgent in-patients rose by 7 per cent., and the number of out-patients rose by 3 per cent. Urgent cases waiting one month or more rose by 13 per cent. over the previous year; non-urgent cases waiting one year or more fell by 6 per cent. and out-patient cases waiting three months or more fell by 2·5 per cent.

Young People (Secure Accommodation)

Mr. Michael: To ask the Secretary of State for Wales if he will list, for each of the years 1975, 1980, 1985, 1987, 1988 and 1989 the names of those community homes and other facilities providing secure accommodation for young persons according to each local social services authority area in Wales.

Mr. Grist: The information is contained in the table.

Local Authority	*1976*	*1980*	*1985*	*1987*	*1988*	*1989*
Clwyd						
In existence[1]	Nil	Nil	Bersham Hall	Bersham Hall	Bersham Hall	Bersham Hall
Approved but not in use[2]		Bersham Hall; Bryn Estyn	Nil	Nil	Nil	Nil
In use[3]		Nil	Nil	Nil	Nil	Nil
Dyfed						
In existence	Nil	Nil	Nil	Nil	Nil	Nil
Approved but not in use						
In use						
Gwent						
In existence	Nil	Mill House	Nil	Nil	Nil	Nil
Approved but not in use		Crick House	Nil	Nil	Nil	Nil
In use		Ty Mawr	Ty Mawr	Ty Mawr	Ty Mawr	Ty Mawr
Gwynedd						
In existence	Nil	Nil	Nil	Nil	Nil	Nil
Approved but not in use						
In use						
Mid Glamorgan						
In existence	Nil	Nil	Nil	Nil	Nil	Nil
Approved but not in use		Nil	Nil	Nil	Nil	Nil
In use		Maes-yr-Eglwys; Silverbrook	Silverbrook	Silverbrook	Silverbrook	Silverbrook
Powys						
In existence	Nil	Nil	Nil	Nil	Nil	Nil
Approved but not in use						
In use						
South Glamorgan						
In existence	Nil	Nil	Nil	Nil	Nil	Nil
Approved but not in use		Nil	Nil			
In use		Sully	Sully[4]			
West Glamorgan						
In existence	Nil	Nil	Nil	Nil	Nil	Nil
Approved but not in use		Nil	Nil	Nil	Nil	Nil
In use		Glamorgan Farm School; Llwyncelyn	Hillside[5]; Llwyncelyn	Llwyncelyn	Llwyncelyn	Llwyncelyn

[1] "In existence" refers to homes containing secure accommodation which is not approved and is not in use.
[2] "Approved but not in use" refers to secure accommodation approved by the Secretary of State for use but not brought into operation.
[3] "In use" relates to approved, operative secure accommodation.
[4] Until 1 October 1985.
[5] Formerly Glamorgan Farm School.

NORTHERN IRELAND

Fair Employment

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps the Local Government Staff Commission is taking to ensure that it conforms to the Fair Employment Acts 1976 and 1989; and what measures it is taking to advise local councils in relation to their responsibilities under the Acts.

Dr. Mawhinney: The Local Government Staff Commission has registered with the Fair Employment Commission, adopted a policy statement on development and training and, in accordance with the statutory requirements, monitors its staff in relation to their perceived religious composition.

The staff commission has taken the lead role in ensuring that councils, as employers, fulfil their responsibilites under the Acts. It has, inter alia, established a computerised personnel record system in all 26 councils to ensure that they are properly equipped to provide the statutory monitoring returns on their work force; prepared and issued to councils a comprehensive package of material on equality of opportunity practices and continues to revise and update this; met, and maintains contact with, the Fair Employment Conmmission to discuss matters relating to fair employment and acts as an interface between councils and the Fair Employment Commission; and established a working party representative of local government interests to review the employment and promotion procedures adopted by all councils to ensure that they fully accord with the principles of fair employment.

Public Interest Immunity Certificates

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list in the *Official Report* the number of occasions in the past 10 years when public interest immunity certificates have been issued concerning matters before coroners and other courts preventing members of the Royal Ulster Constabulary and others within the remit of his Department from attending such courts, and to prevent such courts from hearing details of operations, indicating which operations were involved and how many individuals were covered by such certificates.

Mr. Cope: There is no central record of all cases in which public interest immunity is claimed and it would not be possible to provide the information sought except at disproportionate cost.

Anglo-Irish Intergovernmental Council

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many meetings of the Anglo-Irish Interministerial Council have taken place since its establishment; and if he will list the Ministers present and the issues discussed.

Mr. Brooke: There have been 36 meetings of the Anglo-Irish Intergovernmental Conference since 1985. These meetings are normally attended by the Secretary of State for Northern Ireland and by the Minister of State, Northern Ireland Office. It is recently been agreed that departmental Ministers should attend when necessary; as a result of this, my hon. Friends the Members for Wiltshire, North (Mr. Needham) and for Eltham (Mr. Bottomley) attended the conference held on 17 July 1990.

Details of the topics discussed can be found in the joint communiqués published after each meeting, copies of which have been placed in the Library.

TRADE AND INDUSTRY

Trade Statistics

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for 1968, 1973, 1977, 1985 and 1989, on the basis of 1973 = 100, United Kingdom output of *(a)* textiles, clothing, leather and footwear, *(b)* motor vehicles, *(c)* mechanical engineering less groups 320 and 329 and *(d)* electronic and electrical engineering goods.

Mr. Douglas Hogg: The available information covering broad industry groupings is shown in the table.

Index of Industrial Production 1973 = 100·0

	1968	*1973*	*1977*	*1985*	*1989*
Textiles, leather, footwear and clothing (SIC 43 44 45)	92·2	100·0	93·4	79·1	78·2
Motor vehicles and parts (SIC 35)	90·6	100·0	91·1	64·0	80·2
Mechanical engineering (SIC 32)	93·3	100·0	99·8	79·6	87·7
Electrical, electronic and instrument engineering, office machinery and data processing equipment (SIC 34 37 33)	75·4	100·0	101·6	133·5	169·2

Source: Central Statistical Office.
SIC = Standard Industrial Classification (1980).

Iraq

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what was the value of *(a)* military, *(b)* other manufactured and *(c)* financial services exports to and imports from Iraq in each year since 1980.

Mr. Sainsbury: Trade with Iraq in manufactured goods since 1980 is given in the table. The other information requested is not available.

United Kingdom trade with Iraq

Manufactured goods[1] *Year*	*Exports*	*£ million Imports*
1980	285	5
1981	582	16
1982	809	14
1983	375	12
1984	290	25
1985	397	38
1986	420	27
1987	240	30
1988	353	37
1989	396	33

Source: Overseas Trade Statistics of the United Kingdom.
[1]Manufactured goods are defined as Sections 5 to 8 of the Standard International Trade Classification Revision 3.

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what levels of credit guarantees by the Export Credits Guarantee Department have been made available to British-based companies for trade with Iraq for each year since 1979.

Mr. Sainsbury *[holding answer 15 October 1990]:* ECGD cover for exports to Iraq was available until earlier this year under both short-term and medium-term facilities. As a matter of general policy, ECGD's exposure on individual countries is not normally revealed publicly, but the amount of medium-term credit which was made available to Iraq sinces 1983 under a series of financial protocols is a matter of public knowledge, and was as follows:

Year	*Amount £ million*	*To Finance*
1983	250	capital goods and projects
	25	pharmaceuticals
1984	250	capital goods and projects
	50	pharmaceuticals
1986	50	pharmaceuticals
1987	100	capital goods
	75	pharmaceuticals
1988	265	capital goods and projects
	75	pharmaceuticals

These protocols have not been fully taken up by the Iraqis, and the actual exposure is therefore less than the figures given above.

Euro Week (Essex)

Mr. Teddy Taylor: To ask the Secretary of State for Trade and Industry when his Department was invited to provide financial assistance to the county of Essex for its Euro Week; what decision he has made; and if he will make a statement.

Mr. Sainsbury: My Department had initial discussions in March with Essex county council about its proposed Euro Week. Various ways in which we might be able to assist were considered. No request has yet been made for financial assistance.

Internal Market Councils

Mr. Sumberg: To ask the Secretary of State for Trade and Industry if he will make a statement on the Internal Market Councils held on 17 September and 9 October.

Mr. Redwood: I represented the United Kingdom at the Internal Market Councils on 17 September and 9 October.

On 17 September the Council adopted the utilities directive, which sets rules to prevent restrictive purchasing policies by utilities, and a regulation on Community transit, which will facilitate trade across borders after 1992. Three amendments were adopted to technical directives on electrically operated lifts, electrical equipment for use in explosive atmospheres, and simple pressure vessels. The Council also took note of a progress report on the infrastructure networks needed for the completion of the single market, and held preliminary discussions on data protection, and on a framework directive to provide a single authorisation to do non-life insurance business in the Community. On food labelling, the Council adopted a directive on optional food labelling, and held a discussion on the prospects for compulsory food labelling.

On 9 October the Council agreed two amendments on dangerous substances, one on the classification, packaging and labelling of dichloromethane, the other on the marketing and use of pentachlorophenol. Vice-President Bangemann presented to the Council the Commission's green paper on European standards. The Council also discussed trade in works of art, the handling of company law directives, and the Commission's latest figures on the implementation of single market measures.

Companies Inspection Handbook

Mr. Riddick: To ask the Secretary of State for Trade and Industry when publication of the revised edition of the companies inspection handbook, as recommended by the Select Committee on Trade and Industry, will occur.

Mr. Redwood: In our White Paper responding to the report of the Select Committee we undertook to publish a revised edition in the early autumn. The new edition, now called the "Investigation Handbook", to reflect its extended coverage, was published this morning and replaces the earlier publication last revised in 1986. It takes account of recent legislative developments including the Companies Act 1989, the Financial Services Act 1986 and the Insolvency Act 1986 as well as incorporating points made by the Government in their response to the Select Committee.

The handbook describes the powers of investigation of the Secretary of State and includes procedural guidance for inspectors under the Companies Acts and under section 177 of the Financial Services Act 1986—inquiries into possible insider dealing. I expect that the handbook, like its predecessor, will be extensively used by my Department, inspectors, regulatory authorities, witnesses at inquiries and their legal advisers, academic staff and the public generally.

The Secretary of State's powers of investigation play an important part in the Department's objective of increasing confidence in the working of markets by achieving a fair level of protection for the individual consumer and investor.

NATIONAL FINANCE

Mortgages

Mr. Allen: To ask the Chancellor of the Exchequer what was the average increase in repayments per week on the average mortgage in each region between 1 June 1988 and the present time.

Mr. Maples: I refer the hon. Member to the reply given to a similar question by him on 20 June 1990 at column *558* as mortgage rates have not changed for most existing mortgage borrowers.

Personal Equity Plans

Mr. Andrew Mitchell: To ask the Chancellor of the Exchequer if he proposes any changes to the PEP regulations.

Mr. Maude: I have three changes to personal equity plans to propose.

First, I recognise that many people, particularly PEP managers, want to know how interest on cash deposited prior to investment will be dealt with when composite rate tax is abolished. I have decided that from 6 April 1991 such interest will not be liable to withholding tax under the new rules for the taxation of bank and building society interest. This interest will also be exempt from income tax at both basic and higher rates in the hands of investors, but only if it is eventually re-invested in the PEP. If it is withdrawn, it will be taxable in full. I hope that this news will be welcomed by plan managers who, I know, wish to start re-programming their systems in time for the change.

Secondly, shares may be described as "paired" where a United Kingdom and a foreign company have both agreed that no share in either company may be acquired other than as part of a unit comprising one share in each of the two companies, and units are offered for sale to the public in both companies at a broadly equivalent price. At present the PEP regulations do not allow such "paired shares" to be held within a PEP. I propose to bring paired shares within the definition of qualifying investments by analogy with the PEP rules for unit and investment trusts. The same maximum annual subscription of £3,000 will apply. Until the regulations can be amended, the Inland Revenue will operate the new rule by extra-statutory concession.

Shares subscribed for in a new issue may be transferred into a PEP up to 30 days from their allocation. Experience of this rule in practice has shown that it allows very little time for the necessary action to be taken. I therefore propose to increase the period to six weeks. Again, until the regulations can be amended, the Inland Revenue will apply the new rule by concession.

European Community Finance

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what is his latest estimate of the net sum contributed by the United Kingdom to the European Economic Community in 1989; and what is the latest estimate for the comparable sum in *(a)* 1990 and *(b)* 1991.

Mr. Maude: The statement on the 1990 Community Budget (Cm 1095), published on 26 April 1990, included the outturn figure of £2,315 million for the United Kingdom's net contribution to the European Community in 1989, and an estimate of £2,175 million for 1990. An estimate for 1991 is not yet available.

Exports (EC)

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if he will publish a table showing the exports to the European Economic Community and imports from the European Economic Community in each year since 1973; and what was the percentage of Britain's exports to and imports from the European Economic Community in each year.

Mr. Maude: Data from which the information requested can be derived is to be found on the Central Statistical Office database which may be accessed through the Library of the House.

Energy Efficiency

Mr. Colvin: To ask the Chancellor of the Exchequer what tax incentives he will consider introducing to encourage energy efficiency.

Mr. Maude *[holding answer 15 October 1990]:* My right hon. Friend has no present plans to introduce such tax incentives. The White Paper on the Environment outlines a number of measures designed to encourage energy efficiency.

SCOTLAND

Aberdeen Royal Infirmary

10. **Mr. Doran:** To ask the Secretary of State for Scotland what is the total number of staff employed by Grampian health board at the Aberdeen royal infirmary.

Mr. Michael Forsyth: Last year there were 2,340 whole-time equivalent staff at Aberdeen royal infirmary.

Scottish Assembly

11. **Mr. Nicholas Bennett:** To ask the Secretary of State for Scotland what recent representations he has received about a Scottish assembly.

Mr. Lang: My Department has received nine letters in support of an assembly in the past six months.

28. **Mr. John Marshall:** To ask the Secretary of State for Scotland what representations he has received about the fiscal implications of a directly elected Scottish assembly.

Lord James Douglas-Hamilton: In the past six months, three letters referring to the fiscal implications have been received.

Council of Ministers

12. **Mr. Andrew Welsh:** To ask the Secretary of State for Scotland when he last led a United Kingdom delegation to the Council of Ministers; and on which other occasions he has attended the Council in the past 12 months.

17. **Mrs. Margaret Ewing:** To ask the Secretary of State for Scotland when he last led a United Kingdom delegation to the Council of Ministers; and on which other occasions he has attended the Council in the past 12 months.

18. **Mr. Salmond:** To ask the Secretary of State for Scotland when he last led a United Kingdom delegation to the Council of Ministers; and on which other occasions he has attended the Council in the past 12 months.

21. **Mr. Sillars:** To ask the Secretary of State for Scotland when he last led a United Kingdom delegation to the Council of Ministers; and on which other occasions he has attended the Council in the past 12 months.

Mr. Rifkind: I attended the Fisheries Council on 18-19 December 1989 with my noble Friend the then Minister of State.

Community Care

13. **Mr. Tom Clarke:** To ask the Secretary of State for Scotland when he next expects to meet the care in the community Scottish work group to discuss the implementation of community care aspects of the National Health Service and Community Care Act 1990.

Mr. Michael Forsyth: My right hon. and learned Friend has received no request for such a meeting.

49. **Sir Russell Johnston:** To ask the Secretary of State for Scotland what additional funds he will make available to local authorities to house those discharged from long-stay care in hospital under the National Health Service and Community Care Act 1990.

Lord James Douglas-Hamilton: The National Health Service and Community Care Act 1990 does not of itself require or promote hospital discharges. Decisions on the rate of discharge are taken in accordance with clinical judgment having regard to the availability of accommodation and necessary support in the home area. Rates of discharge have increased substantially in recent years and voluntary bodies as well as the statutory agencies have played an important part in making this possible.

Provisional allocations to local authorities for housing capital expenditure in 1991-92 will be made in December on the basis of their relative housing needs and with reference to their capital programmes and housing plans. Local authorities should include any capital requirements for housing arising from the need to house those discharged from hospital in their capital programmes, which are due to be submitted to the Scottish Development Department in November.

Disabled People

14. **Mr. Ron Brown:** To ask the Secretary of State for Scotland how many registered disabled people are currently employed by his Department in Scotland; and if he will make a statement.

Mr. Lang: The Scottish Office and its associated Departments currently employ 91 registered disabled staff. In common with other Government Departments they accept the same responsibilities for employment of the disabled as other employers.

Hospice, Linlithgow

15. **Mr. Dalyell:** To ask the Secretary of State for Scotland, pursuant to his oral reply of 4 July, *Official Report*, column 979, what response he has had from Lothian health board in relation to its examination of the legal position on the feu disposition in respect of the hospice at Linlithgow.

Mr. Michael Forsyth: Lothian health board has been instructed to examine carefully the legal position on the feu disposition in respect of Linlithgow hospital before taking any final decisions about the future of this hospital.

Industrial Development, Bo'ness

16. **Mr. Harry Ewing:** To ask the Secretary of State for Scotland if he has any plans to visit Bo'ness to discuss industrial development.

Mr. Lang: My right hon. and learned Friend has no current plans to visit Bo'ness to discuss industrial development.

Housing Survey

19. **Mr. Dunnachie:** To ask the Secretary of State for Scotland when he expects the report of the Scottish housing conditions survey to be published; and if he will arrange for all data collected during the survey to be made publicly available.

Lord James Douglas-Hamilton: I refer to my answer today to the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg).

The remit for the survey agreed by the Scottish Development Department and Scottish Homes provides that, following publication of the report, survey data in a form to be agreed will be made available to bona fide research institutes and other bodies including local authorities.

Substandard Houses

20. **Mr. David Marshall:** To ask the Secretary of State for Scotland what plans he has to make additional resources available to tackle the problems of damp and substandard houses.

Lord James Douglas-Hamilton: The final allocations to local authorities announced last March for housing capital expenditure in 1990-91 include increased net allocations of £15·5 million compared with 1989-90. It is for local authorities to determine their own priorities for use of these allocations in the light of local circumstances, including the need to tackle dampness and substandard houses if this is seen as a priority in their area.

Speedlink

22. **Mr. McAllion:** To ask the Secretary of State for Scotland if he will list the occasions on which he has met directors of Railfreight to discuss the future of Speedlink services in Scotland.

Lord James Douglas-Hamilton: British Rail is currently studying the options for Speedlink and is consulting its customers. My right hon. and learned Friend will be fully involved in the consideration of any proposals which BR puts to the Government in due course.

Steel Industry

23. **Mr. Strang:** To ask the Secretary of State for Scotland when he expects to receive the full report from the Scottish Development Agency on the Scottish steel industry; and if he will ask the agency to prepare an interim report on the implications of the proposed closure of the hot strip mill at Ravenscraig by the British Steel Corporation.

Mr. Lang: The emerging findings of the SDA study should be available by Christmas and my right hon. and learned Friend expects to receive the full report by the end of March. British Steel should be in a position to consider any opportunities identified before the date announced for final closure of the hot strip mill.

Economic Growth

24. **Mr. Oppenheim:** To ask the Secretary of State for Scotland what was the level of economic growth in Scotland in the latest year for which figures are available.

Mr. Lang: The Scottish Office estimates that the Scottish gross domestic product grew by 5 per cent. in 1988, the latest date for which estimates are available. This is the highest rate of growth experienced by Scotland for 15 years.

Farming

25. **Sir Hector Monro:** To ask the Secretary of State for Scotland when he next expects to have discussions with the National Farmers Union of Scotland about farming in Scotland.

Mr. Rifkind: My noble Friend the Minister responsible for agriculture and fisheries and I regularly meet representatives of the Scottish National Farmers Union. Discussions have recently concentrated on the state of the livestock sector.

NHS Hospitals, Lothian

26. **Mr. Home Robertson:** To ask the Secretary of State for Scotland if he has any plans to visit national health service hospitals in Lothian.

Mr. Michael Forsyth: I regularly visit hospitals throughout the country. I visited Roodlands and East Fortune hospital (and other Lothian hospitals) on 22 June.

Caledonian MacBrayne

27. **Dr. Godman:** To ask the Secretary of State for Scotland when he last met the chairman of Caledonian MacBrayne; and what subjects were discussed.

Lord James Douglas-Hamilton: My right hon. and learned Friend has not met the chairman of Caledonian MacBrayne since he took the company into his direct ownership on 2 April 1990. However, my noble Friend the then Minister of State and I met the chairman on 19 February shortly after his appointment. I also met the full board of the company on 25 June when we discussed a number of matters relating to Caledonian MacBrayne's current and future operations. As indicated in my reply of 8 June to the hon. Gentleman, regular and frequent discussions take place between officials of the Scottish Development Department and Caledonian MacBrayne.

Education

29. **Mr. McFall:** To ask the Secretary of State for Scotland when he last met representatives of teaching unions to discuss the future of Scottish education.

Mr. Michael Forsyth: I have invited representatives of the teaching unions and of the two head teacher associations to meet me on Friday 26 October to discuss a range of educational issues.

Local Government Finance

30. **Mr. Douglas:** To ask the Secretary of State for Scotland if he will make a statement on the numbers paying the poll tax in Scotland since 1 April.

Mr. Lang: The information requested is not held centrally. Most levying authorities, however, expect 90 per cent. or more of the total community charge due in 1989-90 to be paid.

Mr. Lambie: To ask the Secretary of State for Scotland when he is next going to meet the Convention of Scottish Local Authorities to discuss poll tax arrears.

Mr. Lang: I offered to meet the convention at an early date to discuss community charge collection issues following a recent request from its president, and as part of the normal consultation on local government finance matters, my right hon. and learned Friend and I will be meeting the convention on 26 November.

Constitutional Change

31. **Mr. John D. Taylor:** To ask the Secretary of State for Scotland what proposals he has for constitutional change in Scotland.

Lord James Douglas-Hamilton: None. The Government believe that the present arrangements provide for full and fair representation of Scotland's interests.

Fishing Industry

32. **Mr. Macdonald:** To ask the Secretary of State for Scotland when he next plans to meet representatives of the west coast fishing industry.

Mr. Michael Forsyth: My noble Friend the Minister responsible for agriculture and fisheries hopes to meet representatives of many of the principal fishing industry organisations over the coming months. He met the Scottish Fishermen's Federation, which represents many west coast fishermen, on 3 October.

47. **Mr. Menzies Campbell:** To ask the Secretary of State for Scotland if he has any plans to meet the leaders of the fishing industry in north-east Fife.

Mr. Michael Forsyth: My noble Friend the Minister responsible for agriculture and fisheries intends to have regular contact with the principal organisations representing the Scottish fishing industry. Earlier this month he had a very fruitful meeting with representatives of the Scottish Fishermen's Federation, an organisation to which the Fife Fishermen's Association is affiliated.

50. **Mr. Buchanan-Smith:** To ask the Secretary of State for Scotland what is his latest assessment of the earnings of the Scottish fishing fleet during 1990 and the past two years.

Mr. Rifkind: The value (at the first sale) of fish landed into Scotland in 1989 was £246 million, compared with £253 million in 1988. The latest available information for 1990, which covers landings up to the end of August, is a total so far of £176 million, an increase of 11 per cent. over the same period last year.

NHS Trusts

33. **Mr. Canavan:** To ask the Secretary of State for Scotland how many expressions of interest have now been made for self-governing hospitals and other national health service units; and how many formal applications have been submitted.

Mr. Michael Forsyth: Four expressions of interest in NHS trust status have been received, but these have not yet progressed to the formal application stage.

48. **Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland what representations he has received regarding the establishment of national health service self-governing trusts.

Mr. Michael Forsyth: Representations have been received on a number of aspects relating to the establishment of NHS trusts. Four expressions of interest are currently being pursued.

Nursery Education

34. **Mrs. Fyfe:** To ask the Secretary of State for Scotland what percentage of under-fives have places in local authority nurseries.

Mr. Michael Forsyth: There were 41,785 three and four-year-olds in Scottish education authority nursery schools at September 1989, 32·2 per cent. of the 1989 mid-year estimate of the total three and four-year-old population, the range which is the relevant age group for nursery education.

Road and Rail Transport

35. **Mr. McKelvey:** To ask the Secretary of State for Scotland what progress is being made in improving road and rail transport in Scotland.

Lord James Douglas-Hamilton: The Government are committed to improving the Scottish road network and, since 1979, 288 miles of the network have been constructed or improved including 26 miles of motorway and 142 miles of dual carriageway. Earlier this year my right hon. and learned Friend announced a massive £130 million package of major trunk road schemes which are planned to start during 1990-91. These form part of a significant programme of improvements designed to relieve congestion, improve journey times and safety.

Over the next three years the resources allocated for new construction and improvements to our road network are set to rise by nearly 50 per cent.

Investment is not, however, restricted to the road network. Since 1979, the Government have sanctioned record levels of investment by British Rail and Scotland has been, and will be, a major beneficiary of this investment. Completion of the east coast main line electrification will enable electric running to begin in May 1991. Together with electrification between Edinburgh and Carstairs, this will allow substantial reductions in journey times between Scotland and London. As part of its long-term strategy, British Rail is investigating a range of further electrification options in Scotland. New rolling stock is being introduced on non-electrified lines.

Health Services

36. **Mr. Jack:** To ask the Secretary of State for Scotland what improvements he has made to Scottish health services in the past 12 months.

Mr. Michael Forsyth: Over the past 12 months the Government have announced a number of substantial new developments for the national health service in Scotland. First, Grampian health board has been asked to prepare detailed proposals for a new specialist maternity unit in Elgin and for a new cottage hospital in Peterhead. Both units are to be developed on the existing hospital sites. Tayside health board's proposals for a new hospital in Crieff to replace outdated facilities at Crieff cottage hospital and Bridge of Earn hospital have been approved. Together these three capital projects represent an investment of some £20 million in the NHS estate.

The helicopter ambulance services based in Inverness will be centrally funded to serve the more remote parts of Scotland and allow rapid transfer of patients requiring urgent hospital treatment. This will cost some £600,000 and will be the first centrally funded helicopter ambulance service in Britain.

A new national service for the rehabilitation of brain-injured patients is to be established to complement and enhance the work already being carried out in the NHS and the private sector. It is estimated that there are around 500 patients in Scotland who would be likely to benefit from intensive specialised rehabilitation services, many of whom are young people whose quality of life could be vastly enhanced if these facilities were available.

Scotland is also to get its first heart transplant unit so that Scots patients do not have to travel to England for transplant surgery. Many Scots have benefited from the service in England but the long journeys are distressing for very ill patients and their relatives. A new Scottish unit will be much more accessible and will build on the considerable improvements in cardiac surgery in Scotland, which now carries out 2,500 cardiac operations a year.

Earlier in the year the Government announced that £200,000 per annum was to be made available over the next three years to support the development of cochlear implantation in Scotland. This new technique will greatly enhance the quality of life for some deaf people.

On 11 July the Government announced that a total of £4 million is to be made available to provide the health service in Scotland with five advanced magnetic resonance imaging scanners. Use of these scanners will greatly improve early detection of brain tumours and other cancers and, in many cases, will mean that the need for investigative surgery can be avoided. The new equipment will be installed at major neurosurgical and oncology centres.

The first three scanners will be installed at Aberdeen royal infirmary, the Western General hospital in Edinburgh and the Southern General in Glasgow during the financial year 1991-92. The remaining two will be installed at Ninewells hospital, Dundee and the Western infirmary in Glasgow during 1992-93.

The Government have agreed to provide financial support to the independent hospices in Scotland up to at least 50 per cent. of their running costs. These hospices provide a worthwhile contribution to patient care for the terminally ill. In addition approval has been given to the building of a new blood transfusion centre at Inverness at a cost of £900,000 and to the construction of eight new control centres for the Scottish ambulance service at a cost of £4·7 million over the next four years. These investments will improve the efficiency of the ambulance service throughout Scotland and provide a much better blood transfusion service for Inverness and surrounding areas.

The Government have also approved the introduction of a new contract for general dental practitioners which will encourage preventive dentistry and improve patient care. The contract provides patients with continuing care from their dentist and ensures that dentists have a system which recognises their continuing responsibility for patients.

The Government have established a Scottish medicines resource centre to provide pharmaceutical advice and information to GPs and others in the primary care service. The centre will issue independent evaluated drug information and provide assistance in the development of local formularies with a view to encouraging rational, safe and cost-effective prescribing of medicines.

The remit of community pharmacists in Scotland has been extended to allow them to play a greater part in the NHS by allowing them to maintain medication records for certain patients; and to visit residential homes in Scotland to advise on the safekeeping and dispensing of medicines.

In the light of a comprehensive review of health education in Scotland, a consultation document was issued on 9 October setting out the Government's strategy for the future, including our proposals for targeting specific problem areas such as coronary heart disease and cancer and for promoting healthy life styles. The new Health Education Board, which will operate from 1 April 1991, will give fresh impetus and direction to health education in Scotland. The Government have also made available in 1990 some £2·2 million in the health programme specifically for the support of drug misuse services and for preventive measures. As regards prevention, an accelerated schedule has been announced for childhood immunisation against diphtheria, tetanus, whooping cough and polio which should lead to higher uptake levels.

Finally, in recognition of the burdens resulting from AIDS and HIV, the Government have continued to make general allocations to health boards, which in 1990 amounted to £7·84 million. In addition specific allocations totalling £7·05 million have been made to those boards which are setting up and running special AIDS units in Edinburgh, Glasgow and Dundee, where the majority of AIDS cases in Scotland will be located. This brings total provision to £14·89 million this year.

Maintained Schools

37. **Mr. Harry Greenway:** To ask the Secretary of State for Scotland how many *(a)* children and *(b)* teachers are now in maintained schools in Scotland; what was the comparable figure in 1986 and 1976; and if he will make a statement.

Mr. Michael Forsyth: The information requested, for education authority primary and secondary schools, is as follows:

	Number of pupils		
	1976	*[1]1986*	*1989*
Primary schools	611,788	433,459	437,072
Secondary schools	402,704	344,369	298,603

[1] Estimate.

	Number of Teachers[1]		
	1976	*1986*	*1989*
Primary schools	27,324·3	21,218·1	22,186·1
Secondary schools	27,432·2	25,992·7	24,143·3

[1] Full-time equivalent.

In the period since 1976 pupil:teacher ratios have improved from 22·4 to 19·7 in primary schools, and from 14·7 to 12·4 in secondary schools.

Lothian Health Board

38. **Mr. Darling:** To ask the Secretary of State for Scotland what estimate he has of the deficit likely to be incurred by Lothian health board in 1990-91.

Mr. Michael Forsyth: Lothian health board is making good progress in introducing more efficient ways of providing health care and reorganising its hospital service. The savings resulting from these measures are improving the financial position, but it is too early to predict the outcome for the financial year.

Roof Tax

39. **Mr. Allan Stewart:** To ask the Secretary of State for Scotland what representations he has recently received regarding proposals for a roof tax; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend has received a very few letters about the Labour party's proposed local tax on houses.

Elderly People

40. **Mr. McAvoy:** To ask the Secretary of State for Scotland when he next expects to meet Mr. Don Cruickshank, chief executive of the national health service in Scotland, to discuss care of the elderly.

Mr. Michael Forsyth: I frequently meet the chief executive of the national health service in Scotland.

Lead Piping

41. **Mr. Watson:** To ask the Secretary of State for Scotland what additional funds he intends to make available to local authorities to facilitate the replacement of domestic lead piping to comply with the Government's commitment that such work will be completed in the current year.

Lord James Douglas-Hamilton: The Government have given no such commitment.

A1

42. **Mr. Beith:** To ask the Secretary of State for Scotland what assessment he has made of the implications for the A1 in Scotland of the upgrading of the A1 south of Newcastle to motorway status.

Lord James Douglas-Hamilton: The most recent assessments following the routes south of Edinburgh study concluded that upgrading the A1 from London to Tyneside would result in only approximately 300 additional trips per day across the border on the A1 by the year 2008. This is because the majority of long-distance traffic crossing the border on the A1 is coming from or going to the north-east of England and would therefore be very little influenced by the upgrading of the A1 south of Teesside. I am satisfied that the £50 million package of improvements I announced in April together with the implementation of a route action plan which the A1 steering group has been charged with formulating will considerably improve this important and strategic route to the advantage of Scotland. The monitoring of traffic on the A1 by the steering group will give an early warning of traffic pressures developing which exceed forecasts.

Students (Housing)

43. **Mr. Robert Hughes:** To ask the Secretary of State for Scotland what representations he has received concerning housing difficulties for students in higher education in Scottish establishments.

Mr. Michael Forsyth: Apart from one case raised by the hon. Member himself, my right hon. and learned Friend has received no representations on behalf of students during the past year about the availability of student housing. He has, however, received various representations about the withdrawal of most students' entitlement to housing benefit as part of the revised student support arrangements.

NHS Reform

44. **Mr. Graham:** To ask the Secretary of State for Scotland when he last met representatives of the British Medical Association to discuss the Government's health service reforms in Scotland.

Mr. Michael Forsyth: I last met representatives from the BMA in March this year.

Flood Damage, Tay Valley

45. **Mr. Bill Walker:** To ask the Secretary of State for Scotland if he will give details of the number of individuals and companies which have received grants to repair flood damage in the Tay valley; and what proposals there are to protect the village of Spittalfield and the farms downstream from Braecock.

Mr. Michael Forsyth: To date the Scottish Office has either paid or certified for payment grant amounting to £158,471 to 22 farmers and landowners in the Tay valley area for the restoration of flood damage. A further 15 claims with an estimated grant value of £346,505 are under consideration or awaited.

Restoration of the elevated floodbanks at Braecock farm is now virtually completed and this should also afford protection to properties immediately downstream in the direction of Spittalfield.

Public Spending

46. **Mr. Riddick:** To ask the Secretary of State for Scotland if he will provide the most recent information available relating to annual public spending per capita in Scotland.

Mr. Lang: The latest available figures on identifiable public expenditure per head are in the reply my right hon. Friend the Chief Secretary to the Treasury gave on 19 December 1989.

Set-aside

Mr. Teddy Taylor: To ask the Secretary of State for Scotland what is the total amount of land covered by the set aside schemes; and what expenditure is involved per annum.

Mr. Michael Forsyth: The area of land currently set aside by farmers in Scotland is approximately 19,700 hectares.

Annual expenditure on payments is cumulative, as new participants may apply each year and participate for five years. Payments of £2·279 million were made in financial year 1989-90. Provision of £4·22 million has been made for 1990-91.

Labour Statistics

Mr. Stern: To ask the Secretary of State for Scotland if he will publish in the *Official Report* a list of the unemployment figures, at the latest available date, for each Scottish county.

Mr. Lang: The level and rate of unemployment in each of the Scottish regions as of August 1990 is given in the table. Overall unemployment in Scotland has fallen by over 135,000 in the past three years.

Unemployment in Scotland, August 1990[1]

County/Region	*Number unemployed*	*Rate*[2]
Borders	1,900	3·8
Central	10,583	8·8
Dumfries and Galloway	4,273	6·0
Fife	12,179	8·3
Grampian	9,200	3·4
Highlands	6,590	6·6
Lothian	25,563	6·2
Strathclyde	114,356	10·3
Tayside	14,136	7·2
Orkney Islands	396	4·1
Shetland Islands	365	2·9
Western Islands	1,385	10·0
Scotland	200,926	8·0

[1] Unadjusted for seasonal variation.
[2] Rates expressed as a percentage of the workforce.
Source: Department of Employment

Tayside Health Councils

Mr. Bill Walker: To ask the Secretary of State for Scotland whether he will consider the possibility of creating more than one local health council in the Tayside health board area.

Mr. Michael Forsyth: I agree that local health councils have an important role to play, but to be effective it is desirable that what is expected of councils is clear, that they are truly representative of my areas that they serve, and that they speak with one voice. These criteria are, in my view and that of my colleagues, most likely met by well-resourced single councils capable of dealing on a one-to-one basis with their health boards. However, if Tayside health board, or indeed any other board, wishes to submit a scheme for more than one council any such scheme will be considered on its merits.

Education Statistics

Mr. Wray: To ask the Secretary of State for Scotland what information he has on the educational participation rate of 16 to 18-year-olds in Scotland and in *(a)* Denmark, *(b)* Belgium, *(c)* Canada, *(d)* Australia, *(e)* France, *(f)* West Germany, *(g)* Italy, *(h)* the Netherlands, *(i)* Spain, *(j)* Norway and *(k)* Sweden.

Mr. Michael Forsyth *[holding answer 16 October 1990]:* The participation rate in full-time or part-time education or training in Scotland was 60 per cent. in 1986 and 68 per cent. in 1988. International comparisons, including references to definitional differences, are contained in the

Department of Education and Science statistical bulletin No. 1/90 "International Statistical Comparisons of the Education and Training of 16 to 18 year olds", copies of which are in the Library.

DEFENCE

Public Interest Immunity Certificates

Mr. McNamara: To ask the Secretary of State for Defence if he will list in the *Official Report* the number of occasions in the past 10 years when public interest immunity certificates have been issued concerning matters before coroners and other courts preventing members of the armed forces and others within the remit of his Department from attending such courts, and to prevent such courts from hearing details of operations, indicating which operations were involved and how many individuals were covered by such certificates.

Mr. Archie Hamilton: There is no systematic record kept centrally of all cases in which public interest immunity is claimed in respect of the armed forces and others within the remit of the Ministry of Defence and it would not be possible to provide the information sought except at disproportionate cost.

Belize and Thailand

Mr. O'Neill: To ask the Secretary of State for Defence what is his policy regarding the release of detailed information concerning service personnel stationed in *(a)* Belize and *(b)* Thailand.

Mr. Archie Hamilton: National security considerations may restrict the amount of detail that can be disclosed about service personnel stationed overseas. In addition, where such personnel are providing military training assistance for the host Government, details are normally confidential between Her Majesty's Government and the Government concerned. Further information on such assistance may be released in some circumstances with the agreement of the host Government. These principles apply when considering the release of information concerning United Kingdom service personnel in any overseas country, including Belize and Thailand.

Service Personnel (Qualifications)

Mr. O'Neill: To ask the Secretary of State for Defence how many qualifications were acquired each year since records began by service personnel as a result of pre-release training.

Mr. Archie Hamilton: The information requested is not held centrally and could not be provided without disproportionate cost.

Civil Servants (Training)

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 25 July, *Official Report*, column *297*, which skills in which his Department's civil servants have received training are applicable to outside employment.

Mr. Carlisle: Most of the skills acquired by MOD civil servants through either in-house or external training are transferable to outside employment. Wherever possible in both industrial and non-industrial training use is made of outside accreditation bodies such as the training boards or the institutions to give recognition to the skills acquired, in addition to academic awards such as BSc, MSc, MBA and HNC.

British Forces (Germany)

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his statement of 25 July, *Official Report*, columns 471-72, (1) whether he envisages that those forces that remain in Germany by the mid-1990s will have a similar balance of different types of equipment;

(2) whether he envisages those forces designated as reinforcements for British forces stationed in Germany increasing or decreasing in size.

Mr. Archie Hamilton: Work is continuing to refine the detail of the broad proposals put forward by my right hon. Friend the Secretary of State on 25 July. This includes consultation with NATO and our alliance partners. It is too early to say what will be the appropriate balance between forces stationed in the United Kingdom and Germany or what levels and types of equipment remaining forces in Germany will need.

Foreign Military Forces (Training)

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 26 July, *Official Report*, column *538*, whether any companies have contacted his Department to seek approval for the provision of military training for foreign military forces.

Mr. Archie Hamilton: Companies intending to provide military training for foreign military forces would be required to request approval from the Government only if such training involved the release of United Kingdom classified information. We have no records of any requests of this nature being made to the Ministry of Defence.

Household Division

Mr. O'Neill: To ask the Secretary of State for Defence whether any financial resources from non-Ministry of Defence sources have ever been provided to assist the Household Division in carrying out its ceremonial duties.

Mr. Archie Hamilton: No. Financial resources for ceremonial duties undertaken by the Household Division are provided solely by the Ministry of Defence.

Procurement Programmes

Mr. O'Neill: To ask the Secretary of State for Defence which equipment procurement programmes whose total value is expected to be greater than £250 million have been either delayed, cancelled, or reduced in size since 1 June.

Mr. Alan Clark: I told the House on 18 June at column 770 that I had decided not to authorise further work on the eighth batch of Tornado aircraft, and I have since decided to slow production of the Warrior armoured infantry fighting vehicle and its variants.

Nuclear Capable Combat Aircraft

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his statement of 25 July, *Official Report*, columns 471-72, whether he envisages an increase in the number of nuclear capable combat aircraft as a result of the "Options for Change" study.

Mr. Archie Hamilton: No.

Defence Establishments (Closures)

Mr. O'Neill: To ask the Secretary of State for Defence what announcements have been made regarding the closure of Royal Air Force bases and other of his Department's establishments since 25 July.

Mr. Archie Hamilton: Since 25 July the Ministry of Defence has announced proposals to close the RAF air defence radar station at Bishops Court.

Tri-Service Resettlement Organisation

Mr. O'Neill: To ask the Secretary of State for Defence what is the annual budget of the Tri-Service Resettlement Organisation and the number and grade of his Department's personnel attached to the organisation.

Mr. Archie Hamilton: The Tri-Service Resettlement Organisation does not yet have a budget of its own, but the current level of expenditure was indicated in my reply to the hon. Gentleman on 25 July 1990 at column 301. The information requested about the number and grade of personnel attached to the organisation is as follows:

	Number
Headquarters	
Wing Commander/Lieutenant Colonel	2
Major/Lieutenant Commander	4
Grade 6	1
Retired officer (Principal)	1
Retired officer 1	1
Retired officer 2	1
Retired officer 3	1
Higher executive officer	1
Information officer	1
Executive officer	2
Administrative officer	6
Administrative assistant	6
Resettlement Centres	
Lieutenant Colonel	2
Major	2
Warrant officer 2	2
Lance Corporal	1
Higher executive officer	4
Senior lecturer	2
Burnham lecturer 2	5
Burnham lecturer 1	4
Higher information officer	2
Information officer 1	32
Stores officer	1
Special typist	1
Senior storekeeper	4
Storekeeper	1
Skilled labourer	1
Craftsmen	3
Forklift driver	1
Typist	1
Administrative assistant	1
Caretaker	1
Labourer	4
Messenger	1
Executive officer	3

Hawk Aircraft

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his statement of 25 July, *Official Report*, columns 471-72, whether he envisages that there will be an increase in the number of armed Hawk aircraft.

Mr. Archie Hamilton: No.

"Options for Change"

Mr. O'Neill: To ask the Secretary of State for Defence what consultations have taken place with civil service trade union representatives regarding the "Options for Change" study.

Mr. Alan Clark: Since the trade union representatives were informed of the "Options for Change" proposals on 25 July, the subject has been discussed at meetings of the joint industrial Whitley council and the non-industrial joint general purposes committee.

Defence Planning Committee

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 12 June, *Official Report*, column 142, when he expects that the work in hand on the implications for British forces of the Defence Planning Committee meeting of 22-23 May will be complete.

Mr. Archie Hamilton: The review of readiness and availability requirements for NATO forces to which I referred in my reply of 12 June is progressing satisfactorily and further interim measures have been agreed. Details are classified. We expect work to continue for some time yet.

Cambridge Hospital, Aldershot

Mr. Critchley: To ask the Secretary of State for Defence whether he will take steps to ensure that the Cambridge hospital in Aldershot will resume its normal civilian and military functions once the Gulf crisis has been resolved.

Mr. Archie Hamilton: Yes. This will of course be subject to the future hospital requirements of the armed forces which are currently under review.

Toxic Waste

Mr. Tony Banks: To ask the Secretary of State for Defence (1) what safeguards are being taken to prevent toxic waste originating from Nancekuke polluting the sea and beaches of Cornwall; and if he will make a statement;

(2) if he will give details of the location and type of toxic waste dumps created by past production of nerve gas at Nancekuke; and if he will make a statement;

(3) what assistance is being given by his Department to appropriate authorities inquiring into the dangers of toxic wastes originating from past activities at Nancekuke;

(4) what representations have been made to his Department by the National Rivers Authority in respect of toxic wastes buried in Cornwall; and if he will make a statement.

Mr. Kenneth Carlisle: The United Kingdom had abandoned its chemical and biological weapons by the late 1950s. The policy of the Government is that chemical and biological weapons will not be used or produced by this country and we have no plans to acquire any such

weapons. There is no evidence to suggest that there is any cause for concern at Nancekuke resulting from Ministry of Defence operations.

The Nancekuke nerve agent pilot plant operated between 1953 and 1956. The plant was decommissioned in 1956 and dismantled in 1978-79 following a decision to close the site, which had been used for a variety of tasks not related to the United Kingdom's chemical defence programme since 1956.

No chemical warfare or toxic material was ever disposed of by burial at Nancekuke. All such material was either treated chemically or incinerated, the resulting products not causing any environmental hazard. The disposal arrangements at the site were highly sophisticated and were subject to independent on-site inspection throughout the operations.

The material buried at Nancekuke is mainly the decontaminated structure and components of the dismantled pilot plant. This material was buried using approved techniques and was classed as non-leachable and therefore safe for such disposal. It is buried at five main sites which are fenced off to prevent disturbance; these sites are well known locally.

The National Rivers Authority (south west region) have been provided with comprehensive information on our management of the site to enable them to carry out their statutory responsibilities in taking ground water samples. Representatives of the National Rivers Authority visited the site on Monday 15 October and have indicated that, in accordance with their statutory responsibilities, they will place the results of their work on the public record.

British Forces Overseas

Mr. Tony Banks: To ask the Secretary of State for Defence what is the current estimated daily cost of the British military presence in *(a)* the Falklands and *(b)* the Gulf.

Mr. Archie Hamilton: The current estimated full daily cost of the British military presence in the Falklands and the Gulf is £0·167 million and £2 million respectively.

Low Flying

Sir David Steel: To ask the Secretary of State for Defence when Her Majesty's Government intend to reply to the House of Commons Defence Select Committee's report on low flying published earlier this year.

Mr. Kenneth Carlisle: Shortly.

Trident

Mr. Allen: To ask the Secretary of State for Defence what costs would be incurred at each stage if the United Kingdom withdrew from its contractual commitments with United States of America on Trident submarines and the nuclear weapons to be carried by Trident.

Mr. Alan Clark: Her Majesty's Government remain firmly committed to the United Kingdom Trident project, and have no plans to withdraw from their related contractual commitments, either in the United States of America or elsewhere.

ENERGY

International Atomic Energy Agency

Mr. O'Neill: To ask the Secretary of State for Energy what requests the International Atomic Energy Agency has submitted to his Department in the last 10 years.

Mr. Baldry: My Department has not retained records of all requests made by the IAEA over the last 10 years. We receive annual requests for contributions to the agency's regular budget, its technical assistance and co-operation programme and for assistance on safeguards research and development. We also receive invitations for United Kingdom experts to participate in the many technical meetings and other events organised by the agency. Other ad hoc requests for assistance are received from time to time.

Research and Development

Mr. O'Neill: To ask the Secretary of State for Energy, pursuant to his reply of 4 April, *Official Report*, column *681*, what is the *(a)* annual expenditure on the safeguards research and development programme for each year since records began, *(b)* average number of staff employed on the safeguards research and development programme in each year since records began, *(c)* grades of the staff employed on the safeguards research and development programme, *(d)* annual number of technical reports provided by his Department to the International Atomic Energy Agency and *(e)* titles and subject matter of the technical reports provided by his Department to the International Atomic Energy Agency.

Mr. Baldry: Since 1981, the United Kingdom has conducted, in consultation with the IAEA, a programme of R and D in support of the IAEA's safeguards work. The programme includes the provision of training courses for IAEA safeguards inspectors. The funding for the programme, which is managed by the UKAEA, is provided by my Department.

The expenditure in each year since 1980, in money values of the year in question, is as follows:

Year	*amount (£k)*
1980-81	301
1981-82	535
1982-83	573
1983-84	661
1984-85	744
1985-86	825
1986-87	854
1987-88	828
1988-89	950
1989-90	1,064
1990-91	[1]1,088

[1] Budget

Provision of technical reports on safeguards to the IAEA is a matter for AEA Technology, which carries out the research and development work for it. AEA Technology produces a UK programme progress report which includes, among other things, a list of reports published during the year. A copy of the most recent progress report has been placed in the Library of the House.

The additional information requested by the hon. Member under items *(b)* and *(c)* could be obtained only at disproportionate cost.

Non-proliferation Treaty

Mr. O'Neill: To ask the Secretary of State for Energy what are the implications of the 1990 conference on the non-proliferation treaty for the work of his Department.

Mr. Baldry: To the Government's regret, the review conference could not adopt an agreed final document. My Department is still studying the ideas which emerged from the valuable work done in the conference's main committees relating to my responsibilities, notably for safeguards and nuclear supplies.

Energy Efficiency

Mr. Squire: To ask the Secretary of State for Energy what steps he has taken to ensure that Government Departments practise greater energy efficiency.

Mr. Wakeham *[pursuant to the reply, 25 June 1990, col. 105-6]:* Copies of the first annual report on the campaign to promote energy efficiency on the Government estate have been placed in the Libraries of both Houses.

Written Answers to Questions

Thursday 18 October 1990

ATTORNEY-GENERAL

Personal Data

Mr. Cohen: To ask the Attorney-General whether his Department will take positive steps to discuss with the Data Protection Registrar all his Department's legislation that impacts on the use, collection, processing or holding of personal data; and whether he will make a statement.

The Attorney-General: I am reminding my officials of the need to consult the registrar about proposed legislation which might affect or be affected by the Data Protection Act 1984.

Shops Act

Sir Bernard Braine: To ask the Attorney-General in the light of the High Court judgment of 18 July relating to the Shops Act 1950, what guidance he will be giving to local authorities and courts to enable them to enforce the law in a consistent manner.

The Attorney-General: I do not propose to give any guidance to local authorities, and it would be improper for me to offer guidance to the courts.

The judgment of Mr. Justice Hoffmann in Stoke-on-Trent City Council and Norwich City Council *v.* B&Q plc is clearly expressed, and neither local authorities nor courts should have any difficulty in understanding its effect and acting upon it. Mr. Justice Hoffman decided that the effect of the judgment of the European Court of Justice in Torfaen Borough Council *v.* B&Q plc is that the Sunday trading provisions of the Shops Act 1950 do not contravene the EEC treaty, and that accordingly for shops in England and Wales to be open for the serving of customers on Sunday otherwise than in accordance with the provisions of the Act continues to be an offence under the Act. It follows that local authorities continue to be subject to the duty of enforcement conferred on them by section 1 of the Act.

Electoral Law

Sir David Steel: To ask the Attorney-General what consideration has been given by the Director of Public Prosecutions to the contents of the document published by the Conservative party entitled "Offer from the Conservative Party", relating to registration of proxies by overseas voters, with respect of its compliance with electoral law.

The Attorney-General: I have invited the right hon. Member to forward a copy of the document to which he refers to the Director of Public Prosecutions indicating any criminal offence he believes may have been committed. The Director will then consider whether any action on his part is appropriate.

Mr. Colin Wallace

Mr. Cohen: To ask the Attorney-General what consideration he has given to prosecuting Ministry of Defence officials over their handling of the case of Mr. Colin Wallace.

The Attorney-General: The Director of Public Prosecutions has received a letter from solicitors acting on behalf of Mr. Colin Wallace requesting that he initiate a criminal investigation and he is considering the matters raised.

NORTHERN IRELAND

Flooding

Mr. William Ross: To ask the Secretary of State for Northern Ireland what damage was caused to (1) dwellings and (2) farmland and crops as a result of the breach in the river Roe floodbanks on Saturday, 6 October and what is his estimate of the sums required to *(a)* repair the banks and *(b)* restore the loss of (i) farmers crops and land damage and (ii) dwellings and household furniture and goods.

Mr. Brooke: As a result of a breach in the left floodbank approximately 160 hectares of land were flooded. There have been no reports of damage to dwellings received.

The cost of repairing the floodbank is estimated to be of the order of £11,000.

As the Government do not meet the cost of losses due to accidental flooding of farmland, crops or dwellings, no estimate of these costs has been made.

OVERSEAS DEVELOPMENT

Namibia

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what further economic help Her Majesty's Government proposes to give to Namibia in both the context of the European Community and the United Kingdom.

Mrs. Chalker: On 21 March I announced in this House that Britain would be providing £10 million of aid for Namibia, for commitment over three years. Technical assistance is already being provided for education, public sector reform and police training and the scope for assistance in certain other sectors is being explored with the Namibian Government. Military training is also being provided under separate arrangements. The European Community is meanwhile considering the terms of Namibia's accession to the Lomé Convention and Britain is working to ensure a speedy and favourable outcome to this consideration. Pending accession, the Community is providing an interim package of aid totalling 19 million ecu (£13·24 million) in 1990, of which our share is about one fifth.

THE ARTS

Cultural Property

Mr. Dalyell: To ask the Minister for the Arts if Her Majesty's Government will ratify the 1970 UNESCO convention on illicit trade in cultural property; and if he will make a statement.

Mr. Mellor *[holding answer 15 October 1990]:* Her Majesty's Government have no plans to ratify the 1970 UNESCO convention. While supporting the principles and objectives laid down in the convention, we consider that the convention's definition of cultural property is unduly wide. In addition, the requirements of the convention on imported and exported goods would impose a heavy administrative burden on both the Government and the art trade with, for example, the requirement for all dealers to keep registers of the material bought and sold. Implementation of the provision on restitution and prohibition of imports would require new legislation and allocation of substantial additional administrative resources, and the identification and verification of claims made against items imported into the United Kingdom would not be straightforward.

United Kingdom museums and the art trade already subscribe to codes of practice on the handling of items of dubious provenance, which help to uphold the objectives of the convention.

TRANSPORT

Road Safety

Mr. Spearing: To ask the Secretary of State for Transport what information he has concerning the number of serious or fatal accidents where a hand-held car telephone was an element; what assessment he has made of the road safety aspects of such instruments; and what consideration he has given to alternatives not requiring use of either hand for conversation.

Mr. Chope: There is no information available on such accidents. The use of hand-held telephones while driving constitutes a potential road safety hazard and rule 54 of the highway code states that drivers should not use a hand-held telephone while their vehicle is moving. Drivers who need a car telephone should use hand-free equipment.

Mr. Spearing: To ask the Secretary of State for Transport if he will state the proportion of serious or fatal road accidents occasioned by right turns; and what action he is taking to reduce their occurrence.

Mr. Chope: A total of 17 per cent. of all fatal or serious road accidents involve a vehicle turning right. The highway code advises motorists on the correct procedure for making a right turn and this advice is reinforced in my Department's publicity programme. Many of the small-scale engineering works to improve road safety address this problem. The expanded national road building programme will create new higher-quality roads which are generally safer and on which right-turning accidents are less common.

Mr. Spearing: To ask the Secretary of State for Transport how many outstanding approvals there are for the provision of light-controlled right turns that eliminate conflicting movement; what delay has occured in their installation; and what plans he has to eliminate significant delay.

Mr. Chope: The provision of signal-controlled right turns that eliminate conflicting traffic movements is within the scope of the Traffic Signs Regulations and General Directions 1981. Equipment for this purpose is already type approved by the Department and does not require specific approval. Technical advice has been published showing correct layout of signals, signing and roadmarkings. In the case of trunk roads the Department's policy is to provide signal-controlled right turns where appropriate.

Transport Policy

Mr. Flynn: To ask the Secretary of State for Transport what discussions he has had with his counterparts in the European Council over developments in environmental aspects of transport policy following the publication of the White Paper on the environment (Cm. 1200) in September.

Mr. Parkinson: None. But following consultation between our Departments, my right hon. Friend the Secretary of State for the Environment will press for the introduction of tight emission controls for cars of all sizes at the European Council of Environment Ministers on 29 October. At a later stage he will press for the adoption by the Council of the tighest practicable emission standards for heavy diesel vehicles, and I understand that the European Commission expects to submit shortly to the Council of Transport Ministers proposals on transport and the environment generally.

Network SouthEast

Mr. Moate: To ask the Secretary of State for Transport what investment plans he has approved for British Rail Network SouthEast with particular reference to new rolling stock for the north-east Kent routes; and when he expects delivery of such stock.

Mr. Freeman: British Rail has not yet put to us investment proposals relating to new rolling stock to be deployed in north-east Kent. Last year we approved proposals for 400 vehicles for inner suburban services in south-east London and north-west Kent. We have approved in principle further vehicles and infrastructure works for this area. The whole scheme will cost £700 million in total. The new trains will begin operation from 1992 onwards.

Midland Line Electrification

Mr. Skinner: To ask the Secretary of State for Transport what further representations he has received, and what meetings he has had, with east midlands local authorities, regarding the midland line electrification; and if he will make a statement.

Mr. Freeman: I have received a number of representations about electrification of the midland main line and I recently met representatives from Leicestershire county council; Northamptonshire county council and Kettering borough council, to discuss this issue. British Rail has not so far identified a robust commercial case for electrification; but I hope that the local authorities will continue to discuss their plans with BR.

Kegworth Crash

Mr. Ashby: To ask the Secretary of State for Transport when the official report into the cause of the accident to a Boeing 737 near Kegworth on 8 February 1989 will be published.

Mr. Parkinson: The report of the Department's air accidents investigation branch (AAIB) into the accident, which occurred on 8 January 1989, is being published today. Copies have been placed in the Library.

The report contains 31 safety recommendations addressed, directly or indirectly, to the Civil Aviation Authority which has the statutory responsibility for the safety regulation of civil aviation in the United Kingdom. The AAIB's recommendations are passed to the CAA as soon as they are determined and I understand that the CAA has already completed action or put research into train as a result.

The report is very detailed and comprehensive and the AAIB is to be congratulated on a most thorough investigation into circumstances surrounding this accident.

Networker Trains (Kent Coast)

Sir John Stanley: To ask the Secretary of State for Transport whether he has taken any decisions that will result in the delayed introduction of the new networker trains to serve the Kent coast routes; and whether he will make a statement.

Mr. Freeman *[holding answer 17 October 1990]:* Decisions on the provision of external finance for British Rail for the three years to 31 March 1994 will be announced at the time of the autumn statement. It is for British Rail to decide its investment priorities in the light of the external and internal funds available to it; and it will be updating its plans in due course.

SOCIAL SECURITY

Mobility Allowance

Ms. Short: To ask the Secretary of State for Social Security how many reviews of mobility allowance claims were conducted during the last year for which statistics are available.

Mr. Scott: During 1989, the medical questions were reconsidered, on review, in 720 claims for mobility allowance.

Attendance Allowance

Ms. Short: To ask the Secretary of State for Social Security how many reviews of attendance allowance claims were conducted during the last year for which statistics were available.

Mr. Scott: In 1989, the total number of decisions reviewed was 66,574.

Pensions

Sir David Price: To ask the Secretary of State for Social Security what percentage of people currently retiring will receive the basic rate by way of retirement pension.

Mrs. Gillian Shephard: In the six-month period ending March 1989, the latest date for which figures are available, there were 317,000 claims for retirement pension; 244,940 awards were made of which 79·45 per cent. received the full rate basic retirement pension.

Elderly People (Residential Care)

Mr. Spearing: To ask the Secretary of State for Social Security when he received the report of Messrs. Price Waterhouse on the costs of residential care in charitable and proprietorial homes for elderly persons; and if he will place a copy in the Library of the House of Commons.

Mrs. Gillian Shephard: The report was received on 20 September. My right hon. Friend the Secretary of State will be making a statement shortly.

Independent Living Fund

Mr. Morgan: To ask the Secretary of State for Social Security when he expects to review the 75-plus age disqualification for access to assistance from the independent living fund.

Mr. Scott: The decision to restrict eligibility to those aged between 16 and 74 and who also receive attendance allowance at the higher rate was taken by the trustees in the light of the resources made available for this financial year. We understand that they are keeping this decision under review.

Mesothelioma

Ms. Harman: To ask the Secretary of State for Social Security what information the Government collect about the number of people suffering from mesothelioma; and what action the Government have taken to support and compensate all victims.

Mr. Scott: The Health and Safety Executive collects figures from death certificates mentioning mesothelioma and the Department keeps records of the number of industrial injuries claims made for this disease. Industrial injuries benefit and war disablement pensions can be awarded to claimants with mesothelioma and additional benefits can be paid depending on other needs. In addition, the Pneumoconiosis (Workers Compensation) Act 1979 provides some measure of compensation to those people or their dependants who cannot sue their employer because he has gone out of business.

Community Charge

Mr. Battle: To ask the Secretary of State for Social Security how many people are receiving the reduced personal allowance due to downrating after over six weeks hospitalisation and are still liable for community charge.

Mrs. Gillian Shephard: Information is not available in the form requested. All hospital patients who are receiving Income Support, and who are not exempted from paying the community charge, are entitled to maximum community charge benefit.

Invalid Care Allowance

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security what is the estimated total number of carers looking after disabled, sick or elderly people in the

United Kingdom; how many carers claimed *(a)* invalid care allowance and *(b)* income support in 1989; and if he will launch a review of carers' incomes.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security what is the estimated total number of carers looking after disabled, sick or elderly people in Wales; and how many of these receive *(a)* invalid care allowance or *(b)* income support.

Mr. Scott *[holding answer 17 October 1990]:* The information is not available in the form requested.

Any estimate of the number of carers of disabled people has to make certain assumptions on the amount of care provided. The 1985 general household survey suggested that there were 1·4 million adults in Great Britain caring for disabled people for at least 20 hours a week.

The numbers of carers in Great Britain in receipt of invalid care allowance (which is intended for people who forgo work opportunities to care for an attendance allowance recipient for at least 35 hours a week) was 119,000 on 30 June 1989. On 31 May 1989, 23,000 people were receiving income support who were also receiving invalid care allowance, or whose partners were.

A report based on research commissioned by the Department into the effectiveness of invalid care allowance as an income maintenance benefit is expected to be published in the next few months.

PRIME MINISTER

Engagements

Mr. Rathbone: To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

Mr. Tony Banks: To ask the Prime Minister if she will list her official engagements for Thursday 18 October.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

Separate Assessment

Q54. **Sir David Price:** To ask the Prime Minister if she will now introduce legislation to ensure that husbands and wives are assessed separately for social security and community charge.

The Prime Minister: No. All the income-related benefits including community charge benefit, follow the principle that couples share their income and capital resources, and their claims for benefit are assessed jointly. The Government believe that it is right for couples to share the responsibility of running their homes and paying their bills. There is no good reason why community charge benefit should differ from other income-related benefits in this respect.

Macclesfield

Q169. **Mr. Winterton:** To ask the Prime Minister whether she has any plans to visit Macclesfield.

The Prime Minister: I have at present no plans to do so.

United Nations

Q172. **Mr. Cryer:** To ask the Prime Minister when she next expects to pay an official visit to the United Nations.

The Prime Minister: I visited the United Nations earlier this month. I have at present no plans for a further visit.

Child Benefit

Mr. Peter Bottomley: To ask the Prime Minister if she will estimate what proportion of *(a)* the value of personal tax allowances of people under retirement age, *(b)* the value of mortgage interest tax relief of people under retirement age and *(c)* child benefit goes to individuals or families with incomes of more than £20,000 a year.

The Prime Minister: The latest estimates in respect of 1990-91 are as follows:

Percentage benefiting single people or married couples with incomes over £20,000

	Percentage
(a) Personal tax allowances[1]	35
(b) Mortgage interest tax relief[1]	50
(c) Child benefit	35

[1] The percentages benefiting individual taxpayers with incomes over £20,000 are 20 per cent. and 30 per cent. for (a) and (b) respectively.

Family Income

Mr. Peter Bottomley: To ask the Prime Minister if she will give updated estimates of the cost of achieving a £2 post-tax increase in the income of a two-child family by *(a)* increasing child benefit, *(b)* increasing the married man's allowance and *(c)* increasing the average level of male earnings.

The Prime Minister: Increasing the average level of earnings depends on the performance of the economy, as indeed does any general improvement in living standards. The estimated direct costs of increasing child benefit or the married couples' allowance to give an additional £2 per week to most two-child families are as follows, but it should be noted that the increase in income a family derives from them depends also on its individual circumstances.

(a) an increase in child benefit of £1 a week would have a gross cost of around £630 million a year.

(b) Increasing the married couple's allowance (together with the additional personal allowance) by £416 would have a gross cost of around £1,150 million a year.

Child Allowance

Mr. Peter Bottomley: To ask the Prime Minister (1) if it remains her policy that the level of the child cash allowance may still be dealt with in the Budget:

(2) if, while retaining the Department of Social Security to administer the child allowance scheme, she will limit the responsibility for determining the level of the child cash allowance to the Chancellor of the Exchequer and herself.

The Prime Minister: The Social Security Act 1986 requires the Secretary of State for Social Security to review the level of child benefit each year having regard to the national economic situation and any other matters which he considers relevant. This duty is most appropriately discharged as part of the annual review of social security matters.

Electoral Registration

Mr. Allen: To ask the Prime Minister what is the current level of electoral registration; and what steps Her Majesty's Government proposes to increase the level of electoral registration before the closing date for entries.

The Prime Minister: The numbers of parliamentary elec tors on the 1990 electoral register for each part of the United Kingdom, together with the corresponding figures for 1989, are given in the table. The Home Office has continued to assist electoral registration officers in their statutory duty of preparing the electoral register in a number of ways. It has again this year conducted a nationwide advertising campaign designed to encourage people to complete and return the electoral registration form; and has produced publicity and an explanatory leaflet aimed at encouraging young people to register.

Research into the working methods of electoral registration officers is undertaken annually, and the results are used to inform Home Office guidance on best practice. It also amends and improves the electoral registration form, form A, where necessary, and is producing revised and updated practice notes for electoral registration officers. The most recent of these covers the effective use, at each stage of the compilation of the electoral register, of the electoral registration officer's statutory right of access to the community charge register.

Parliamentary electors

	1989	*1990*
England	36,365,916	36,388,575
Wales	2,194,625	2,207,542
Scotland	3,932,911	3,936,704
Northern Ireland	1,120,508	1,130,602

China

Mr. Sedgemore: To ask the Prime Minister if she has any plans to discuss with her European Economic Community counterparts the normalisation of relations with China; and if she will make a statement.

The Prime Minister: Policy towards China has been regularly discussed within the Community and the measures adopted last year have been kept under review. We have been advocating for some time a steady resumption of normal relations. The subject is likely to be discussed again at the meeting of the Foreign Affairs Council on 22-23 October.

Mr. Sedgemore: To ask the Prime Minister if she has any plans to allow her Ministers to resume normal visits to China; and if she will make a statement.

The Prime Minister: I hope that we can agree shortly with our Community partners on a steady resumption of normal Ministerial visits to and from China. Our partners have of course also always accepted our special need to maintain contact with China over Hong Kong.

Mr. Sedgemore: To ask the Prime Minister if she has any plans to seek to persuade the International Monetary Fund and World Bank to resume normal lending to China; and if she will make a statement.

The Prime Minister: China has not sought recently to borrow from the IMF. We fully supported the decision taken at the Houston economic summit in July to consider World Bank loans to China that would contribute to the reform of the Chinese economy, especially loans that would address environmental concerns.

WALES

Industrial Development

Mr. Barry Jones: To ask the Secretary of State for Wales if he will convene a conference at Mold, Clwyd, to consider future industrial development in north-east Wales with Clwyd local authorities, the Confederation of British Industry, the Trades Union Congress and others.

Mr. David Hunt: No. Ministers held extensive consultations with local authorities and the representative bodies prior to the publication last December of the document "A55: The Road of Opportunity", which sets out a range of policies and proposals to ensure the future success of North Wales.

Land Sales

Mr. Alan Williams: To ask the Secretary of State for Wales how many representations he has received opposing the sale of the Llwyn Mawr site owned by West Glamorgan county council.

Mr. Grist: Since he issued the direction to the county council on 22 August, my right hon. Friend has received 27 letters and one petition.

Mr. Alan Williams: To ask the Secretary of State for Wales how many representations he received, and how many were from developers, asking him to require West Glamorgan county council to sell the Llwyn Mawr site; and on what dates these representations were received.

Mr. Grist: My right hon. Friend received one representation from a private developer on 20 April 1988 requesting that a direction be served on West Glamorgan county council to sell the land.

Mr. Alan Williams: To ask the Secretary of State for Wales in how many cases since June 1979 his Department has instructed an education authority to sell land being held for future school development.

Sir Wyn Roberts: One.

Health Service

Mr. Barry Jones: To ask the Secretary of State for Wales what is the percentage of those waiting for non-urgent operations who wait longer than for one year, in each of the health authorities in Wales.

Mr. Grist: The percentage of people who were waiting for non-urgent operations in hospitals in each of the Welsh district health authorities as at 31 March 1990, and had waited for a year or more, is given in the following table:

	Per cent.
Clwyd	13·6
East Dyfed	10·0
Pembrokeshire	53·9
Gwent	26·0
Gwynedd	15·3
Mid Glamorgan	32·5
Powys	0·0
South Glamorgan	25·5
West Glamorgan	19·4

Mr. Barry Jones: To ask the Secretary of State for Wales what information he has as to which hospitals have been able to reduce the number of patients waiting for non-urgent operations; and if he will make a statement.

Mr. Grist: I refer the hon. Gentleman to table 6 of the Welsh hospital waiting list bulletin 1990, No. 2, a copy of which is in the Library of the House.

In addition, the following hospitals also reduced the numbers waiting for non-urgent treatment:
Maesteg general
Talygarn
Breconshire war memorial
Machynlleth and district
Children's ear nose and throat, South Glamorgan

Mr. Barry Jones: To ask the Secretary of State for Wales what has been the rise in the number of people waiting for non-urgent operations, as a percentage and as a number; and if he will make a statement.

Mr. Grist: At 31 March 1990, the non-urgent waiting list was 42,685, a rise of 11 per cent. or 4,214 on the previous year. During 1989, in-patient and day case throughout increased by 7,549 to 534,478, a rise of 1·4 per cent.

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy concerning the need to cut down the waiting time for non-urgent surgery.

Mr. Grist: Health authorities are well aware of the importance which the Government places on the need to address the time people have to wait to receive treatment or diagnosis, whether urgent or non-urgent.

Record resources have been made to the NHS in Wales in response to increased demand and to reflect higher activity levels. In addition, central funding continues to be available to support the initiative launched in 1986 to tackle the more problematic lists and three treatment centres have been set up to ensure speedier treatment for those who suffer from specific key disabling conditions.

For the future, all health authorities will be expected to pay particular attention to waiting lists in the contracts which they negotiate with their providers.

River Dee Crossing

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet Alyn-Deeside council, Clwyd county council, Queensferry community council, Shotton town council, Connah's Quay town council and Hawarden town council to discuss matters relating to the need for a new crossing of the River Dee.

Sir Wyn Roberts: The Dee crossing scheme was conditionally accepted for transport grant support in 1990-91. An application from Clwyd county council for continued conditional acceptance in 1991-92 is under consideration. Progress on the scheme is a matter for the county council.

British Urban Development

Mr. Alan Williams: To ask the Secretary of State for Wales what discussions he has had with British Urban Development concerning its proposed development project in Swansea.

Mr. David Hunt: I discussed progress on the Tawe Vale project with the deputy chairman of the BUD on 26 July and offered to meet him when specific detailed proposals were available.

Young People (Secure Accommodation)

Mr. Michael: To ask the Secretary of State for Wales (1) if he will list for each facility in Wales providing secure accommodation for young persons for each of the years 1975, 1980, 1985, 1987, 1988 and 1989, the number of admissions and discharges according to the sex and age of young persons accommodated and according to the legal basis on which they were accommodated;

(2) if he will list for each facility in Wales providing secure accommodation for young persons for each of the years 1975, 1980, 1985, 1987, 1988 and 1989, the number of places available; whether such places were available for boys and-or girls; and what was the age range for which such places were available.

Mr. Grist: I will write to the hon. Gentleman, and place a copy of my reply in the Library of the House.

Educational Psychologists

Mr. Alan Williams: To ask the Secretary of State for Wales why paragraphs 46, 47 and 48 of the Department of Education and Science circular "Grants for Education Support and Training" are omitted from the Welsh Office equivalent circular; what are the respective numbers of educational psychologists in relation to pupil numbers in Wales, England, Scotland and Ireland; what are the equivalent figures for each Welsh county; how many posts are unfilled; and whether any bilingual posts are unfilled.

Sir Wyn Roberts: Paragraph 47 of the Department of Education and Science circular is dealt with under activity 12(91) of the equivalent Welsh Office circular. The initial training of educational psychologists has not been classed as a national priority area within the Welsh Office programme for education support and training in 1991-92, because of the many and competing demands on available resources. Local authorities are free to train educational psychologists from their own resources for that year. The Welsh Office will be keeping the situation under review and will consider future support in the light of local demand and priorities.

Details of the numbers of educational psychologists in England, Scotland and Northern Ireland are set out in the following table. No comparable statistics are available for Wales but, as part of the review mentioned above, the Welsh Office will be seeking specific information from local authorities.

	England January 1989	Scotland September 1989	Northern Ireland October 1990
Number of educational psychologists employed by local authorities	[1]1,400	[1]318	[2]60
Pupil numbers	6,731,047	744,061	339,185

[1] Full time equivalent.
[2] Full time.

IBM Contract

Mr. Morgan: To ask the Secretary of State for Wales when he expects to make use of the credit note issued by IBM UK to his Department in respect of its under-performance in completing the contract for the financial systems computer software installation.

Mr. David Hunt: Use has already been made of the credit note, and it is expected that it will be fully expended before the end of the current financial year.

Clwyd Health Authority

Dr. Marek: To ask the Secretary of State for Wales if he will list the new members of the Clwyd health authority giving any appropriate qualifications.

Mr. Grist: With effect from 17 September 1990, the memberships of Clwyd district health authority is as follows:

Non-Executive Members
Mrs. A. L. Roberts, (Chairman of DHA)
Mr. T. J. McAllister, C Eng, MICE, MIWEM, MBIM
Mr. T. G. Jones
Mr. J. R. Slater, FCA
Mrs. A. Waters, LLB
Dr. T. M. Hayes, MB, Chb, FRCP

Executive Members
Dr. D. T. Jones, FFCM, FRCGP, FRSH
Mr. B. F. Jones, FCCA
Dr. A. L. J. Williams, JP, NBBF, SSCM, DPH, AKC, DRCOG, MSCH
Mr. S. W. Jones, RGN, RMN
Mr. W. J. Ravenscroft, BA, ACIS, MIPM

Menai Straits (Sewage Discharges)

Mr. Michael: To ask the Secretary of State for Wales whether he will order an investigation into the discharge of untreated sewage from the pathology laboratory at Ysbyty Gwynedd via Pen Rhos Garnedd into the Menai Straits; and if he will make a statement.

Mr. Grist: No. I am advised by Dwr Cymru Cyfyngedig that the discharge from Ysbyty Gwynedd receives treatment at Treborth sewage works.

SCOTLAND

Forestry

Mr. Ron Davies: To ask the Secretary of State for Scotland (1) if he will list the woodland grant scheme applications made since 1 June 1989 in respect of land in the study area covered by the Highland regional council's examination of forestry in Caithness and Sutherland, indicating into which of the four zones identified by the Highland regional council's report these applications fell and the result of the application in each case;

(2) if he will list the woodland grant scheme applications made since 1 June 1989 in respect of land in the study area covered by the Highland regional council's examination of forestry in Caithness and Sutherland in cases where the Royal Society for the Protection of Birds had not been consulted, indicating the total land area of proposed forestry in each case.

Mr. Michael Forsyth: The information is set out in the following tables, which cover the period 1 June 1989-1 October 1990.

The Nature Conservancy Council and the Highland regional council—but not the Royal Society for the Protection of Birds—have been, or will be, consulted directly by the Forestry Commission over each of these applications.

Name of scheme	Total area of application (hectares)	Area proposed for new planting (hectares)	Area proposed for restocking (hectares)	Current state of application
Highland Regional Council Zone 1				
Lochinver Estate (1)	2·3	—	2·3	Under consideration
Lochinver Estate (2)	7·5	—	7·5	Approved
Meallan A Bhuic	1·2	1·2	—	Withdrawn
Meallan A Bhuic	7·3	5·5	—	Withdrawn
Loch Choire	1,021·5	947·6	—	Under consideration
Scrabster Loch	4·0	—	4·0	Approved
Halladale Birchwoods	2·9	2·9	—	Part approved (1·8 ha)
Tongue Estate	0·8	—	0·8	Approved
Forest Farms Estate (4)	215·9	135·5	—	EA* requested
Forest Farms Estate (5)	191·8	191·8	—	EA requested
Forest Farms Estate (7)	422·4	305·3	—	EA requested
Forest Farms Estate (8)	342·7	314·2	—	EA requested
Forest Farms Estate (9)	458·9	420·9	—	EA requested
Eriboll	34·6	32·3	—	Under consideration
Ledmore Lodge	0·4	0·4	—	Under consideration
Highland Regional Council Zone 2				
Baledigle	260·5	32·7	—	Part approved (27·0 ha)
East Halladale	810·0	810·0	—	EA requested
West Halladale	730·0	730·0	—	EA requested
Coille Nan Clach	184·5	59·5	—	Approved
Crubag	83·5	83·5	—	Part approved (66·1 ha)
The Cutting	184·7	184·7	—	Part approved (95·8 ha)

Name of scheme	Total area of application (hectares)	Area proposed for new planting (hectares)	Area proposed for restocking (hectares)	Current state of application
Loch Choire	425·0	448·8	—	Under consideration
The Brig	72·2	71·1	—	Approved
Crubag	5·1	5·1	—	Approved
Highland Regional Council Zone 3				
Hastigrow	67·7	44·6	—	Under consideration
Phillips Mains	262·7	42·4	—	Approved
Achlibster (1)	177·5	164·0	—	Under consideration
Achlibster (2)	54·6	54·6	—	Approved
Glebeland at Farr	74·7	38·6	—	Approved
Ben Armine	46·0	46·0	—	Approved
Navidale	65·0	—	25·6	Part approved (23·3 ha)
Dunrobin	1,080·2	—	87·8	Approved
Tacher	247·0	243·0	—	Under consideration
Astle	121·9	121·9	—	Part approved (113·8 ha)
Hilton Embo	9·9	9·9	—	Part approved (8·9 ha)
Stroupster West	121·4	79·5	—	Approved
Bilbster Mains	115·8	95·7	—	Under consideration
Dunnet Bay Wood	0·4	0·4	—	Refused
Morvich Oakwood	16·2	4·7	—	Approved
West Greenland	9·9	9·9	—	Approved
Roadside Woodlands	12·5	12·5	—	Approved
Skitten Farm Woodlands	1·2	1·2	—	Approved
Phillips Mains	17·0	16·0	—	Part approved (7·6 ha)
Rhianacoil Croft	14·6	14·6	—	Under consideration
Munsary	1,271·7	1,116·0	—	EA requested
Flex Farm	0·4	0·4	—	Approved
Pulrossie Farm	2·8	2·8	—	Approved
Swiney House	2·5	2·0	—	Under consideration
Murza	3·8	3·4	—	Under consideration
Iryglass	48·2	41·1	—	Under consideration
Brabster Farm 4	6·7	6·7	—	Under consideration
Croiche Wood	33·5	7·0	—	Under consideration
Inchnadamph, Inveroykel	2·7	0·9	—	Under consideration
Highland Regional Council Zone 4				
Loubcroy	461·6	387·9	—	Approved
Loubcroy (2)	390·5	295·0	—	Approved
Braelangwell	519·2	486·8	—	Part approved (335·9 ha)
Langwell	0·9	0·9	—	Approved
Glencalvie	34·2	34·2	—	Approved
Yellow Moss	17·1	11·0	—	Approved
Borrobol	1·7	0·9	—	Part approved (0·5 ha)
Langwell	0·8	—	0·8	Approved
Forest Farms Estate (1)	289·2	233·9	—	EA requested
Forest Farms Estate (2)	484·1	351·2	—	EA requested
Forest Farms Estate (3)	235·7	235·7	—	EA requested
Forest Farms Estate (6)	396·1	339·8	—	EA requested
Akron	306·0	269·8	—	Part approved (178·8 ha)
Achvarasdal House	10·5	—	1·1	Under consideration
Dunrobin Glen	440·5	365·2	—	Under consideration
Langwell by Lairg	35·3	—	35·3	Under consideration
Sallachy Block (4)	234·2	131·0	—	Under consideration
West Kinnauld	5·8	5·8	—	Under consideration
Gledfield Estate	12·5	—	12·5	Under consideration
Invercassley Farm	2·0	1·8	—	Under consideration
Borrobol	10·1	—	0·25	Under consideration
Alltan	83·8	5·3	—	Under consideration
Rattar	1·5	1·4	—	Under consideration
Gordonbush Estate	81·3	81·3	—	Under consideration
Old Calder	40·5	40·5	—	Under consideration

*EA = Environmental assessment.

Children's Hearings

Dr. Godman: To ask the Secretary of State for Scotland what was the amount of money spent by his Department, separate from that employed by the regional councils and islands councils, on publicising the system of children's hearings in each of the past 10 years.

Mr. Michael Forsyth: The Scottish Office has arranged and funded over the past nine years national press advertising to assist in the annual recruitment of new members to children's hearings system. Expenditure has been as follows:

Year	£
1982	25,000
1983	20,000
1985	22,000
1986	16,000
1987	26,000
1988	30,000

Year	£
1989	45,000
1990	50,000

There was no national publicity in 1984.

Education Vouchers

Mr. Allan Stewart: To ask the Secretary of State for Scotland (1) what consideration he has given to the introduction of vouchers into Scottish education;

(2) whether he has any plans to introduce education vouchers into Scotland.

Mr. Michael Forsyth: My right hon. and learned Friend has no immediate plans to introduce a voucher scheme in Scotland. A pilot scheme to provide students in further education with training credits is being tested in Grampian region.

Education Policy

Mr. Allan Stewart: To ask the Secretary of State for Scotland if he will list the initiatives in education policy he has under consideration.

Mr. Michael Forsyth: My right hon. and learned Friend gives high priority to the implementation of initiatives in education policy already in hand, such as curriculum assessment review, development of the effectiveness of school boards, staff development and appraisal; the development of Scottish vocational qualifications; wider access to post school education; and improvement in the management of further and higher education. New initiatives in education policy will be announced when it is appropriate to do so.

Junior Doctors (Working Hours)

Mr. Dunnachie: To ask the Secretary of State for Scotland what representations he has received concerning the actions of Greater Glasgow health board in seeking to require junior doctors at Southern general hospital, Glasgow, to work 115 hours per week; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 15 October 1990]:* None. The employment of junior doctors at the Southern general hospital is a matter for Greater Glasgow health board. In two cases which have recently received extensive publicity, I understand that the junior doctors concerned had contracted to work from 1 August 1990 a one in three rota, with prospective cover. This meant that their normal period of duty of 88 hours a week rose to 115 hours, including time spent on call, when covering while their colleagues are on holiday and study leave, and they were paid accordingly from the start of their contract. Greater Glasgow health board is currently examining ways of reducing the hours of work of all its junior staff, including those at the Southern general hospital, who are on rotas more onerous than one in three.

Self-employment

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list the latest figures of self-employed people in Roxburgh and Berwickshire.

Mr. Lang *[holding answer 15 October 1990]:* The latest information on this is from the 1981 Census of population, which shows that there were 1,314 self-employed residents in Berwickshire and 1,732 self-employed residents in Roxburgh in Spring 1981. Information on self-employment from the 1991 census of population is expected to become available in 1992.

Tree Planting

Mr. Teddy Taylor: To ask the Secretary of State for Scotland (1) how many trees have been planted in Scotland under planting schemes aided by Her Majesty's Government; and what expenditure is involved;

(2) how many trees have been planted in England and Wales under planting schemes financed by Her Majesty's Government; and what expenditure has been involved.

Mr. Michael Forsyth *(holding answer 17 October 1990):* The areas grant-aided by the Forestry Commission in the ten years to 31 March 1990 are given in the table.

hectares[1]

	New planting	*Restocking*
Scotland	145,600	14,400
England	14,700	23,400
Wales	8,300	2,500

[1] The figures have been rounded to the nearest 100 hectares.

The Forestry Commission paid out £68·3 million in grants over this period; the breakdown of this figure by country is not available.

TRADE AND INDUSTRY

Grand Metropolitan /Alders Deal

Mr. Butler: To ask the Secretary of State for Trade and Industry when he expects to publish the results of his consideration of the Monopolies and Mergers Commissions investigation into the Grand Met/Alders deal.

Mr. Redwood *[holding answer 17 October 1990]:* The Monopolies and Mergers Commission report on the merger situations between Elders IXL Ltd. and Grand Metropolitan plc was published on Tuesday 16 October.

ENERGY

Hinkley Point C Inquiry

Mr. Flynn: To ask the Secretary of State for Energy when he intends to publish the data on plutonium production set out in recommendation 3 of the Barnes report on the Hinkley C inquiry, detailed at page 960 in volume 3, to which he agreed in his decision letter; and if he will make it his policy to publish the said data in the *Official Report*.

Mr. Baldry: The information requested is being published today and copies of the press release will be placed in the Library of the House.

Mr. Flynn: To ask the Secretary of State for Energy what consideration he gave to seeking a parliamentary debate on the recommendations of the Barnes report on the Hinkley Point C public inquiry, before his statement granting consent which was issued in his reply to the hon. Member for Holborn and St. Pancras (Mr. Dobson), *Official Report*, 6 September, column *604*.

Mr. Baldry: In fairness to all concerned with this decision. My right hon. Friend wanted to make a prompt announcement of his decision on the recommendations of the Barnes report on the Hinkley Point C public inquiry.

Mr. Flynn: To ask the Secretary of State for Energy, pursuant to his reply to the hon. Member for Holborn and St. Pancras (Mr. Dobson), *Official Report*, 6 September, column *604* (i) how many copies of the full inspector's report of the Hinkley inquiry have been printed. (ii) to whom they have been distributed, (iii) what is the sale price of the full report; (iv) what has been the cost to date of printing the report and (v) how many copies of the summary report and decision letter have been *(a)* published and *(b)* distributed and to whom.

Mr. Baldry: The information requested is as follows:
(i) 1,800;
(ii) Parliament, the relevant planning authorities, Government Departments, Nuclear Electric and all those objectors who appeared at the inquiry and requested a copy of the report;
(iii) £80;
(iv) £134,000. The final amount will be recovered from the applicant, Nuclear Electric plc; and
(v)*(a)* 5,000 of the summary report and 1,100 of the decision letter; and
(b) the same as in (ii) plus the media.

Isle of Wight (Hydro-electric Barrage)

Mr. Barry Field: To ask the Secretary of State for Energy whether any public expenditure is involved in the proposed hydro-electric barrage between Hurst Castle and the Isle of Wight.

Mr. Wakeham: My Department has not been approached about this proposal and the project is not included in the renewable energy research and development programme.

ENVIRONMENT

Brewers (Sports Sponsorship)

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will meet the Fosters brewing company to discuss adherence to the British brewers' voluntary self-denial about sponsoring motor racing and racing cars.

Mr. Atkins: I have no plans to meet the Fosters brewing company.

Property Services Agency

Mr. Wallace: To ask the Secretary of State for the Environment if he will list the construction contracts entered into by the Property Services Agency since September 1988 in respect of which no competitive tenders have been sought.

Mr. Key: No. In the period referred to, the Property Services Agency placed in excess of 5,000 contracts for building and construction work in this category.

Travellers

Mr. Corbett: To ask the Secretary of State for the Environment what guidance is given to local authorities on the criteria for deciding land suitable for use as residential gipsy traveller sites; and whether these or other criteria relate to land designated for housing purposes.

Mr. Key: Circular 28/77 and the site design guide, which is currently being revised, give guidance to local authorities on the criteria which they should follow in selecting land as suitable for gipsy sites. The criteria do not refer to whether the land in question is designated for housing purposes.

Mr. Corbett: To ask the Secretary of State for the Environment what recent estimate has been made of the shortfall in the provision of residential sites for gipsy and traveller people; and in which ways local authorities are encouraged to meet their obligations to provide sites.

Mr. Key: A spot count of gipsy caravans is undertaken on behalf of my Department by metropolitan-district councils in England every six months. At the time of the count in July 1990 a total of 11,967 caravans were recorded, of which 4,610 (38·5 per cent.) were on unauthorised sites.

The Caravan Sites Act 1968 placed a duty on county councils, metropolitan districts and London boroughs to provide sites for gipsies residing in or resorting to their area. The Government provide 100 per cent. grant aid towards the reasonable capital costs of construction of sites.

Management Consultants

Dr. Marek: To ask the Secretary of State for the Environment, pursuant to his answer of 15 October, if he will name the consultants who have been employed to advise on the development of financial and management systems.

Mr. Chris Patten: The names requested are as follows:
KPMG Peat Marwick McLintock
Mr. K. Worthy
Spicers Consulting Group (now called Spicer Oppenheim)
SPT Management Consultants
Touche Ross
Some of these have worked on more than one project.

Public Rented Housing

Mr. Winnick: To ask the Secretary of State for the Environment if he has any proposals to turn public rented housing accommodation into a compulsory mortgage scheme.

Mr. Key: No.

Rent Arrears

Mr. Pawsey: To ask the Secretary of State for the Environment if he will publish a table setting out the top 20 local authorities whose rent arrears are the greatest.

Mr. Chris Patten: I will write to my hon. Friend shortly.

Noise Review Working Party

Mr. Jessel: To ask the Secretary of State for the Environment if he will publish the report of the noise review working party; and if he will make a statement.

Mr. Heathcoat-Amory: The report of the working party is being published today and copies are being made available in the Library.

The working party was chaired by Mr. W. J. S. Batho and included representatives of local government, industry and voluntary bodies. I am most grateful for their efforts and pleased with the outcome.

The report is most timely in view of current public concern about noise pollution and I welcome the wide range of recommendations it contains. This is the most thorough review of noise control to take place since the Control of Pollution Act (COPA) was passed in 1974. Although we have no reason to believe that the framework of that Act is seriously defective, we are aware that the number of complaints about noise has more than doubled in the last decade.

On the basis of current knowledge the Government are satisfied that adequate controls exist to ensure that people in their homes, workplaces and when travelling are not exposed to levels of noise which threaten their health. We are concerned to lessen the exposure of people to levels of noise which constitute a nuisance, but have to weigh reductions against feasibility and cost. The risk of exposure to high noise levels is increasing: we travel more, own more sound reproduction equipment, use more machinery. We also have better equipment to measure and control noise. So both the challenge and opportunity are there for us to improve our procedures.

The Government have already acted on many of the report's recommendations. Local authorities' basic duties have been clarifed in the Environmental Protection Bill. The index for measuring aircraft noise has been changed. The working party's thinking is reflected in the noise chapter of the Environmental White Paper. The report contains a wide range of recommendations, many acceptable in principle, and they will all be seriously considered. The following paragraphs set out the Government's initial response to each chapter.

Planning and Noise. The Government are committed to revising DOE circular 10/73 (Welsh Office 16/73). Scottish Development Department circular 23/73 will be also be revised. It is accepted in principle that all potentially noisy development activities should be taken into account, including road, rail and air transport, sport, entertainment and countryside recreation. It is already recognised that inevitably noisy short-term activities such as construction may need to be controlled under nuisance legislation as well as by conditions imposed on planning permission: the controls on mineral working sites are the subject of a minerals planning guidance note, and controls on oil and gas extraction and landfills will be reviewed. The principle of three action levels is accepted and guidance will be developed. Local authorities are already empowered to require applicants for potentially noisy development to supply relevant information which can include noise implications.

Neighbourhood Noise. The Government are well aware of concern about neighbourhood noise from correspondence and debates as well as the increase in formal complaints to local authorities. The basic framework of control by abatement orders seems sound, but some improvements are needed. The need to clarify the duty on authorities to inspect their areas and investigate complaints was picked up at an early stage in the review and consulted on: an appropriate amendment has already been made to the Environmental Protection Bill. Many authorities already investigate complaints and operate an out of office hours service where appropriate.

The Government are sponsoring a pilot "quiet neighbourhood" scheme. The first part of the pilot will involve establishing the scheme through local organisations and is likely to be in place by the end of the year. The second part will involve monitoring the scheme once it is operating. Our aim is that if the pilot scheme is a success we will issue guidance to those interested in setting up schemes on how best to go about it. Discussions by the research contractor on where the pilot scheme is to be set up are at an advanced stage—it is likely to be a London borough—and a further announcement will be made shortly.

The creation of new offences for allowing buildings and open spaces to be used for noisy activities will be considered in the context of entertainment noise. We aim to devise simpler and more practical procedures for noise abatement zones. Consideration will be given to improving control over noisy activities on the highway, such as car repairs, which may cause a nuisance but are not adequately covered by existing legislation. DoE will publish further material designed to encourage responsible attitudes to noise and its prevention, and is aware of others produced by voluntary bodies and local associations.

Transport Noise. The Government are examining the feasibility of measuring vehicle noise in the annual MOT test and when inspecting vehicles at the roadside. We shall consider whether compensation in respect of road traffic noise should be paid on a sliding scale and whether it would be practicable to extend compensation to those affected by permanent traffic management schemes. We are concerned also to ensure parity of treatment for those who live near roads and those who live near railway lines. We have appointed a committee to recommend a national noise insulation standard for new railway lines, and we are considering an alternative to the private Bill procedure. We shall explore the idea of noise standards in the construction and use of trains.

The Government agree that noise created by the take-off and landing of aircraft from airfields and flight according to the rules of navigation should continue to be controlled under aviation law rather than COPA. We will continue to encourage airfield managements and in appropriate cases to require them to consult local authorities and local people about the management or administration of their aerodromes, which includes operational measures to reduce exposure to noise. Further thought will be given as to whether a clearer framework is needed for controlling noise from light or recreational aircraft, low flying, ground running and helicopters landing outside airfields.

Alarms. The Government propose to introduce mandatory controls for burglar alarms and will examine how car alarms can be improved.

Entertainment Noise We will issue guidance on the application of current legislation to the control of large parties. The Government will consult organisers and local authority associations with a view to establishing a code of conduct.

Noise within Buildings. The Government are aiming—for England and Wales—to extend the building regulations sound insulation requirements for new buildings, as far as practicable to cover flat conversions as they already do in Scotland. The need to ensure that insulation work can be properly inspected will be considered.

Codes of Practice. The Government recognise the value of codes of practice and will work with interested parties to complete and issue the codes currently under discussion and to consider the case for further codes. The value of guidance leaflets is accepted, especially in the area of neighbourhood noise.

Research DOE will continue to sponsor a comprehensive programme of research on noise, which will include all the topics highlighted in the report—human response to noise, noise watch schemes, action thresholds, low-frequency noise and building insulation testing. The Department of Transport already has a major programme of research on transport noise, but will consider whether further research is necessary to formulate a common measure for the assessment of noise from all the main forms of transport. The Health and Safety Executive will sponsor research on noise in the workplace.

A further statement will be made next summer on the progress made in our deliberations.

Housing Statistics

Mr. Wray: To ask the Secretary of State for the Environment how many Government-owned empty properties there are in *(a)* Glasgow, *(b)* Strathclyde Region and *(c)* Scotland.

Mr. Key *[holding answer 16 October 1990]:* There are no Government-owned empty properties in Glasgow. There are seven vacant in Strathclyde and a total of 15 throughout Scotland of which all but two are up for disposal.

County Hall

Mr. Tony Banks: To ask the Secretary of State for the Environment if any building or alteration works connected with the proposals made by the development group took place in county hall before 8 October.

Mr. Heathcoat-Amory *[holding answer 16 October 1990]:* I have no knowledge of any such works.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make a statement about the future of county hall.

Mr. Heathcoat-Amory *[holding answer 16 October 1990]:* Following publication on 24 July of the inspector's report of an inquiry into planning appeals to the proposed redevelopment of county hall my right hon. Friend the Secretary of State has invited the applicants to submit amendments to the planning application by 7 November. If there is occasion to do so he will reopen the inquiry before determining the application. It remains the responsibility of the London residuary body to dispose of the property in the interests of London charge payers.

NATIONAL FINANCE

Exchange Rate Mechanism

Mr. Allen: To ask the Chancellor of the Exchequer if he has anything to add to his statement of 26 March, *Official Report*, column 116, about the conditions required to be met for entry to the exchange rate mechanism.

Mr. Maude: I have nothing to add to the statement my right hon. Friend the Chancellor of the Exchequer made on 15 October at column 928-29.

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if he will make a statement outlining the effect the decision to join the exchange rate mechanism of the exchange rate mechanism will have on the United Kingdom's trade balance with the European Economic Community.

Mr. Maude *[holding answer 17 October 1990]:* Future movements in the United Kingdom's trade balance with the EC will be influenced by a number of different factors. ERM entry will reinforce counter-inflationary policy and provide a better framework for British industry to control costs.

Tax Fraud

Mr. Jack: To ask the Chancellor of the Exchequer what is the present practice of the board of Inland Revenue with regard to instituting criminal proceedings in case of suspected tax fraud.

Mr. Major: The practice of the board of Inland Revenue in cases of fraud in relation to tax is as follows:

1. The board may accept a money settlement instead of instituting criminal proceedings in respect of fraud alleged to have been committed by a taxpayer.
2. It can give no undertaking that it will accept a money settlement and refrain from instituting criminal proceedings, even if the taxpayer has made a full confession and has given full facilities for investigation of the facts. It reserves to itself full discretion in all cases as to the course it pursues.
3. Nevertheless, in considering whether to accept a money settlement or to institute criminal proceedings, its decision is influenced by the fact that the taxpayer has made a full confession and has given full facilities for investigastion into his affairs and for examination of such books, papers, documents or information as the board may consider necessary.

The purpose of this statement is to clarify the former statement—given by the then Chancellor Sir John Anderson—and to bring its language up to date. It is not intended to make any substantive changes.

Value Added Tax

Mr. Michael: To ask the Chancellor of the Exchequer what assessment he has made of the impact on voluntary organisations in England and Wales of any harmonisation of value added tax which would end the zero-rating concessions at present in force.

Mr. Ryder: The Government recognise that the total VAT burden falling on the United Kingdom voluntary sector would have increased by about £500 million a year if the EC Commission's original proposals for tax approximation in the single market had been adopted. The Government therefore welcome the Commission's recent acceptance of zero-rating in certain circumstances after 1992 but is opposed to any proposals which interfere with our existing VAT reliefs.

Mr. Michael: To ask the Chancellor of the Exchequer if he will list the charities or types of charity that might be adversely affected by the removal of current zero-rating concessions as a result of harmonisation within the EEC.

Mr. Ryder: This information is not readily available. In any case, EC decisions in tax matters require the unanimous agreement of all member states and there is no question of the Government being forced to accept any proposals on VAT approximation which might adversely affect charities.

Council of Ministers

Mr. Flynn: To ask the Chancellor of the Exchequer if he will make a statement on the meeting in Luxembourg on 8 October of the European Council of Financial Ministers.

Mr. Maude: I would refer the hon. Member to the reply which my right hon. Friend the Chancellor gave to the hon. Member for Newham, South (Mr. Spearing) on 15 October at column *718*.

Hospital Radio

Mr. Amess: To ask the Chancellor of the Exchequer what recent representations he has received for zero-rating value-added tax on hospital radio broadcasting equipment.

Mr. Ryder: My right hon. Friend has received a small number of representations since the reply my predecessor gave to my hon. Friend on 6 July 1989 at columns *453-54*.

Channel Tunnel

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer when he was consulted by the European investment bank in his capacity as Chancellor and as a director of the bank over the decision to lend £1,000,000,000 and £300,000,000 to the channel tunnel project; and what advice he offered to the bank on behalf of the United Kingdom Government on each loan decision.

Mr. Maude *[holding answer 17 October 1990]:* The statute of the European investment bank (EIB) requires the EIB to seek an opinion on each loan proposal from the member states in whose territory the project will be carried out. The opinion represents the view of the Government concerned in their capacity as a shareholder in the EIB.

The United Kingdom Government were duly asked for an opinion on the loans of £1 billion and £300 million to the channel tunnel project. These requests were made on 18 December 1986 and 3 May 1990 respectively. The EIB was informed by the Treasury that the Government had "no objection to the project's being assessed according to the EIB's normal criteria".

European Monetary System

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer if Her Majesty's Government has the power to withdraw sterling from the exchange rate mechanism of the European monetary system.

Mr. Maude *[holding answer 17 October 1990]:* Yes, but we have no intention of doing so.

EDUCATION AND SCIENCE

Research Equipment

Mr. Maclennan: To ask the Secretary of State for Education and Science (1) what representations he has received from higher education institutions about deficiencies in research equipment provision;

(2) what plans he has to assess the adequacy of research equipment in higher education institutions.

Mr. Alan Howarth: My right hon. Friend is generally advised in these matters by the Advisory Board for the Research Councils and by the higher education funding councils. Other representations relevant to equipment matters are received from time to time.

Mr. Maclennan: To ask the Secretary of State for Education and Science what funds have been made available by the research councils for the purchase of research equipment in universities and polytechnics in each of the last two years.

Mr. Alan Howarth: In the financial years 1988-89 and 1989-90, the research councils made available £41,003,000 and £74,644,000 for the purchase of equipment in universities and polytechnics.

Mr. Maclennan: To ask the Secretary of State for Education and Science what information he has about the finance which has been made available to universities and polytechnics for the purchase of research equipment by *(a)* charitable institutions and *(b)* industry in each of the last two years.

Mr. Alan Howarth: This information is not available centrally.

Higher Education Corporations

Mr. Tredinnick: To ask the Secretary of State for Education and Science how many higher education corporations have been established under the provision of the Education Reform Act 1988.

Mr. Alan Howarth: Fifty-six higher education corporations have been established under the Education Reform Act 1988. Five have subsequently been dissolved and merged with other institutions, leaving a present total of 51.

Under-fives

Sir John Farr: To ask the Secretary of State for Education and Science when the contents of the report recently submitted to him by the committee set up to deal with nursery education and the quality of child care for the under-fives will be published.

Mr. Eggar: I refer my hon. Friend to the reply that I gave to the Member for Durham, North-West (Ms. Armstrong) on 17 October.

Primary Schools

Mr. Pawsey: To ask the Secretary of State for Education and Science from what date all primary schools will become eligible to seek grant-maintained status.

Mr. MacGregor: Primary schools with less than 300 registered pupils have in the past not been eligible to apply for grant-maintained status. My right hon. Friend the Secretary of State for Wales and I have now made an order which will enable all primary schools in England and Wales which are county or voluntary schools to apply for grant-maintained status. The order will come into force on 1 November 1990.

Standard Assessment Tasks

Mr. Pawsey: To ask the Secretary of State for Education and Science if he will make a statement about the standard assessment tasks to be used to assess seven-year-olds in English, mathematics and science in 1991.

Mr. MacGregor: I refer my hon. Friend to the oral statement that I made to the House earlier today.

HEALTH

Training

73. **Mr. Andrew Bowden:** To ask the Secretary of State for Health what measures he is proposing to improve the training of those involved in the food industry.

Mr. Dorrell: The Food Safety Act 1990 contains an enabling power which allows regulations to be made requiring food handlers to receive training in food hygiene.

The Government put forward their proposals on the subject in a consultation document which was issued to interested parties at the end of last year. It proposed that all food handlers should be required to receive an appropriate level of training in food hygiene. The Government intend that the method of training used to achieve this should be as flexible as possible, and should build on existing good practice in the industry.

The consultation period ended on 30 June, and responses are currently being considered. Draft regulations will be published for a further round of consultation early next year.

Travellers

Ms. Richardson: To ask the Secretary of State for Health what consideration he has given to the Maternity Alliance's report, "Traveller mothers and babies: who cares for their health"; and what steps he proposes to take to ensure that traveller families receive adequate health care.

Mr. Dorrell: The report highlighted the obstacles which need to be overcome in providing adequate maternity and child health services to traveller families and suggested that they are best addressed through co-operation between local authorities, health authorities and the travellers themselves. The Department provides financial support to a travellers information and liaison unit run by the Save the Children Fund and will shortly be reviewing the progress of this project with the organisers to see if there are good practices or advice which could be disseminated more widely.

Legionnaire's Disease

Mr. Allen: To ask the Secretary of State for Health (1) what steps have been taken to check whether any patients were infected by the Legionella outbreak at Queen's medical centre, Nottingham;

(2) what action he has taken on the recent outbreak of legionnaire's disease at the Queen's medical centre; and if he will make a statement.

Mr. Dorrell: One patient in the medical block of Queen's medical centre has been diagnosed as suffering from Legionnaires' disease. The infection was discovered as a result of a continuing surveillance exercise in the centre. The following action was undertaken by local management:

—all patients at risk in the centre were individually screened and have been found not to be infected;
—the normal intensive surveillance of water supplies has been enhanced;
—the hospital's control of infection committee and the Health and Safety Executive have been informed.

Since the Department's guidance on the control of Legionellae was published in 1988, the hospital have taken extensive measures to minimise the risk of Legionaires' disease: This includes.

—substantial investment in cleaning and disinfecting water systems;
—increased hot water circulation temperatures;
—the removal of infrequently used water outlets;
—the regular flushing of remaining water outlets;
—the increased sampling of water supplies;
—the investigation of any relevant clinical conditions.

We are satisfied that everything is being done in accordance with guidance issued by the Department to minimise the risk to patient and public safety.

Food (Temperature Controls)

Mr. Thurnham: To ask the Secretary of State for Health what discussions he has had on the need for improved temperature control standards for the British food industry; and if he will make a statement.

Mr. Dorrell: The Department consulted widely with interested parties including manufacturers, retailers, caterers, distributors, consumer groups and enforcement agencies on proposals for the Food Hygiene (Amendment) Regulations which were laid before Parliament on 18 July 1990. The regulations require that the temperature of certain categories of food be contolled in order to reduce the risk of foodborne illness among the public. Officials in the Department and in MAFF have met with a number of interested parties both before the regulations were made and subsequently.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Health when the hon. Member for Rugby and Kenilworth might expect a response to his letter of 8 June in connection with Mr. B. E. Brown.

Mr. Dorrell: My noble Friend the Parliamentary Under-Secretary of State (Lords) replied to my hon. Friend on 28 August.

Self-Governing Hospitals

Mr. Winnick: To ask the Secretary of State for Health (1) if he intends to give approval to any application for self-governing status where the amount of medical support in the hospital concerned is minimal;

(2) if he will state the level of support shown by the medical and nursing profession in a hospital which is the subject of an application for self-governing status before he will give his approval to the proposal.

Mrs. Virginia Bottomley: In assessing applications for NHS trust status, my right hon. and learned Friend the Secretary of State will be looking at a number of matters, including evidence that senior clinicians and other professional staff are involved in the management of the unit. The issues involved are complex and cannot be reduced to simple propositions.

Mr. Winnick: To ask the Secretary of State for Health if he will set out the criteria by which he will decide applications for hospitals to become self-governing.

Mrs. Virginia Bottomley: The key criteria which my right hon. and learned Friend the Secretary of State will use in assessing National Health Service trust applications are as follows:

(i) tangible benefits to patients and improvements in the quality of the services it offers;
(ii) strong leadership and effective management;
(iii) involvement of senior professional staff, including clinicians, in management; and
(iv) financial viability.

Young Persons (Secure Accommodation)

Mr. Michael: To ask the Secretary of State for Health if he will list, for each facility providing secure accommodation for young persons for each of the years 1975, 1980, 1985, 1987, 1988 and 1989, the number of places available; whether such places were available for boys and/or girls; and what was the age range for which such places were available.

Mrs. Virginia Bottomley: Information in the form requested is not available for the full period. The tables provide information about the number of approved secure facilities provided by local authorities as at 31 December in each of the years 1985, 1987, 1988 and 1989. All the facilities listed would accommodate children in the age range 10 to 18 years.

Secure accommodation approved for use 31 December 1985

Social Services Inspectorate Region	*Name of Unit*	*O&A[2] CHE*	*Local Authority*	*Places[1]*		
				B	*G*	*M*
Northern	Aycliffe (Royston House)	O&A	Durham	—	—	14
	Aycliffe Special Unit	CHE	Durham	—	—	36
	Clavering House	O&A	—	—	—	3
York and Humberside	East Moor	O&A	Leeds	9	—	—
	East Moor	CHE	Leeds	18	—	—
	Keppel's View	O&A	Rotherham	—	—	4
North Western	Blackbrook House	CHE	Liverpool	—	5	—
	Briars Hey	CHE	Lancashire	—	8	—
	Derwent House	O&A	Liverpool	—	4	—
	Dyson Hall	O&A	Liverpool	8	—	—
	Fylde (Dales House)	CHE	Lancashire	8	—	—
	Meadowcroft	CHE	Lancashire	—	6	—
	Park House	O&A	Salford	—	—	6
	Red Bank (Special Unit)	CHE	Lancashire	26	—	—
	Red Bank (ICU Vardy House)	O&A	Lancashire	8	—	—
	St. Joseph's[1]	CHE	Cheshire	—	—	8
West Midlands	Danescourt	O&A	Wolverhampton	—	—	4
	St. John's	CHE	Birmingham	—	—	4
	Stoke House	O&A	Coventry	—	—	6
East Midlands	Amberdale	O&A	Nottinghamshire	—	—	8
	Greenacres	O&A	Derbyshire	2	—	—
	Kesteven House	O&A	Lincolnshire	—	—	4
	Moorfields	CHE	Derbyshire	—	—	2
South Western	Atkinson Unit	O&A	Devon	—	—	12
	Kingswood	CHE	Avon	20	—	—
	Sedbury Park	CHE	Gloucestershire	—	—	4
Thames/Anglia	Salters	O&A	Cambridgeshire	—	6	—
	Oxendon House	O&A	Bedfordshire	—	—	6
	Woodside	O&A	Hertfordshire	—	—	2
	Heathercroft	CHE	Buckinghamshire	—	3	—
London	Cumberlow Lodge	O&A	Lambeth	—	6	—
	Frant Court	CHE	Greenwich	—	3	—
	Little Heath Lodge	O&A	Newham	6	—	—
	Melanie Klein House	CHE	Greenwich	—	6	—
	Middlesex Lodge	O&A	Hillingdon	—	8	—
	Orchard Lodge	O&A	Southwark	8	—	—
	Pear Tree House	O&A	Waltham Forest	—	—	2
	Redhill	O&A	Wandsworth	8	—	—
	Stamford House	O&A	Hammersmith	16	—	—
Southern	Beechfield	O&A	West Sussex	—	—	6
	Landsdowne Children's Centre	O&A	East Sussex	—	—	5
	The Oaks (Formerly Woodrough)	O&A	Surrey	—	—	2
	Fairfield Lodge	O&A	Hampshire	—	3	—
	Glen House	O&A	Hampshire	8	—	—

[1] (B) Boys; (G) Girls; (M) Mixed sex.
[2] O and A—Observation and Assessment.
CHE—Community home with education.

Secure accommodation by Social Services Inspectorate region

Location	*Local authorities*	*O and A or CHE*[2]	*Number of places*[1]
30 DECEMBER 1987			
Northern			
New Aycliffe (Royston House)	Durham	O and A	14M
Clavering House	Newcastle	O and A	3M
Aycliffe Special Unit	Durham	CHE	36M
Yorkshire and Humberside			
Keppels View	Rotherham	O and A	4M
East Moor	Leeds	O and A	9B
East Moor	Leeds	CHE	18B
North Western			
Red Sands	Cheshire	CHE	6M
Derwent House	Liverpool	O and A	4G
Red Bank (Vardy House)	Lancashire	O and A	8B
Red Bank Special Unit	Lancashire	CHE	26B
Fylde (Dales House)	Lancashire	CHE	8B
Blackbrook House (Labore House)	Liverpool Catholic SSVA	CHE	5G
Briars Hey (Orchard House)	Lancashire	CHE	8G
Meadowcroft Lindle Unit	Lancashire	CHE	6G
Flyde Assessment Centre	Lancashire	O and A	4B
Dyson Hall	Liverpool	O and A	8B
West Midlands			
Stoke House	Coventry	O and A	6M
St. Johns	Birmingham	O and A	4M
East Midlands			
Moorfield	Derby	O and A	2M
Kesteven	Lincoln	O and A	4M
Amberdale	Notts	O and A	8M
Greenacres	Derby	O and A	2B
Thames/Anglia			
Salters	Cambs	O and A	6G
Oxenden House	Beds	O and A	6M
Woodside Young People's Centre	Herts	O and A	2M
Heathercroft	Bucks	CHE	3G
Brookside	Berks	O and A	4M
London			
Cumberlow Lodge	Lambeth	O and A	6G
Stamford House	Hammersmith	O and A	8B
Middlesex Lodge	Hillingdon	O and A	2G
Little Heath Lodge	Newham	O and A	6B
Orchard Lodge	Southwark	O and A	8B
Redhill	Wandsworth	O and A	8B
Frant Court	Sussex	CHE	3G
Melanie Klein House	Greenwich	CHE	6G
Southern			
Lansdown	East Sussex	O and A	5M
Beechfield	West Sussex	O and A	6M
The Oaks	Surrey	O and A	2M
Fairfield	Hants	O and A	3G
Glen House	Hants	O and A	8B
South Western			
Atkinson Unit	Devon	O and A	12M
Kingswood	Avon	CHE	20B
31 DECEMBER 1988			
Northern			
New Aycliffe (Royston House)	Durham	O and A	14M
Clavering House	Newcastle	O and A	3M
Aycliffe Special Unit	Durham	CHE	36M
Netherton Park	Northumberland	O and A	5M
Yorkshire and Humberside			
Keppels View	Rotherham	O and A	4M
East Moor	Leeds	O and A	9B
East Moor	Leeds	CHE	18B
North Western			
Red Sands	Cheshire	CHE	6M
Derwent House	Liverpool	O and A	4G
Red Bank (Vardy House)	Lancashire	O and A	8B
Red Bank (Special Unit)	Lancashire	CHE	26B
Blackbrook House (Labore House)	Liverpool SSVA	CHE	5G
Briars Hey (Orchard House)	Lancashire	CHE	8G
Dyson Hall	Liverpool	O and A	8B
West Midlands			
Danescourt	Wolverhampton	O and A	4M
St. Johns	Birmingham	O and A	4M
East Midlands			
Moorfield	Derby	O and A	2M
Kesteven	Lincoln	O and A	4M
Amberdale	Notts	O and A	8M
Greenacres	Derby	O and A	5B
Thames/Anglia			
Salters	Cambridgeshire	O and A	4G
Oxenden House	Bedfordshire	O and A	6M
Woodside Young People's Centre	Hertfordshire	O and A	2M
Thornbury House	Oxfordshire	O and A	3B
Brookside	Berkshire	O and A	4M
London			
Middlesex Lodge	Hillingdon	O and A	9G
Little Heath Lodge	Newham	O and A	6B
Orchard Lodge	Southwark	O and A	8B
Frant Court	Greenwich	CHE	3G
Melanie Klein House	Greenwich	CHE	6G
Southern			
Lansdown	East Sussex	O and A	5M
Beechfield	West Sussex	O and A	6M
The Oaks	Surrey	O and A	2M
Fairfield	Hampshire	O and A	3G
Glen House	Hampshire	O and A	8B
South Western			
Atkinson Unit	Devon	O and A	12M
Kingswood	Avon	CHE	20B
30 DECEMBER 1989			
Northern			
New Aycliffe (Royston House)	Durham	O and A	14M
Clavering House	Newcastle	O and A	3M
Aycliffe Special Unit	Durham	CHE	36M
Netherton Park	Northumberland	O and A	5M
Yorkshire and Humberside			
Keppels View	Rotherham	O and A	4M
East Moor	Leeds	O and A	9B
East Moor	Leeds	CHE	18B
North Western			
Red Sands	Cheshire	CHE	6M
Derwent House	Liverpool	O and A	4G
Red Bank (Vardy House)	Lancashire	O and A	8B
Red Bank (Special Unit)	Lancashire	CHE	26B

Location	Local authorities	O and A or CHE[2]	Number of places[1]
Blackbrook House (Labore House)	Liverpool SSVA	CHE	5G
Briars Hey (Orchard House)	Lancashire	CHE	8G
Dyson Hall	Liverpool	O and A	8B
Barton Moss (Park House)	Salford	O and A	4B
West Midlands			
Danescourt	Wolverhampton	O and A	4M
St. Johns	Birmingham	O and A	4M
East Midlands			
Moorfield	Derby	O and A	2M
Kesteven	Lincoln	O and A	4M
Amberdale	Notts	O and A	8M
Greenacres	Derby	O and A	5M
Thames/Anglia			
Salters	Cambs	O and A	4G
Woodside Young People's Centre	Hertfordshire	O and A	2M
Thornbury House	Oxfordshire	O and A	3B
Brookside	Berks	O and A	4M
London			
Middlesex Lodge	Hillingdon	O and A	9G
Little Heath Lodge	Newham	O and A	6B
Orchard Lodge	Southwark	O and A	8B
Frant Court	Sussex	CHE	3G
Stamford House	Hammersmith	O and A	16B
Southern			
Lansdown	East Sussex	O and A	5M
Beechfield	West Sussex	O and A	6M
Fairfield	Hants	O and A	3G
Glen House	Hants	O and A	8B
South Western			
Atkinson Unit	Devon	O and A	12M
Kingswood	Avon	CHE	20B

[1] (B) Boys; (G) Girls; (M) Mixed sex.
[2] O and A—Observation and assessment.
CHE—Community home with education.

Mr. Michael: To ask the Secretary of State for Health if he will list for each facility providing secure accommodation for young persons for each of the years 1975, 1980, 1985, 1987, 1988 and 1989, the number of admissions and discharges according to the sex and age of young persons accommodated and according to the legal basis on which they were accommodated.

Mrs. Virginia Bottomley: Statistical information about the use made of secure facilities provided by local authorities was not collected centrally prior to 1984.

The information requested for the years 1984 to 1988 is given in the annual publication "Children Accommodated in Secure Units During the Year Ending 31 March", copies of which are available in the Library. The figures for 1989 will be published shortly.

Vitamin A

Mr. Knox: To ask the Secretary of State for Health what advice his Department is giving to pregnant women about the consumption of vitamin A.

Mr. Dorrell: Our Department, together with the Ministry of Agriculture, Fisheries and Foods, has been considering evidence which suggests that high levels of vitamin A may cause birth defects.

The Chief Medical Officer, Sir Donald Acheson, is cautioning women who are, or who may become, pregnant not to take vitamin A supplements except under medical supervision, and as a matter of prudence, not to eat liver or liver products because the high levels of vitamin A found in some samples of animal liver may be harmful.

The Chief Medical Officer has sought expert advice on this question and he has issued the following advice:

"While there is, at present, no positive evidence that any birth defects have arisen as a result of Vitamin A intakes within the United Kingdom, there have been a small number of case reports from abroad of birth defects in children of women who have taken supplements containing Vitamin A greatly in excess of the recommended daily amount. Worldwide, there has been only one case reported of birth defects in a baby born to a woman who had consumed large quantities of liver every day during her pregnancy.

Vitamin A is essential for good health. Pregnant women and nursing mothers have always been advised to make sure they get enough of it in their diet.

However, it has recently been suggested that an excess of Vitamin A may cause birth defects."

"This is why the Committee on Toxicity, reinforced by other experts, has been considering all the available information about the toxic effects of Vitamin A in the diet, how much of it people consume as supplements or in their food and whether these intakes may be harmful to unborn babies.

"They have now given me their advice and as a result I must caution women who are, or who may become, pregnant against taking any dietary supplements—including tablets and fish-liver oil drops—containing vitamin A, except on the advice of a doctor or ante-natal clinic. The vitamin supplements currently prescribed as part of ante-natal care for pregnant and nursing mothers contain a safe amount of vitamin A and should continue to be taken.

"I am also advising women who are pregnant, or who could become pregnant that as a matter of prudence they should not eat liver or products made from it such as liver pâte and liver sausage.

"Other women, men and children are not affected by this advice.

"Vitamin A is an essential nutrient but it is not essential to eat liver to acquire it. A balanced diet provides sufficient for healthy living. Apart from liver the main sources of vitamin A in the diet are carrots, margarine, dairy products, eggs, all green vegetables, tomatoes and other fruit. Eating such a diet poses no risks from any harmful effects of vitamin A, and women should continue to eat these foods as part of a balanced diet. Women who stop eating liver would however need to maintain, and preferably increase, their iron intakes by consuming more lean red meat and meat products, fortified breakfast cereals, bread and vegetables.

"The cause of high vitamin A levels in animal liver is being investigated as a matter of urgency with a view to seeing whether changes in current animal feeding practices and in the use of veterinary vitamin A supplements could reduce those levels.

"These investigations will take some time and, as high levels of Vitamin A have been reported in liver from a number of countries which export it to the United Kingdom, any effective action would have to be in concert with other countries. It is not yet clear how far levels of vitamin A in liver could be reduced but the situation will be closely monitored and fresh advice issued if the position changes."

The CMO's statement, together with further information, has been placed in the Library.

HOME DEPARTMENT

Extradition

Mr. Sheerman: To ask the Secretary of State for the Home Department whether, in the case of prisoners held on remand for the purposes of extradition, the requesting country pays the cost of imprisonment so incurred should they oppose bail; and if he will make a statement.

Mr. John Patten: It is established international practice in extradition cases for the requested country to bear the cost of the fugitive's detention.

Personal Data

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will make a statement on the progress made by the working party studying reform of the Data Protection Act; what recent relevant international developments there have been; and whether any new legislation is envisaged in the near future.

Mrs. Rumbold: We are currently considering the report of the interdepartmental committee appointed to review the Data Protection Act 1984. The Government have also received recently a draft of a directive on data protection, and associated measures, from the European Commission. Legislation is unlikely before the directive has been adopted.

Visas

Mr. Allen: To ask the Secretary of State for the Home Department if he will list the changes to visa requirements since 26 July.

Mr. Peter Lloyd: On 15 August we withdrew from nationals of Somalia the concession under which the visa requirement is waived for transit passengers who are booked on an onward flight within 24 hours. The same concession was subsequently withdrawn from Iraqi nationals with effect from 23 August. Under rules changes which took effect on 22 September Iraqi nationals are to be refused student visas and Iraqis already issued with such visas may be refused admission. Under an immigration rules change which took effect on 1 October visas are no longer required by nationals of Czechoslovakia and Hungary; this change is subject to the usual parliamentary procedure.

Travellers

Mr. Corbett: To ask the Secretary of State for the Home Department whether he will announce his conclusions on the outcome of the review of section 39 of the Public Order Act; and whether he has plans to ensure that eviction powers take account of the needs of pregnant and newly-delivered traveller women.

Mr. Peter Lloyd: We hope to announce the results of the evaluation of section 39 of the Public Order Act 1986 by the end of the year. There is already a defence in the section for an accused person to show that he had a reasonable excuse for failing to leave the land, which he had been directed by the police to leave, as soon as reasonably practicable. As part of the evaluation we are considering whether specific account should be taken of the health of trespassers before a direction to leave the land is given.

Police Records

Mr. Sedgemore: To ask the Secretary of State for the Home Department whether his Department has issued any guidance or instruction to police forces on the length of time for which internal written or computer records should be preserved; and if he will make a statement.

Mr. Peter Lloyd: The Department has in the past asked forces to keep various records for a variety of reasons but details are not available and a comprehensive record could be obtained only at disproportionate cost. The weeding of police records, where there is not a statutory requirement to keep them for a specified period, is a matter for chief officers. The code of practice for police computer systems issued by the Association of Chief Police Officers contains guidelines for the review and removal of personal data. A copy of the code of practice is in the Library. The guidelines are currently under review.

Mr. Sedgemore: To ask the Secretary of State for the Home Department (1) if he will seek a report from the Commissioner of Police of the Metropolis listing and describing all the notebooks and other written records that are required by standing orders, instructions or guidance to be personally kept or compiled by individual Metropolitan police officers for operational purposes *(a)* in the uniformed branch, and *(b)* in the CID;

(2) if he will seek a report from the Commissioner of Police of the Metropolis listing and describing all the written records that are required by standing orders, instructions or guidance to be kept for operational purposes at Metropolitan police stations.

Mr. Peter Lloyd: The Metropolitan police require police officers to compile many different kinds of written records and it is not possible to list them all except at a disproportionate cost.

Mr. Sedgemore: To ask the Secretary of State for the Home Department if he will list those police forces in England and Wales which do not have central command and control computers.

Mr. Peter Lloyd: Nearly all forces make some use of computers in the handling of incidents and the deployment of resources. I understand, however, that the following forces do not have an integrated centralised command and control computer system which provides both these facilities:

Cumbria Constabulary
Durham Constabulary
Dyfed Powys Police
Gloucester Constabulary
Greater Manchester Police
Gwent Constabulary
Humberside Police
Lancashire Constabulary
Leicestershire Constabulary
Norfolk Constabulary
Northamptonshire Police
North Yorkshire Police
Nottinghamshire Constabulary
Thames Valley Police

The following four forces have decentralised computer systems which provide both command and control:

Avon and Somerset Constabulary
Devon and Cornwall Constabulary
Dorset Police
Surrey Constabulary

Mr. Sedgemore: To ask the Secretary of State for the Home Department whether the Police National Computer contains a particular code for recording or indicating that an individual has made a false complaint or false complaints against the police.

Mr. Peter Lloyd: I refer the hon. Member to the reply given to a question from the hon. Member for Denton and Reddish (Mr. Bennett) on 15 October at column *725*.

Suicide

Mr. Alan Williams: To ask the Secretary of State for the Home Department on what dates young offenders have committed suicide while *(a)* in prison and *(b)* in secure accommodation in the last 10 years; on what date each inquest took place; what was the average time between suicide and inquest (i) for those who committed suicide while in custody and (ii) for those not in custody; and if he will make a statement.

Mrs. Rumbold: The dates on which persons under the age of 21 (both convicted and unconvicted) have died at their own hand while in prison custody in the last 10 years, and the details of the inquests into those deaths, are set out in the table. The dates on which inquests were held prior to 1988 are not readily available and I shall write to the right hon. Member. For the years for which the information is available the average time between death and inquest is 134 days. Information about deaths in local authority secure accommodation is a matter for my right hon. and learned Friend the Secretary of State for Health. Information about the average time between death and inquest for people who commit suicide while not in prison custody is not available.

Deaths of Young People in HM Prison Service establishments since 1981 (until 16 October 1990)

Establishment	*Age*	*Date of death*	*Date of inquest*	*Verdict*
Aylesbury	18	20 September 1981	—	Misadventure
Rochester	16	30 December 1981	—	Suicide
Canterbury	18	20 January 1982	—	Suicide
Ashford	18	7 July 1982	—	Lack of Care
Stoke Heath	19	11 October 1982	—	Suicide
Lewes	18	23 November 1982	—	Suicide
Canterbury	20	21 October 1982	—	Suicide
Thorp Arch	19	3 February 1983	—	Misadventure
Manchester	16	15 March 1983	—	Suicide
Leeds	20	13 July 1983	—	Suicide
Winchester	20	7 April 1984	—	Misadventure
Swansea	17	19 May 1984	—	Suicide
Pentonville	19	20 June 1984	—	Suicide
Swansea	19	9 October 1985	—	Suicide
Swansea	19	24 March 1985	—	Misadventure
Portland	20	26 September 1985	—	Open
Risley	18	12 October 1985	—	Suicide
Exeter	19	13 January 1986	—	Suicide
Ashford	19	20 March 1986	—	Suicide
Liverpool	19	9 June 1986	—	Open
Lewes	19	25 August 1986	—	Accidental death
Risley	20	17 September 1986	—	Suicide
Canterbury	20	8 January 1987	—	Suicide
Ashford	20	7 March 1987	—	Suicide
Stoke Heath	20	5 April 1987	—	Suicide
Rochester	17	14 July 1987	—	Suicide
Risley	18	23 August 1987	—	Suicide
Stoke Heath	19	28 August 1987	—	Suicide
Camp Hill	20	19 December 1987	—	Suicide
Rochester	18	24 March 1988	21 July 1988	Open
Risley	20	11 May 1988	24 November 1988	Suicide
Leeds	17	28 May 1988	24 August 1988	Suicide
Leeds	18	29 June 1988	19 October 1988	Suicide
Manchester	20	22 September 1988	11 January 1989	Open
Shrewsbury	19	19 October 1988	24 January 1989	Suicide
Leeds	19	19 October 1988	9 November 1988	Suicide
Glen Parva	17	24 October 1988	7 December 1988	Suicide
Leeds	19	30 November 1988	25 January 1989	Suicide
Castington	19	11 January 1989	1 September 1989	Accidental death
Wellingborough	19	12 January 1989	11 May 1989	Accidental death
Leeds	18	16 February 1989	26 April 1989	Suicide
Risley	19	25 March 1989	1 February 1990	Open
Lewes	19	28 April 1989	21 June 1989	Suicide
Manchester	18	15 May 1989	8 November 1989	Suicide
Rochester	18	1 October 1989	26 March 1990	Suicide
Hindley	19	31 October 1989	26 March 1990	Suicide
Swansea	18	4 November 1989	3 May 1990	Suicide
Manchester	19	23 December 1989	8 May 1990	Suicide
Glen Parva	19	24 December 1989	28 February 1990	Suicide
Winchester	19	14 February 1990	24 July 1990	Open
Hindley	18	18 February 1990	25 May 1990	Suicide
Hindley	18	25 June 1990	—[1]	—

Establishment	Age	Date of death	Date of inquest	Verdict
Hindley	18	25 June 1990	—[1]	—
Swansea	15	13 July 1990	—[1]	—
Leeds	17	12 August 1990	31 October 1990	—
Hull	20	29 September 1990	—[1]	—

[1] Dates have not yet been fixed for the inquests in these cases.

Mr. Battle: To ask the Secretary of State for the Home Department what steps he is taking to improve the support to bereaved parents of prisoners who commit suicide in prison.

Mrs. Rumbold: Where an inmate dies in prison custody the governor is required, under prison and young offender institution rules, to inform at once the inmate's spouse or next of kin and also any person whom the prisoner may reasonably have asked should be informed. Governors are expected to exercise care and sensitivity in notifying relatives and responding to their questions and concerns.

We are currently preparing new guidance on the making of visits to bereaved relatives. The purpose of such visits would be to convey sympathy, to follow up matters of concern to the family and to provide information, where appropriate, about specialist bereavement services which are available in the community. We are also exploring the possibility of providing special training for selected members of prison staff by way of preparation for such visits.

Armley Prison

Mr. Battle: To ask the Secretary of State for the Home Department how many prisoners are currently housed in Armley prison *(a)* on remand, *(b)* under 18-years-old, *(c)* for debt and *(d)* in total.

Mrs. Rumbold: The information requested is as follows:

Prisoners held in Armley prison as at 17 October 1990

	Number
(a) Held on remand	200
(b) Under 18-years-old	46
(c) Held for debt offences	7
Total inmate population on 17 October 1990	895

Ethnic Minorities (Grant)

Mr, Gill: To ask the Secretary of State for the Home Department what arrangements he has made for the future administration of grant to ethnic minorities under section 11 of the Local Government Act 1966.

Mr. Waddington: I have today issued the new arrangements for section 11 grant following the consideration of the responses received to the consultation document published on 14 March this year. The grant will in future be administered under both the Local Government Act 1966 and by means of a grant to be newly established and known as ethnic minority grant (EMG). The new arrangements will come into effect from April 1992.

Copies have been placed in the Library.

It is important that the considerable contribution that our ethnic minorities make to the life and work of this country is fully recognised. The new arrangements will focus grant on supporting the Government's prime objectives to break down barriers experienced by members of the ethnic minorities. They are designed, in advance of legislative change, to ensure that the areas of greatest need are identified—both in the local authority and voluntary sectors. The grant will in future not be open ended and the continuing need for it will have to be shown. Workable proposals with identifiable objectives set, monitored and evaluated will be a means to ensure those ethnic minorities can take a full and active part in the life of this country.

There will be greater scope to pursue a larger number and wider range of more innovative projects; in particular by the increased involvement of the voluntary sector. This will be achieved by requiring local authorities to identify suitable voluntary sector projects for the placement of local authority staff and at the same time by specifically devoting a proportion of the grant directly to the voluntary sector through the new training and enterprise councils (TECs).

The TECs are becoming firmly established and by the time the new grant arrangements come into effect they will largely cover the whole country. Voluntary sector organisations, in particular those from the non-Commonwealth areas that have previously been unable to apply for such funds, will be able to make application for the new ethnic minority grant through the TECs.

The Government recognise that legislation will be required for fundamental reform of section 11, but believe that much can be done in advance to improve the administration of the grant.

The response to the consultation process from local authorities, the voluntary sector and individuals was considerable and the Government are grateful for the scale and scope of the comments made on their proposals. Where possible, comments and suggestions have been incorporated in the new arrangements. In response to specific requests from both local authorities and the voluntary sector it was announced on 5 September that the start date for the new arrangements would be deferred until 1 April 1992. This has allowed more time for the consideration of the comments and suggestions made. The grant has been subject to an overall cash limit (as recommended by the scrutiny report) since 1 April 1990; the other main changes in the funding arrangements set out in the draft circular are:

the emphasis of the grant in future will be on practical projects working to identified needs, such as a lack of English language or low achievement in schools, and local authorities will in future bid for funding for projects to be judged against such specific criteria;

all projects will therefore have to fall within the new criteria for grant as laid down in the statement of policy which accompanies the circular;

all projects will have to be regularly monitored and reviewed against recognisable performance targets;

in advance of formal legislative change arrangements are being made for some section 11 funding to be redirected to innovative projects that tackle ethnic minority need, to be sponsored by the new training and enterprise councils (TECs), with task forces and city action teams in suport;

local authorities will need to work closely with voluntary organisations and identify a proportion of projects for the

voluntary sector;
new administrative arrangements will come into effect on 1 April 1992. Bids for funding will be invited on an annual basis to a fixed timetable.

The new arrangements will allow for wider and more innovative proposals, but existing projects will still be able to continue if they are brought within the new criteria. To increase effectiveness, all projects, whether local authority or voluntary sector based, will need to set clear objectives for achievement. They will on the one hand encourage, in advance of legislative change, the take-up of grant by the widest range of ethnic minority groups while on the other ensure that those seeking grant do not become wholly dependent on such funding. By this means I believe we shall enable more people to gain better access to all mainstream services and to thereby become full and effective members of our society.

FOREIGN AND COMMONWEALTH OFFICE

German Unification

Sir Michael McNair-Wilson: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the agreement signed by the four occupying powers, the United Kingdom, the United States of America, Union of Soviet Socialist Republics and France, with the two Germanies to enable unification to take place is a de facto peace treaty with Germany or whether a separate peace treaty will be signed to re-establish the legal status, responsibilities and liabilities of the new German state; and if he will make a statement.

Mr. Garel-Jones: The treaty on the final settlement with respect to Germany settles definitively matters arising out of the Second World War as between the parties to the treaty. There will be no separate peace treaty.

Nuclear Non-proliferation Treaty

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if during his official visit to Argentina in early October, the Minister of State, the hon. Member for Watford (Mr. Garel-Jones), raised with ministers or officials of the Argentine Government the conditions under which Argentina would sign the nuclear non-proliferation treaty.

Mr. Waldegrave: My hon. Friend did raise nuclear non-proliferation with President Menem and Foreign Minister Cavallo during his visit to Argentina, and they discussed Argentine attitudes towards the nuclear non-proliferation treaty.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's attitude towards a nuclear test ban treaty following the fourth non-proliferation treaty review conference.

Mr. Waldegrave: Our position remains that, for the foreseeable future, the United Kingdom's security will depend on deterrence based, in part, on possession of nuclear weapons. This will mean a continuing requirement to test to ensure our weapons remain up to date and effective.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report (a)* the remarks of the President of the fourth non-proliferation treaty review conference concerning article VI and *(b)* preambular paragraphs 8 to 12 of the treaty; and if he will make a statement outlining Her Majesty's Government's response to President de Rivero's remarks.

Mr. Waldegrave: A record of the remarks of the President of the fourth non-proliferation treaty review conference will be placed in the House of Commons Library when it becomes available. We share President de Rivero's assessment that agreement would have been possible on the final document proposed by the President but for the objections of one delegation.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will outline the reasons and the policy basis upon which Her Majesty's Government submitted annex A to section I of the non-proliferation treaty document MC 1/I at the fourth non-proliferation treaty review conference; and if he will list the countries that supported annex A.

Mr. Waldegrave: This text, on the nuclear capabilities of certain countries not party to the treaty, was one of several working papers put forward by various countries at the non-proliferation treaty review conference for discussion. The text was supported by a number of countries.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the texts of the proposals put by Her Majesty's Government to committees I, II and III at the fourth non-proliferation treaty review conference.

Mr. Waldegrave: No. Most of our proposals were put forward as the conference unfolded, often orally. It would be meaningless to publish texts in isolation.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will outline the reasons why the United Kingdom Delegation submitted the document on final language to main committee III at the fourth non-proliferation treaty review conference.

Mr. Waldegrave: The United Kingdom delegation was one of a number of delegations to put forward suggestions on which the review conference secretariat drew in preparing a first draft of language for the final document for circulation in main committee III.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will outline any changes made in Her Majesty's Government's policy towards the enforcement of full scope safeguards on all nuclear exports during 1990 and publish the response of the United Kingdom delegation to documents NPT/CONF IV/DC/1/ ADO 3(B) presented to the fourth non-proliferation treaty review conference.

Mr. Waldegrave: There have been no changes during 1990 in our long-standing position on the desirability of requiring full-scope safeguards as a condition of nuclear supply.

The conference achieved consensus language on this matter, which reads as follows:

"The Conference further urges the nuclear supplier States to require as a necessary condition for the transfer of relevant

nuclear supplies to non-nuclear-weapon States under new supply arrangements, such a commitment and acceptance of such safeguards."

We will be discussing the question with other states concerned.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the response of the United Kingdom delegation at the fourth non-proliferation treaty review conference to the comments of the Nuclear Control Institute on the implementation of safeguards.

Mr. Waldegrave: The United Kingdom delegation did not respond at the fourth non-proliferation treaty review conference to any comments of the Nuclear Control Institute on the implementation of safeguards.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the main points of and Government reaction to, article VI and preambular paragraphs 8 to 12 set out at the fourth non-proliferation treaty review conference.

Mr. Waldegrave: Article VI and preambular paragraphs 8-12 of the non-proliferation treaty primarily concern the responsibilities of states to work towards nuclear and general disarmament and to cease nuclear testing. Although these are long-term goals, considerable progress has been made since 1985 in arms control, in particular through the INF treaty and strategic arms reduction talks, and with the prospect of a treaty on conventional forces in Europe. But we do not believe that a cessation of nuclear testing is possible while we depend upon nuclear weapons for deterrence and in the absence of completely reliable means of verification.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that copies of all the documents submitted to the fourth non-proliferation treaty review conference and its three main committees by Her Majesty's Government are deposited in the Library.

Mr. Waldegrave: Copies of the following documents submitted to the Conference are being placed in the Library of the House:

(a) a paper on United Kingdom implementation of the treaty;

(b) the speech which I gave to the conference on 22 August.

(c) a paper jointly submitted with the other two NPT depositary powers about a combined review and extension conference in 1995.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will outline the response of Her Majesty's Government to *(a)* document NPT/CONF IV/M E II/WP 10 and *(b)* document NPT CONF IV/MC II/wpio/REV I contained in annex 4 and 5 of the main report and presented at the fourth non-proliferation treaty review conference.

Mr. Waldegrave: Document NPT/CONF IV/MC II/WP10 was a working paper presented by the three depositary powers of the NPT and proposed language for the final document relevant to article X of the treaty concerning a conference in 1995 to extend the treaty document NPT/CONF Iv/MC 11/WP10/REV 1 was introduced by the depositary powers as a revision to their original working paper, in an effort to achieve consensus. Consensus could not be reached. Accordingly, the second main committee of the conference decided to annex these papers to its report.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish Her Majesty's Government's response to the proposals on the extension of applications for nuclear safeguards to cover peace orientated nuclear facilities in non-proliferation treaty signatory states, outlined in the fourth non-proliferation treaty review conference.

Mr. Waldegrave: The conference achieved consensus language on this point, which reads as follows:

"The Conference reiterates the calls for the continued pursuit of the principle of universal application of IAEA safeguards to all peaceful nuclear activities in all States".

The United Kingdom joined the consensus.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts were made by the United Kingdom delegation to achieve the adoption of a joint declaration at the fourth non-proliferation treaty review conference; and if he will make a statement on the reasons why the conference failed to adopt such a declaration.

Mr. Waldegrave: The United Kingdom made every effort to achieve a consensus final document. In the end, consensus was blocked by one delegation.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish Her Majesty's Government's response to the comment in paragraph I in article 3, of the report of main committee II at the fourth non-proliferation treaty review conference about the proliferation dangers posed by unsafeguarding nuclear activities in non-nuclear weapons states.

Mr. Waldegrave: We fully endorse the statement in the report of main committee II to the effect that unsafeguarded nuclear activities, which could lead to the spread of nuclear weapons capabilities in non-nuclear weapon states, pose serious proliferation dangers. This highlights the importance of the application of IAEA safeguards.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a list of all documents submitted in the name of Her Majesty's Government to the fourth non-proliferation treaty review conference; how many copies of each document were produced; and what was the response of conference participants to the documents.

Mr. Waldegrave: The following documents were submitted formally by us to the fourth non-proliferation treaty review conference:

(a) a paper on the United Kingdom's implementation of the treaty;

(b) the speech which I delivered to the conference on 22 August.

We do not know precisely how many copies of each document were produced. Conference participants welcomed a number of the ideas and statements in the documents.

In addition, our delegation put forward several suggestions for language for the final document.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish Her

Majesty's Government's response to the proposals outlined in the fourth non-proliferation treaty review conference to offer any nuclear materials installed for verification by submission to the International Atomic Energy Agency.

Mr. Waldegrave: The proposals resulting from the fourth non-proliferation treaty review conference are currently being considered. Our policy will continue to be that all civil nuclear material held in the United Kingdom should be subject to Euratom safeguards under the treaty of 1957 establishing the European Atomic Energy Community and to the terms of the UK/Euratom/IAEA safeguards agreement of September 1976.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will outline the reasons for the United Kingdom delegation's reservation of judgment on paragraph 20 of the report of main committee II concerning safeguards, at the recent fourth non-proliferation treaty review conference.

Mr. Waldegrave: We reserved our position on this paragraph because we had an alternative formulation. Consensus language was eventually achieved.

Cambodia

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will investigate the role of the Astra company of Ramsgate, and its Belgian subsidiary PRB, in exporting anti-tank rocket launchers to the armed forces of the Khmer Rouge operating in Cambodia.

Mr. Lennox-Boyd: We have no evidence to substantiate these allegations. A licence is required to export such equipment under the Export of Goods (Control) Order 1989, as amended, and any breach of the controls would be carefully investigated.

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy at the next European Council of Foreign Affairs Ministers to ask his counterparts from France and Germany whether any military equipment and offensive armaments have been exported from manufacturers in their respective countries to the armed forces of the Khmer Rouge operating in Cambodia.

Mr. Lennox-Boyd: These are matters for the Governments concerned.

Iraq

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to secure the release of Mr. Ian Richter since his imprisonment in Abu Ghraid gaol, near Baghdad, on 7 February 1987.

Mr. Waldegrave: We are doing all we can to bring Mr. Richter home safely as soon as possible.

We have raised his case with the Iraqis at every opportunity throughout the last four years. Her Majesty's ambassador in Baghdad also raises Mr. Richter's case at every possible opportunity, most recently on 20 August.

Although our task has become more difficult during the present crisis in the Gulf, Mr. Richter's case remains very much in our mind in our dealings with the Iraqis.

We are in touch with Mrs. Richter regularly about her husband's case.

Lebanon

Mr. Adley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with Lebanon.

Mr. Waldegrave: We will continue to give strong support to President Hrawi and the legitimate government of Lebanon. This is a time for reconciliation not recrimination. Following General Aoun's surrender we look for early and substantial progress on the basis of the Taif agreement towards a fully sovereign, independent Lebanon, free of foreign troops and armed militias.

Syria

Mr. Adley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with Syria.

Mr. Waldegrave: Syria is an important regional power with whom we would like to have normal relations, but this does depend on resolving the problems which led to the breach in relations in 1986. We welcome President Assad's decision to send troops to the Gulf in support of the international effort to defend Saudi Arabia and help restore the legitimate government of Kuwait.

International Atomic Energy Agency Conference

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if the issue of nuclear weapons funding safeguards was raised by *(a)* the United Kingdom delegation or *(b)* any other delegation at the International Atomic Energy Agency conference at Vienna during September.

Mr. Waldegrave: No.

Mr. Moate: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Spanish Government about the position of British lorry drivers and their vehicles held up in Spain by the current Spanish road haulage dispute; and what help can be offered through consulate arrangements to assist those suffering hardship or financial difficulties.

Mr. Lennox-Boyd: We have made representations to the Spanish central and regional authorities about their responsibility for the safety of British lorry crews and vehicles held up near the Irun border post for several days.

Assistance, including financial, is being given by the Consular staff to all who are in need of help. The local authorities are providing food and drink.

Cambodia

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the responsibilities of Mr. Dennis Rupert Gallwey in relation to Cambodia and the forces of the Cambodian resistance during his recent posting to Bangkok.

Mr. Lennox-Boyd: Mr. Gallwey was engaged in general duties in support of the defence section at the British embassy in Bangkok.

Tibet

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement outlining the Government's policy towards Tibet.

Mr. Lennox-Boyd: Successive British Governments have always regarded Tibet as autonomous while recognising the special position of the Chinese authorities there. This remains our view. Against this background, we continue to call for dialogue between the Chinese Government and the Tibetan people. We have also told the Chinese authorities on every possible occasion of our concern about the human rights situation in Tibet.

Mr. Dennis Gallwey

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the current responsibilities of Mr. Dennis Rupert Gallwey.

Mr. Lenox-Boyd: Mr. Gallwey retired from Her Majesty's diplomatic service in April 1990.

Cambodia

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what contact there was between his Department and Messrs. Anthony de Normann and Christopher Edward Mackenzie Giedt *(a)* before and *(b)* after their recent visit to Cambodia.

Mr. Lennox-Boyd: At his request, Mr. Mackenzie Geidt was briefed by the Foreign and Commonwealth Office on the situation in Cambodia before he and Mr. de Normann visited Indochina in 1989 at the invitation of the Institute for International Relations in Hanoi and the present regime in Phnom Penh. There was no subsequent contact between this Department and the two men on their visit. Within the last few days, there have been exchanges with officials in this Department about allegations against the two men in the media.

AGRICULTURE, FISHERIES AND FOOD

BSE

5. **Mr. John P. Smith:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Farmers Union to discuss bovine spongiform encephalopathy.

Mr. Gummer: I am in regular discussion with the National Farmers Union on a wide range of issues, including BSE.

42. **Mr. George Howarth:** To ask the Minister of Agriculture, Fisheries and Food whether he intends to take any further measures to control BSE; and if he will make a statement.

56. **Mr. John Evans:** To ask the Minister of Agriculture, Fisheries and Food whether he intends to take further measures to control BSE; and if he will make a statement.

6. **Mr. Lewis:** To ask the Minister of Agriculture, Fisheries and Food whether he intends to take further measures to control BSE; and if he will make a statement.

Mr. Gummer: Legislation has, from 25 September, prohibited the use of certain bovine offals in all animal feedstuffs, including pet food.

In addition, legislation came into force on 15 October which will require cattle owners to maintain breeding records of their herds and to keep both these and animal movement records for 10 years. As well as tightening general disease control measures, this will enable the offspring of BSE cases to be traced more easily, should if prove necessary to do so.

National Consumer Council

9. **Mr. Patchett:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Consumer Council to discuss food issues.

16. **Mr. O'Brien:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Consumer Council to discuss agricultural issues.

3. **Mr. Gareth Wardell:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Consumer Council to discuss food issues.

38. **Mr. Fisher:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Consumer Council to discuss food issues.

72. **Mr. Ted Garrett:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Consumer Council to discuss agricultural issues.

Mr. Maclean: Representatives of the National Consumer Council were present on 12 July 1990 at the periodic meeting between my right hon. Friend and the office holders of consumer organisations.

Consumer Panel

14. **Mr. Nigel Griffiths:** To ask the Minister of Agriculture, Fisheries and Food what items were discussed by the Consumer panel at its last meeting.

70. **Mr. Foulkes:** To ask the Minister of Agriculture, Fisheries and Food what items were discussed by the consumer panel at its last meeting.

Mr. Maclean: The consumer panel met on 17 October 1990 and discussed a wide range of issues including food safety research and development, food surveillance, risk assessment, the food hazard warning system and freedom of information. The papers and minutes of this meeting are publicly available and have been placed in the Library of the House.

The next meeting of the panel will take place on 16 January 1991.

Farming and Wildlife Trust

17. **Mr. Riddick:** To ask the Minister of Agriculture, Fisheries and Food what form of support his Ministry has been able to offer to the Farming and Wildlife Trust.

Mr. Gummer: My Department supports the work of the Farming and Wildlife Trust both by financial contribution and by provision of services locally to the trust's farm conservation advisers.

Research

18. **Mr. John Greenway:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to co-ordinate his Department's research with that in other European Community countries.

Mr. Curry: The main vehicle for the co-ordination of research within the European Community has been the series of framework programmes for R & D, the most recent of which was agreed on 23 April 1990. The Department has taken, and is taking, an active part in development of the relevant individual programmes under these frameworks which include provision for research into agriculture, fisheries and food. In addition, we maintain a range of other contracts, formal and informal, between MAFF scientists and their EC counterparts.

45. **Mr. Mans:** To ask the Minister of Agriculture, Fisheries and Food how much his Department is spending on food research in the current year.

Mr. Gummer: My Department plans to spend £20 million on food research in the current year.

Beef

19. **Mr. Colin Shepherd:** To ask the Minister of Agriculture, Fisheries and Food when he will next meet the president of the National Farmers Union to discuss the beef sector of the agricultural industry.

Mr. Gummer: I am in frequent contact with the President of the National Farmers Union about all aspects of the agriculture industry, including the beef sector.

64. **Mr. Murphy:** To ask the Minister of Agriculture, Fisheries and Food when he last met European Community Agriculture Ministers to discuss trade in beef.

Mr. Gummer: I have regular contacts with Agriculture Ministers from other Community countries, in particular during meetings of the Agriculture Council. Matters related to the trade in beef are discussed as the need arises.

Food Irradiation

20. **Mr. Dunnachie:** To ask the Minister of Agriculture, Fisheries and Food what scientific evidence is available to him on the safety or otherwise of food irradiation; and what weight he accords to such evidence.

27. **Mr. Livingstone:** To ask the Minister of Agriculture, Fisheries and Food what scientific evidence he has on the safety or otherwise of food irradiation; and what weight he gives to such evidence.

Mr. Maclean: The safety of food irradiation has been confirmed in the report of the independent Advisory Committee on Irradiated and Novel Foods entitled "The Safety and Wholesomeness of Irradiated Foods".

This includes reports from other independent scientific committees dealing specifically with toxicology, nutrition, microbiology and radiology.

Many other national and international scientific committees, including the EC Scientific Committee for Food, have also concluded that food irradiation can safely be permitted.

The Government has accepted the conclusion on the many scientific evaluations that have been made world wide.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the legislative measures he will have to introduce prior to the introduction of food irradiation into the United Kingdom; and if he will make a statement.

Mr. Gummer: On 6 August the Ministry and the Department of Health jointly published for public consultation the draft Food (Control of Irradiation) Regulations 1990. These regulations, which draw on new powers in the Food Safety Act 1990, would lift the current general prohibition on the sale of irradiated foods in Great Britain and introduce a plant-specific, product-specific licensing system for food irradiation facilities. The regulations are intended to come into force on 1 January 1991.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to introduce the legislative measures to permit food irradiation in the United Kingdom prior to a decision being taken on its use in the European Community; and if he will make a statement.

Mr. Gummer: Government proposals for regulations that would lift the current general prohibition on the sale of irradiated foods and introduce a licensing system for food treatment facilities were published on 6 August. Irradiated foods have been accepted as safe by the World Health Organisation, the Food and Agriculture Organisation of the United Nations and many national and international scientific committees including our own Advisory Committee on Irradiated and Novel Foods. There is no justification for continuing to deny consumers and industry the option of benefiting from this process, which can enhance food safety and extend choice. But no one will be forced to buy irradiated food if they do not want to.

Houston Protocol

21. **Mr. Stern:** To ask the Minister of Agriculture, Fisheries and Food if he will list the steps he is now proposing to further the aims of the Houston protocol in relation to the reduction of agricultural support.

Mr. Curry: The Houston summit stressed the importance of a successful conclusion to the GATT round. The United Kingdom is playing a leading role with the Community to ensure that the EC contributes constructively to discussions on reducing agricultural support.

Eggs

22. **Mr. Colvin:** To ask the Minister of Agriculture, Fisheries and Food how many eggs were imported into the United Kingdom in the last 12 months for which figures are available; what was their value and what was the percentage change in the last 12 months.

Mr. Curry: Six hundred and eighty five million eggs were imported into the United Kingdom between September 1989 and August 1990 at a value of £29 million.

This represents an increase of 148 per cent. in volume and 211 per cent. in value over figures for the equivalent period in 1988-89.

Food From Britain

23. **Mr. Waller:** To ask the Minister of Agriculture, Fisheries and Food what discussion he has held with the chairman of Food From Britain on its objectives for 1990 and 1991.

Mr. Gummer: Since his appointment on 1 May 1990, I have met the chairman of Food From Britain on a number of occasions to discuss this and other issues.

Scottish Fishing Industry

24. **Mr. Andrew Welsh:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet with representatives of the catching sector of the Scottish fishing industry; and what assistance he is making available to that sector.

69. **Mrs. Margaret Ewing:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet with representatives of the catching sector of the Scottish fishing industry; and what assistance he is making available to that sector.

Mr. Curry: I have no plans to do so but my right hon. and learned Friend the Secretary of State for Scotland and the Scottish Minister for Fisheries are in regular contact with them. Aid is available for the modernisation of fishing boats and provision of port facilities for the fishing industry. In addition there are schemes for assisting the marketing and processing of fish and shellfish products which benefit the industry.

Common Agricultural Policy

25. **Mr. Ian Taylor:** To ask the Minister of Agriculture, Fisheries and Food what matters he proposes to raise at the next meeting of the Agricultural Council in order to further develop the effectiveness of the CAP.

Mr. Gummer: The agenda for the next Agricultural Council on 12 and 13 November has yet to be decided; I will decide nearer the time whether to raise any matters that would not otherwise be discussed.

68. **Mr. John Marshall:** To ask the Minister of Agriculture, Fisheries and Food when he last met his colleagues in the Council of Ministers to discuss reform of the common agricultural policy.

71. **Mr. Jack Thompson:** To ask the Minister of Agriculture, Fisheries and Food when he last met the European Community Agriculture Ministers to discuss the common agricultural policy.

Mr. Gummer: This week, on 15 and 16 October. Issues discussed included the EC's proposed GATT offer on agriculture, the agricultural aspects of German unification and the reform of the olive oil regime.

34. **Mr. Hague:** To ask the Minister of Agriculture, Fisheries and Food when he next expects to meet his European Community counterparts to discuss further amendments to the common agricultural policy.

Mr. Curry: In November—12 and 13. The agenda is not yet fixed.

Dairy Industry

26. **Mr. Knox:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet the president of the National Farmers Union to discuss the dairy sector.

Mr. Gummer: I meet the president of the National Farmers Union to discuss a wide range of issues including the dairy industry.

North Sea Conference

28. **Mr. Jim Marshall:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about his implementation of the agreements from the last North sea conference.

53. **Mr. Cox:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about his implementation of the agreements from the last North sea conference.

Mr. Curry: The targets and timetables set by Her Majesty's Government for implementation of the agreements reached at the 3rd North sea conference in March of this year were published in the United Kingdom guidance note on the ministerial declaration on 6 July 1990. This publication is available in the Library of the House.

Footpaths

29. **Mr. Andrew F. Bennett:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the effect of new legislation on the ploughing up of footpaths.

Mr. Gummer: The Rights of Way Act 1990 has removed previous uncertainties as to the legal rights and responsibilities of farmers when cultivating land crossed by public rights of way. All farmers have been sent a booklet explaining the new law and providing practical guidance. The act also provides for stronger powers of enforcement. Its provisions have been widely welcomed and the public should benefit from the use of paths which are free from obstruction and clearly marked.

UK Fishing Industry

30. **Mr. Maclennan:** To ask the Minister of Agriculture, Fisheries and Food if he will give an assessment of the prospects for the United Kingdom's fishing industry.

51. **Mr. Kennedy:** To ask the Minister of Agriculture, Fisheries and Food if he will assess the prospects for the United Kingdom fishing industry; and if he will make a statement.

Mr. Curry: So far this year the value of landings has been 9 per cent. higher than in 1989 despite the volume being down by 2 per cent. The conservation of fish stocks to safeguard the future of the fishing fleet remains an urgent priority.

Animal Welfare

32. **Mr. Cummings:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the role of veterinarians in promoting animal welfare.

40. **Mr. Doran:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the role of veterinarians in promoting animal welfare.

Mr. Maclean: I refer the hon. Members to the reply that I gave to the hon. Member for Wakefield (Mr. Hinchliffe) earlier today.

47. **Mr. Eadie:** To ask the Minister of Agriculture, Fisheries and Food what role state veterinary service vets play in enforcing animal welfare standards.

62. **Mr. Home Robertson:** To ask the Minister of Agriculture, Fisheries and Food what role state veterinary service vets play in enforcing animal welfare standards.

Mr. Maclean: Veterinary officers of the state veterinary service monitor welfare whenever they visit livestock farms. In addition, they carry out specific visits for welfare purposes. They promote the maintenance and improvement of welfare by advising farmers to follow the recommendations in the welfare codes. When necessary, they will not-hesitate to initiate prosecution proceedings. Indeed, a ministerial prosecution was concluded this month in which a farmer was convicted on more than 150 counts, sentenced to five months' imprisonment and fined £3,500 for cruelty to sheep. In addition, he has been banned for keeping sheep for five years.

Livestock Exports

33. **Mr. Harry Greenway:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress of negotiation with the European Community on welfare standards for live horses for export after 1992.

Mr. Gummer: There has been little progress and only one Community meeting has been held to discuss the Commission's proposals on the protection of animals during transport. When the discussions resume we shall be pressing to retain our controls on the export of horses and ponies.

55. **Mr. Morgan:** To ask the Minister of Agriculture, Fisheries and Food what were the numbers of live sheep exported for slaughter in the first three months of 1990 and 1989.

Mr. Maclean: The figures are as follows:

	Live exports (numbers)	
	1989	1990
January	43,845	88,835
February	31,543	61,731
March	30,117	[1]27,992
Total	105,505	178,558

[1] Provisional Data

Relocation

35. **Mr. Leadbitter:** To ask the Minister of Agriculture, Fisheries and Food whether he plans to relocate any of the divisions of his Department.

59. **Mrs. Dunwoody:** To ask the Minister of Agriculture, Fisheries and Food whether he plans to relocate any of the divisions of his Department.

66. **Mr. Boyes:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the possible decentralisation of staff in his Department.

Mr. Gummer: My Department is currently planning to relocate its central science laboratory and part of its headquarters work away from the south-east. I announced on 1 May that the intervention board was to move part of its operations from Reading to Newcastle on Tyne and the first steps to transfer the work permanently have already been taken.

Fishing Agreements

36. **Mr. Harris:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that European Community agreements on fishing are not flouted by other member states.

Mr. Curry: I refer my hon. Friend to the answer that I gave him on 22 June at columns 748-49 on measures to deal with quota-hopping. Since then the House of Lords Appellate Committee have ordered that interim relief should be granted to applicants in the Factortame case. The relief is restricted to the requirement on owners and shareholders to be resident and domiciled in this country and affects only 53 vessels. The requirement that vessels should be managed and their operations directed and controlled from the United Kingdom remains. The registrar of shipping will ensure that only eligible vessels are registered. To date 12 of the 53 vessels have qualified.

As I said in my earlier reply, the question whether the fishing vessel registered requirements of the Merchant Shipping Act 1988 are compatible with Community law was still to be considered by the European Court of Justice. We will argue strongly before that Court that these provisions are right and necessary to protect the interests of our fishing communities.

To resume fishing against United Kingdom quotas, all these vessels must also obtain a licence. Licensed vessels will be required to make regular visits to United Kingdom ports where it is expected that they will take on supplies land fish and change crews and thereby create some economic activity of benefit to the local community. Such visits will also enable officers of the sea fisheries inspectorate to board and inspect the boats to ensure that the conditions of their United Kingdom fishing licence are met and national and EC fisheries regulations are complied with. The inspectorate will continue to take firm action against any fisherman who flouts the law.

Scientific Evidence

41. **Mr. Tom Clarke:** To ask the Minister of Agriculture, Fisheries and Food what weight he accords to scientific evidence in reaching his Ministerial decisions.

63. **Mr. Andrew Smith:** To ask the Minister of Agriculture, Fisheries and Food what weight he accords to scientific evidence in reaching his Ministerial decisions.

Mr. Gummer: The Ministry of Agriculture, Fisheries and Food is a science-based department. Our policies rest on are guided by scientific knowledge and advice. For example, policies on food safety, the environment, animal health and welfare, and fish stock management, all depend heavily on scientific input.

Beer

43. **Mrs. Currie:** To ask the Minister of Agriculture, Fisheries and Food what is the balance of trade in beer and lager products.

Mr. Maclean: Net imports of beer and lager were valued at just under £75 million in 1989.

Young People

44. **Mr. Ieuan Wyn Jones:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives from the National Union of Farmers to discuss opportunities for young people entering the agricultural industry.

Mr. Curry: The NFU has not requested a meeting to discuss opportunities for young people to enter agriculture. We are in regular touch on a wide range of other issues.

Countryside Preservation

46. **Mr. Nicholas Winterton:** To ask the Minister of Agriculture, Fisheries and Food whether he has recently discussed the maintenance of the countryside with the president of the National Farmers Union.

Mr. Curry: My right hon. Friend the Minister meets the president of the National Farmers Union on numerous occasions to discuss various issues. Their last meeting was on 6 September.

Sea Defences

48. **Mr. Ian Bruce:** To ask the Minister of Agriculture, Fisheries and Food whether he has met the National Rivers Authority to discuss a national strategy for sea defences.

Mr. Curry: I meet the chairman of the National Rivers Authority on a regular basis to discuss implementation of the Government's flood defence policy and there are also frequent contacts between our officials on all flood defence matters.

Farm Incomes

49. **Mr. Hardy:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of British farmers to discuss farm incomes.

Mr. Gummer: Ministers in this Department frequently meet representatives of the British farming community to discuss a wide range of issues, including farm incomes.

Dolphins

50. **Mr. Anthony Coombs:** To ask the Minister of Agriculture, Fisheries and Food what action he has taken to safeguard dolphins.

Mr. Curry: Dolphins are already strictly protected under United Kingdom law including against deliberate capture. We are playing a leading role in work with countries bordering the North Sea and the Baltic for arrangements to further conserve small cetaceans, including dolphins. We also continue to press for wider international protection where this is needed and have supported the United Nations resolution to curtail large scale oceanic drift netting which has presented a threat to dolphins and other marine life particularly in the South Pacific.

Food Labelling

52. **Mr. Simon Coombs:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress towards the introduction of compulsory food labelling.

Mr. Maclean: The directive on Nutrition Labelling Rules was finally agreed by the council on 24 September and was published in the *Official Journal* of 6 October. It lays down the statutory format for the giving of nutrition information on food labels. It provides for a two stage approach with energy, protein, carbohydrates and fat in the first group plus sugar, sodium, saturates and fibre in the second. The giving of information remains voluntary, although when given it must be comprehensive and in the agreed format. The exception to this is where a nutrition claim is made when the provision of the information in the agreed format is compulsory.

The first stage of the approach comes into final effect in three years; the second stage comes into effect two years later. There remain some detailed provisions still to be agreed but I anticipate these issues will be resolved within the three year run-in period. We are disappointed that we did not achieve earlier implementation dates and I know that consumer and health groups will be similarly disappointed. It was however not possible to rally majority support in Brussels for an earlier implementation date and we thought it best to enable this important directive to be agreed without further delay and possible dilution. We shall be making the necessary changes to United Kingdom food labelling legislation, but in the meantime we shall now actively encourage the United Kingdom food industry to provide comprehensive nutrition information to the level of both first and second stages as we do already in the United Kingdom Government guidelines on Nutrition Labelling of Food.

The second directive giving powers to require selected nutrients to be the subject of compulsory labelling has not been agreed, but we have ensured that it remains on the table in Brussels. There is a general support amongst a majority of member states for the principles behind this proposal, but it is felt that decisions about compulsory labelling will best be considered after experience has been gained with the voluntary system. Because the science of nutrition is relatively new and ideas and knowledge are still developing, the United Kingdom Government are prepared to go along with the majority view whilst wishing to ensure that the issue of compulsory nutrition labelling does not disappear from view.

Animal Health Directives

57. **Mr. Nicholas Bennett:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the progress towards animal health directives within the European Community.

Mr. Maclean: Progress continues to be made within the Community in harmonising animal health controls as part of the process of the realisation of the single market. Within the last 12 months a number of key measures have been agreed, as follows:

Directive 89/556 of 25 September 1989 on animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species.

Directive 89/608 of 21 November 1989 on mutual assistance between the administrative authorities of member states and co-operation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters.

Directive 89/662 of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market.

Directive 90/422 of 26 June 1990 amending directive 64/432 as regards enzootic bovine leukosis.

Directive 90/423 of 26 June 1990 amending directives 85/511, 64/432 and 72/462 as regards from foot and mouth disease. Decision 90/424 of 26 June 1990 on expenditure in the veterinary field.

Directive 90/425 of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market.

Directive 90/426 of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae.

Directive 90/429 of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports from third countries of semen of domestic animals of the porcine species.

All these measures represent important steps toward completion of the single market. I should like particularly to refer to directive 90/423 which provides for a uniform policy for the control of foot and mouth disease (FMD). From January 1992, and in line with current United Kingdom policy, the practice of vaccination against the disease is to be discontinued throughout the Community. Thereafter the main protection against the disease will be the slaughter and destruction of animals from affected herds with compensation being paid to the owner. Once implemented this new policy will contribute significantly to liberalising controls on the movement of FMD-susceptible animals.

In addition to the measures listed above, two directives (89/662 and 90/425) have now been adopted concerning the veterinary and documentary checks that are currently conducted at points of entry to ensure that animals and animal products are healthy and comply with Community rules. Both directives provide for the eventual elimination of veterinary checks at frontiers and their substitution with a system of checks at points of origin and destination. However, as a transitional measure the directives provide us with considerable scope for maintaining frontier checks until at least the end of 1992 when both directives have to be reviewed. We are satisfied with both since they reflect our key contention that the dismantling of controls should not lead to an increased risk of the spread of disease.

Much remains to be done, however, before the end of 1992, and we still await formal proposals from the Commission for post-1992 controls. In the meantime, although we fully support the overall objective of harmonising Community health standards at the highest attainable level, and look forward to the eventual removal of barriers to trade where possible, we have no intention in the negotiations to come of jeopardising our current high animal health status.

Pesticides

58. **Mr. Allen McKay:** To ask the Minister of Agriculture, Fisheries and Food what progress he has made on the review of pesticides; and if he will make a statement.

Mr. Maclean: Considerable progress has been made on the review of pesticides and I will be making a statement shortly.

Mr. Win Griffiths: To ask the Minister of Agriculture, Fisheries and Food if he will make a Statement on the use of pesticides on agricultural land.

Mr. Maclean: I refer the hon. Member to the answer I gave today to the Member for Wrexham (Dr. Marek).

Research and Development

60. **Mr. Patrick Thompson:** To ask the Minister of Agriculture, Fisheries and Food what are the research and development priorities for his Department.

Mr. Gummer: The Ministry of Agriculture, Fisheries and Food funds research essentially for three reasons: *(a)* to guide the formulations, appraisal and evaluation of policy and to support statutory functions; *(b)* to protect the consumer and the environment; *(c)* to support strategic research which takes scientific opportunities to the point where it is appropriate for industry to fund further development prior to exploitation.

I see research in all three areas as essential in both the short and long term, although the emphasis may change. Current priorities include lower chemical inputs, improved pest control techniques and the relationship between public health and zoonoses.

In setting research priorities full account is taken of the independent advice of the Priorities Board for Research and Development in Agriculture and Food. Food safety and nutritional quality are areas recently recommended by the priorities board as needing a higher priority. Among the subjects which are likely to become more important are climate change, lower input sustainable farming systems and cleaner technologies.

Meetings

65. **Mr. Andy Stewart:** To ask the Minister of Agriculture, Fisheries and Food how many times during 1990 he has met representatives of *(a)* consumers and *(b)* producer interests.

Mr. Gummer: Since 1 January 1990 I have met consumers' representatives on 10 occasions and producers' representatives on 12 occasions to discuss food safety issues, on 16 occasions to discuss production issues and on six occasions mainly to discuss problems connected with the export of live sheep to France.

Salmon

67. **Mr. Beith:** To ask the Minister of Agriculture, Fisheries and Food whether he will make a statement about the report on east coast salmon fisheries prepared under the terms of the Salmon Act.

Mr. Curry: I refer my hon. Friend to the reply that I gave on 15 October.

37. **Mr. Robert G. Hughes:** To ask the Minister of Agriculture, Fisheries and Food which independent bodies provide advice to his Department on food matters.

Mr. Maclean: The Department receives advice on food matters from a number of independent bodies notably the Food Advisory Committee, the consumer panel, the advisory committee on novel foods and processes, the advisory committee on pesticides and the veterinary products committee. In addition this Department and the Department of Health receive advice from three further independent bodies. These are the committee on the microbiological safety of food, the committee on medical aspects of food policy and the committee on toxicity of chemicals in food, consumer products and the environment. Finally, the spongiform encephalopathy advisory committee has advised these two Departments on, among other matters, the implications of BSE for human health through the consumption of certain food products.

39. **Mrs. Ann Taylor:** To ask the Minister of Agriculture, Fisheries and Food whether he has had any discussions with local authorities about the implementation of the Food Safety Bill.

54. **Mr. Tony Lloyd:** To ask the Minister of Agriculture, Fisheries and Food whether he has had any discussions with local authorities about the implementation of the Food Safety Bill.

Mr. Maclean: Local authorities are being consulted on the draft orders and regulations that will bring the Food Safety Act into force. Local authority officers are serving on the Implementation Advisory Committee which advises the Government on the codes of practice to be made under the Act. Yesterday my right hon. Friend the Minister for Agriculture, Fisheries and Food addressed the first of a series of seven seminars aimed at helping enforcement officers to understand how the new Act will work.

Sea Fish Industry Authority

Dr. Godman: To ask the Minister of Agriculture, Fisheries and Food if he will publish in the *Official Report* the names of the chairman and members of the Sea Fish Industry Authority, the organisations, agencies and associations whence they were recruited, their tenure of office and their remuneration.

Mr. Curry: The chairman and members of the authority were appointed on 1 October 1990. Appointments are normally for a three-year period, but Ministers may, under certain circumstances, terminate an appointment at any time during that three-year period.

The board comprises of 12 members appointed by Ministers. The chairman and deputy chairman and two other members are independent members who have no direct financial or commercial interest in the fishing industry. The other members are drawn from various sectors of the fishing and fish processing industry and the industry is consulted on their appointments. These members represent the industry as a whole rather than their own particular sector. The chairman receives £25,490 and the board members £5,330 per annum for their services.

Names of the authority's board members and their position are as follows. Further biographical details were given in the MAFF news release 321/90 of 25 September, a copy of which is in the Library of the House. An announcement on the appointment of a deputy chairman will be made shortly.

Independent Members
Mr. John MacKay (Chairman)
Professor Mike Haines
Mr. Frank Ledwidge OBE FCA
Industry Representatives
Mr. John Adams
Mr. John V. Cradock
Mr. William Hay CBE
Mr. Duncan Macinnes JP
Mr. Ian McFadden
Miss Elizabeth Stevenson
Mr. David Vickers
Mr. Colin Warwick

DEFENCE

Military Hospitals

Mr. Paice: To ask the Secretary of State for Defence if he will list the numbers of *(a)* civilian outpatients and *(b)* civilian inpatients treated at the Princess of Wales RAF hospital, Ely under the national health service in each medical and surgical department during each of the last five years.

Mr. Archie Hamilton: The information requested cannot be provided without disproportionate cost.

Mr. Paice: To ask the Secretary of State for Defence if he will list those military hospitals which provide an accident and emergency service to the national health service.

Mr. Archie Hamilton: The following service hospitals currently provide a consultant-led specialist accident and emergency service to the national health service:

Royal Naval Hospital Haslar;
Royal Naval Hospital Plymouth;
Cambridge Military Hospital, Aldershot.

In addition, casualty departments run by a medical officer are provided for use by national health service patients in the following service hospitals:

Duchess of Kent Military Hospital, Catterick;
Princess Alexandra Royal Air Force Hospital, Wroughton;
The Princess of Wales Royal Air Force Hospital, Ely.

Mr. Paice: To ask the Secretary of State for Defence if he will list all the surgical and medical disciplines provided at each RAF hospital.

Mr. Archie Hamilton: The table provides a guide to all the surgical and medical disciplines normally provided at the three RAF hospitals in the United Kingdom. These may be subject to alteration or reduction in the light of future service requirements.

Table of Hospital Details

Specialities	*The Princess of Wales Royal Air Force Hospital Ely*	*Princess Mary Royal Air Force Hospital Halton*	*The Princess Alexandra Royal Air Force Hospital Wroughton*
Anaesthetics	yes	yes	yes
Casualty	yes	no	yes
Coronary Care	yes	yes	yes
Dermatology	visiting consultant	visiting consultant	visiting consultant
Ears Nose Throat	yes	yes	yes
Gastroenterology	no	no	no
General Medicine	yes	yes	yes
General Surgery	yes	yes	yes
Gynaecology	yes	yes	yes
Intensive Care	yes	yes	yes
Neurology	visiting consultant	visiting consultant	yes
Nuclear Medicine	no	yes	no
Obstetrics	yes	yes	yes
Oncology	no	yes	no
Ophthalmics	yes	yes	yes
Oral Surgery	yes	yes	yes
Orthopaedics	yes	yes	yes
Paediatrics	yes	no	visiting consultant
Pathology	yes	yes	yes
Plastic Surgery	visiting consultant	yes	visiting consultant
Psychiatry	yes	visiting consultant	yes
Radiology	yes	yes	yes
Renal Medicine	no	yes	no
Rheumatology	visiting consultant	yes	visiting consultant
Thoracic Medicine	no	no	no
Urology	yes	yes	yes

Mr. Paice: To ask the Secretary of State for Defence if he will list all the district health authorities which have had civilian patients treated under the national health service at the Princess of Wales RAF hospital, Ely during each of the last five years.

Mr. Archie Hamilton: The principal district health authorities which have referred NHS patients to the Princess of Wales RAF hospital during the last five years are Cambridge, West Norfolk and Wisbech, West Suffolk and Huntingdon. Additionally, health authorities from all areas of the United Kingdom may on occasion refer patients for a specific treatment. A list of those authorities which have done so over the last five years could not be produced without disproportionate cost.

Mr. Paice: To ask the Secretary of State for Defence what steps he is taking to permit military hospitals to enter the national health service internal market.

Mr. Archie Hamilton: There are no current plans for service hospitals to compete in the NHS internal market.

Mr. Paice: To ask the Secretary of State for Defence if he will list the numbers of servicemen, women and dependants from each service treated at each military hospital as *(a)* inpatients and *(b)* outpatients for each of the last five years.

Mr. Archie Hamilton: The tables show the total number of service personnel and dependants for *(a)* in-patients and *(b)* out-patients at each military hospital in the United Kingdom for each of the last five years for which figures are readily available. It is not currently possible to provide a breakdown of these figures according to service or sex without incurring disproportionate cost.

Table A—Inpatient Admissions—United Kingdom Service Hospitals

	85		*86*		*87*		*88*		*89*	
Hospital	*Service*	*Dependants*	*Service*	*Dependants*	*Service*	*Dependants*	*Service*	*Dependants*	*Service*	*Dependants*
Woolwich	4,974	1,025	4,240	1,238	4,679	1,129	3,752	930	3,947	901
Aldershot	8,585	39,655	2,628	2,333	2,691	2,293	2,952	2,242	2,877	1,781
Catterick	5,389	2,378	2,252	1,119	2,134	845	2,405	775	2,428	729
Wroughton	5,502	2,561	5,103	2,522	4,758	2,663	4,779	2,602	4,459	2,062
Ely	4,976	2,156	2,692	1,408	2,612	1,310	2,647	1,185	2,562	1,022
Halton	4,025	1,616	2,661	1,396	2,541	1,393	2,517	1,066	2,763	1,112
Plymouth	9,008	1,538	1,933	246	1,752	171	1,902	229	1,741	212
Haslar	9,139	3,006	3,303	1,109	3,138	954	2,853	891	2,853	742

Table B—Total Outpatient Attendance—United Kingdom Service Hospitals

	85		*86*		*87*		*88*		*89*	
Hospital	*Service*	*Dependants*	*Service*	*Dependants*	*Service*	*Dependants*	*Service*	*Dependants*	*Service*	*Dependants*
Woolwich	18,674	3,839	16,035	2,858	14,483	2,497	14,124	2,429	10,970	1,998
Aldershot	14,698	10,445	17,002	9,921	14,503	7,989	18,016	7,170	20,171	8,210
Catterick	8,635	3,946	9,711	4,763	10,659	4,723	11,832	4,776	11,296	4,381
Wroughton	17,106	8,608	11,896	8,162	11,481	7,274	11,932	6,931	13,691	7,509
Ely	11,769	6,533	11,134	6,465	10,789	5,479	11,745	5,637	11,072	4,133
Halton	10,277	4,929	10,159	4,521	10,020	4,365	8,161	3,573	8,098	4,509

Hospital	85		86		87		88		89	
	Service	Dependants	Service	Dependants	Service	Dependants	Service	Dependants	Service	Dependants
Plymouth	15,383	2,667	13,618	2,021	12,894	1,714	14,628	1,748	12,166	1,445
Haslar	23,483	7,688	24,033	7,462	28,500	7,047	25,233	7,278	20,916	6,240

British Forces (Malaysia and Thailand)

Mr. Mullin: To ask the Secretary of State for Defence how many British service men have served in *(a)* Malaysia and *(b)* Thailand for each year since 1980; and in what capacity.

Mr. Archie Hamilton: Since 1980 British service men have served in both Malaysia and Thailand in a number of capacities including attaché posts, the provision of military training assistance, and on exercise. Further details could not be provided without disproportionate cost.

Mr. Colin Wallace

Mr. O'Neill: To ask the Secretary of State for Defence (1) how many representatives of his Department were in communication with the chairman of the Civil Service Appeals Board regarding Mr. Colin Wallace's appeal;

(2) what was the content of the communication that took place between representatives of his Department and the chairman of the Civil Service Appeals Board regarding Mr. Colin Wallace's appeal;

(3) what were the Civil Service grades of the representatives of his Department who were in communication with the chairman of the Civil Service Appeals Board regarding Mr. Colin Wallace's appeal;

(4) what was the purpose of the communication that took place between the chairman of the Civil Service Appeals Board and representatives of his Department regarding Mr. Colin Wallace's appeal.

Mr. Archie Hamilton: I have nothing to add to my letter of 13 September to my hon. Friend the Member for Arundel (Sir M. Marshall), a copy of which is in the Library of the House.

Mr. O'Neill: To ask the Secretary of State for Defence when he first became aware of the fact that representatives of his Department had been in private communication with the chairman of the Civil Service Appeals Board regarding Mr. Colin Wallace's appeal.

Mr. Archie Hamilton: My right hon. Friend and I were informed in September 1989 of the private communications which took place in 1975 and to which Mr. Calcutt has referred.

Environment Council Conference

Mr. Flynn: To ask the Secretary of State for Defence if he or officials of his Department have been invited to attend or participate in the conference on "Going Green, Benefits Versus Costs", organised by the Environment Council, to be held in London on 22-23 November.

Mr. Kenneth Carlisle: The Secretary of State has not received an invitation and I am not aware of any invitations being received by officials of the Ministry of Defence.

Territorial Army

Dr. Godman: To ask the Secretary of State for Defence what was the amount of money spent in each of the past 10 years on publicising the Territorial Army in Scotland.

Mr. Archie Hamilton: Other than a small number of local publicity and recruiting initiatives, funding for Territorial Army publicity is not allocated to any particular region. It is not, therefore, possible to provide figures in the form requested.

Royal United Services Institute

Mr. Mullin: To ask the Secretary of State for Defence if he will give details of Government funding for the Royal United Services Institute and describe the Royal United Services Institute's relationship with his Department.

Mr. Archie Hamilton: The Royal United Services Institute (RUSI) is an independent academic institute with charitable status. It is the professional association of the armed forces and one of many academic institutes with which the Ministry of Defence maintains contacts.

For the current financial year we expect MOD funding for RUSI to be around £130,000. The sum of £10,000 is a grant in aid towards expenses of the institute in support of its academic activities. The remainder is a contribution towards the cost of rental and maintenance of its accommodation.

Low Flying

Sir John Farr: To ask the Secretary of State for Defence (1) how many complaints have been received by the Royal Air Force of low flying military aircraft over towns which are listed to be avoided over the past two years;

(2) how many complaints received by the Royal Air Force within the last two years relating to low-flying aircraft over towns listed to be avoided have resulted in action other than simple reprimands being taken against pilots.

Mr. Kenneth Carlisle: I regret that such complaints are not recorded separately and it would not be possible to provide the information requested without disproportionate cost and effort.

Sir John Farr: To ask the Secretary of State for Defence if he will introduce tough penalties on pilots who fly military aircraft low over towns listed to be avoided, by way of a substantial fine, equivalent to their annual salary.

Mr. Kenneth Carlisle: I am satisfied that an adequate range of penalties, including fines, is available to deal with cases where pilots are found to have breached low flying regulations.

Sir John Farr: To ask the Secretary of State for Defence if he will list in the *Official Report* the names of those towns which are to be avoided by low-flying military aircraft.

Mr. Kenneth Carlisle: It remains our policy not to release this information.

Warheads

Dr. Thomas: To ask the Secretary of State for Defence whether he has made any representations to his counterparts in the United States concerning the safety of *(a)* W79 artillery warheads, *(b)* W88 warheads and *(c)* W89 warheads; and what communications he has received on this subject.

Mr. Archie Hamilton: As I said in my answer of 18 June to the hon. Member for Leyton (Mr. Cohen) at column *436*, we are satisfied with United States assurances on the safety of its nuclear weapons. We have received a small number of communications from hon. Members and others on this subject.

Cambodia

Mr. Mullin: To ask the Secretary of State for Defence what contact there was between his Department and Messrs. Anthony de Normann and Christopher Edward Mackenzie Geidt *(a)* before and *(b)* after their recent visit to Cambodia.

Mr. Archie Hamilton: The visit of Messrs. de Normann and Mackenzie Geidt to Indochina was at the invitation of the Hanoi Institute for International Relations and the current Phnom Penh regime. The only contact with the Military of Defence in relation to the visit that has been traced was a routine inquiry by Mr. de Normann prior to departure to check on the regulations governing visits by ex-service personnel to communist countries. Within the last few days, there have been exchanges with officials in the Ministry of Defence about allegations made in the media against the two men.

Forces Cuts

Mr. Cohen: To ask the Secretary of State for Defence what United Kingdom forces' cuts he proposes and over what time scale in the draft CFE agreement.

Mr. Archie Hamilton: The proposed CFE treaty provides, in general, for limits on the holdings of certain equipments by the two groups of states, rather than for specific national limits. The overall NATO totals permitted by the treaty will, therefore, have to be allocated to individual nations and, although work on this is well advanced, national ceilings have still to be decided finally. The precise reductions that the United Kingdom will have to make to comply with the treaty will also depend on continuing negotiations on definitions and counting rules. Implementation of reductions is envisaged over a three-year period.

The Gulf

Mr. David Martin: To ask the Secretary of State for Defence whether he is now in a position to make a statement on the pay and allowances for servicemen deployed to the Gulf.

Mr. Tom King: The basic pay of service personnel remains the same wherever they are stationed and includes an X-factor, currently 10·5 per cent. for men and 9·5 per cent. for women, which recognises the disadvantages of service life, including the liability to serve in difficult and dangerous conditions. Entitlement to allowances and liability to charges varies according to individual circumstances.

The effect of this for those deploying to the Gulf is that the great majority of service personnel will in fact receive more in their pay packets. However, there are some for whom the changes would result in a possible loss. I have therefore decided that there should be an abatement to part of the charges paid by married personnel from Germany and from other overseas locations while they are serving in the Gulf. This will benefit most of those otherwise adversely affected. In addition, I have instructed that arrangements be made to recompense any individual who would still otherwise experience a net reduction in pay and allowances.

These measures are intended to fulfil my assurance that no one would suffer financially as a result of service in the Gulf.

Written Answers to Questions

Friday 19 October 1990

EDUCATION AND SCIENCE

School Meals

Mr. David Nicholson: To ask the Secretary of State for Education and Science if he will list in the *Official Report* those local education authorities which do not provide a school meals service other than for pupils of families on family income support.

Mr. Fallon: In January 1990, the latest date for which information is available, all local education authorities in England recorded that there were pupils who had had a paid meal at school. Detailed information on school meal arrangements will be published in "Statistics of Education Schools 1990".

Mr. David Nicholson: To ask the Secretary of State for Education and Science whether local management of schools system schools will be able to decide whether to provide a hot school meals service for at least the winter months.

Mr. Fallon: Every local education authority with an approved scheme for local management of schools is continuing with the arrangements for the provision of school meals that were in operation before the introduction of LMS.

Under-fives

Mr. David Nicholson: To ask the Secretary of State for Education and Science what financial incentives exist under the local management of schools system for schools to recruit pupils who are aged under five years at the start of the school year; what guidance his Department offers to local education authorities on education provision for rising-fives; and if he will make a statement.

Mr. Fallon: The admission of four-year-olds to school is a matter for the schools and their local education authorities in the light of local needs and circumstances. The Department offers no guidance to local education authorities on provision for rising-fives. However, under local management of schools, all pupils registered at a school, including those under five years at the start of the school year, are funded through the age-weighted pupil element of the local education authority's resource allocation formula.

National Tests

Mr. Harry Greenway: To ask the Secretary of State for Education and Science if he will make a statement on national tests at the ages of seven, 11 and 14 years; and how many children at each such age group are currently in maintained schools.

Mr. Eggar: I refer my hon. Friend to the oral statement that my right hon. Friend made to the House on 18 October at columns 1395-1407.

Education Spending

Mr. Pawsey: To ask the Secretary of State for Education and Science what proportion of gross domestic product is spent on education *(a)* in the United Kingdom, *(b)* the United States of America, *(c)* Japan and *(d)* Germany.

Mr. Eggar: Data are readily available for public expenditure as a percentage of GNP only and are shown in the table:

Total public expenditure on education, 1986

Country	*Expenditure as a percentage of GNP*
United Kingdom	4·9
United States of America[1]	4·7
Japan[1]	4·4
Germany (West)	4·4

[1] Excludes public expenditure subsidies to private education.

Environmental Education Study Centres

Ms. Walley: To ask the Secretary of State for Education and Science if he will list those environmental education study centres which *(a)* were in operation in 1987, 1988 and 1989 and *(b)* have already closed or face closure within the next 12 months.

Mr. Eggar: This information is not collected centrally.

Grant-maintained Schools

Ms. Armstrong: To ask the Secretary of State for Education and Science, pursuant to his written answer of 15 October, if he will list the dates of visits by Her Majesty's inspectors to grant-maintained schools other than the last date of visit, in those cases where the school has been visited more than once.

Mr. Eggar: Listed below are the dates, other than the last dates, on which HMI visited these GM schools up to June 1990. The other schools listed in my reply of 15 October have each been visited once only.

	Date
Queensbury School, Bedfordshire	November 1989
Small Heath School, Birmingham	September 1989
St. James CE School, Bolton	September 1989 October 1989 December 1989
Colyton GS, Devon	November 1989
Old Swinford Hospital School, Dudley	November 1989
London Oratory School	September 1989
Wilmington Girls School, Kent	October 1989
Castle Hall School, Kirklees	October 1989
Heckmondwike GS, Kirklees	November 1989 January 1990
King's School, Grantham	November 1989
Queen Elizabeth GS, Lincolnshire	November 1989
Wilson's School, Sutton	November 1989

	Date
Audenshaw School, Tameside	December 1989
Queen Elizabeth's, Barnet	November 1989

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Education and Science how much was spent by his Department on official hospitality in 1989-90.

Mr. Eggar: In 1989-90 the Department spent a total of £88,800 of its administration budget in providing official hospitality.

City Technology Colleges

Mr. Stern: To ask the Secretary of State for Education and Science when he expects to be able to report the establishment of the city technology college for Bristol.

Mr. Fallon: My right hon. Friend announced on Wednesday 3 October his intention to consult interested parties on proposals which he has before him to establish a city technology college in Bristol. He will announce his decision on the proposal after he has considered all responses received in the course of the 56-day consultation period.

TRANSPORT

Nottingham-Mansfield Line

Mr. Allen: To ask the Secretary of State for Transport what recent information he has received on the reopening of the Nottingham to Mansfield line; and if he will make a statement.

Mr. McLoughlin: Nottinghamshire county council has recently sent the Department of Transport a video about its proposals to reopen this line, and officials will meet council representatives shortly to discuss the proposals further. More information would be needed before any decision on resources for the project could be taken.

London Transport

Ms. Ruddock: To ask the Secretary of State for Transport if he will set out the remuneration of each of the members of the London Transport board, their hours of work and their individual responsibilities on the board.

Mr. Freeman: The information requested is as follows:

Member	*Annual salary and time commitment*	*Responsibilities*
1. Executive Members		
Mr. Wilfrid Newton, CBE	£100,000 full time	Chairman and Chief Executive of LT, Chairman of LT Executive Committee; Chairman of London Underground Limited; Member of Safety Audit Committee, Design Policy Committee, London Transport Property Board and Remuneration Committee.
Mr. John Telford Beasley, CBE	£75,000 full time	Deputy Chief Executive of LT; Member of LT Executive Committee; Chairman of London Buses Limited, Docklands Light Railway Limited, LT International Services Limited and of London Transport Museum; Member of Safety Audit Committee and Design Policy Committee.
Mr. Michael Marsh	£69,650 full time	Board Member for Finance and Planning; Member of LT Executive Committee and LT Property Board; non-executive director of London Underground Limited, London Buses Limited and Docklands Light Railway Limited.
2. Non-executive part--time members		
Sir Neil Shields, MC	£22,000 two days per week	Deputy Chairman of LT; Chairman of LT Property Board; Member of Design Policy Committee and Remuneration Committee.
Mr. Keith Brown	£8,250 0·75 days per week	Chairman of Audit Committee; Director in charge of LT Disabled Passengers Unit.
Dr. Stephen Glaister	£8,250 0·75 days per week	Member of Fares Revenue Committee and LT Property Board; non-executive director of Victoria Coach Station Limited.
Mr. Oscar Roith	£11,000 one day per week	Chairman of Safety Audit Committee.
Mrs. Helen Robinson	£8,250 0·75 days per week	Chairman of Design Policy Committee; Member of Remuneration Committee.
Miss Patricia Steel, OBE	£8,250 0·75 days per week	Member of Safety Audit Committee; non-executive director of Docklands Light Railway Limited and of Victoria Coach Station Limited.
Mr. Roy Thomas	£8,250 0·75 days per week	Member of Audit Committee and of Remuneration Committee.

Ms. Ruddock: To ask the Secretary of State for Transport what directions he has given to London Transport to improve the training and driving standard of bus drivers.

Mr. Freeman: It is for London Transport to determine what the training needs and the driving standards of its bus drivers should be, in accordance with the appropriate public service vehicle driver licensing legislation.

Ms. Ruddock: To ask the Secretary of State for Transport if he has received a plan from London Transport regarding the closure of Victoria bus garage; and if he will make a statement.

Mr. Freeman: No.

Rail Electrification (West Yorkshire)

Mr. Madden: To ask the Secretary of State for Transport what meetings he or his officials have had with officials of the West Yorkshire passenger transport

authority in the current year to date, to discuss rail electrification between Bradford and Leeds and local services.

Mr. McLoughlin: The hon. Member was present when the then Minister of State met the West Yorkshire passenger transport authority on 26 April to discuss the scheme and other matters. In addition, officials have had two meetings and several exchanges of correspondence on this scheme with the West Yorkshire passenger transport executive.

Mr. Madden: To ask the Secretary of State for Transport (1) when he expects to announce his decision on loan approval being given to the West Yorkshire passenger transport authority to enable electrification of rail services;

(2) whether British Rail has supplied him with information as to what extra costs are incurred each year that the electrification of the Bradford-Leeds railway is deferred; what is his latest estimate of the total cost of such electrification; and when he expects to announce his decision on loan approval for the scheme.

Mr. McLoughlin: Decisions on credit approvals for local public transport schemes in 1991-92 will be announced after the autumn statement. The most recent cost estimate for this project is about £60 million; we have no information on cost increases if it is deferred. Whether it can go ahead in 1991-92 depends on the availability of physical resources for the necessary signalling work as well as on funding.

Mr. Madden: To ask the Secretary of State for Transport what representations he has received since the beginning of 1990 concerning the electrification of the Bradford—Leeds railway and local rail services; and if he will list the names of individuals and organisations who have urged electrification take place.

Mr. McLoughlin: We have this year received almost 300 representations in support of this scheme, some individuals and organisations having written more than once. Representations have also been sent to other Government Departments, and we do not have a complete list available.

Road Programme

Mr. Snape: To ask the Secretary of State for Transport if he will list the number of civil and traffic engineering staff employed directly by his Department in each regional office in 1989 and 1990 and forecast for 1992; how many of the additional staff engaged for the expanded road programme will be given permanent civil service status; and how many will be given short service contracts.

Mr. Chope *[holding answer 18 October 1990]:* Information is not available precisely in the form requested. Engineering staff employed directly by my Department in the regions are as follows:

	[1]*1989*	[2]*1990*
South East	61	64
London	52	64
Eastern	45	48
South West	42	48
West Midlands	59	62
East Midlands	45	43
North West	66	57
Yorkshire and Humberside	59	60
Northern	15	15
	444	461

[1] Figures as at December 1989.
[2] Figures as at September 1990.

No regional estimates are available for 1992, or for the number of staff who will be engaged on short service contracts.

Construction Programme Divisions

Mr. Snape: To ask the Secretary of State for Transport what difference in function the new construction programme divisions created in 1990 will have from the former road construction unit headquarters offices abolished by his Department in 1981.

Mr. Chope *[holding answer 18 October 1990]:* In the construction programme divisions private sector teams will be working alongside civil servants on project management and other specialist functions. In addition the organisational framework is different.

ENVIRONMENT

Public Bodies (Funding)

Mrs. Gorman: To ask the Secretary of State for the Environment how many non-Government public bodies funded by his Department have an interest in environment matters; how many of these have been in existence since October 1988 and how many existed before that date.

Mr. Heathcoat-Amory: Three of the executive non-departmental public bodies (the Countryside Commission, the National Rivers Authority and the Nature Conservancy Council) and two of the advisory bodies (the Radioactive Waste Management Advisory Committee and the Royal Commission on environmental pollution) currently sponsored by the Department have major environmental responsibilities. Of these only the National Rivers Authority, created in September 1989, did not exist in October 1988. Many of the other non-departmental public bodies sponsored by the Department also make significant contributions to restoring, protecting or enhancing the urban or rural environment. All non-departmental public bodies are listed in the annual Cabinet Office publication "Public Bodies".

Global Warming

Mr. Barry Field: To ask the Secretary of State for the Environment what further studies he has carried out into the contribution of natural nitrous oxide to global warming.

Mr. Heathcoat-Amory: Three research programmes to quantify emissions of nitrous oxide from both natural and managed land have recently been initiated by the Natural Environment Research Council. The Department of the Environment contributes 50 per cent. to the funding of one project which studies nitrous oxide fluxes from forest soils.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what research he has instigated to establish the impact of the presence of sulphur dioxide in the atmosphere in respect of global warming.

Mr. Heathcoat-Amory: Sulphur dioxide is not itself a greenhouse gas and so does not contribute to global warming. However, by contributing to sulphate aerosol formation and possibly increasing the reflectivity of clouds, sulphur dioxide may contribute a slight cooling effect. These issues will be studied as part of the Department's climate prediction programme at the Hadley centre.

Public Water Supplies

Mr. Onslow: To ask the Secretary of State for the Environment what is his latest estimate of the rainfall required during the coming months in each of the regions of the United Kingdom if adequate public water supplies are to be ensured in 1991 without prejudicing reservoir and river levels.

Mr. Trippier: The National Rivers Authority estimates for England and Wales that rainfall ranging from below average in Northumbria, to average in the north-west and the midlands to above average in the south and east, in some areas substantially so, would be required in the next six months to ensure adequate public water suplies in 1991 without prejudicing reservoir and river levels.

Pesticides

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a statement on the progress of the study by the Natural Environment Research Council into the possible implications for wildlife resulting from the combination of different pesticides.

Mr. Heathcoat-Amory: The results of the NERC/ Reading university studies on captive partridges were published late last year. They have been drawn to the attention of the advisory committee on pesticides. New studies, building on this work and, in particular, to relate it to what may happen in the wild, are under way or will be started soon. These additional studies are being funded by both NERC and my Department.

Dog Registration

Mr. Pendry: To ask the Secretary of State for the Environment what is his Department's policy with regard to plans to set up a national dog registration scheme.

Mr. Heathcoat-Amory: We are still considering the implications of the vote in another place which would require the Government to set up a dog registration scheme.

Household Dust

Mr. Simon Hughes: To ask the Secretary of State for the Environment when he expects to publish the study by Her Majesty's inspectorate of pollution into the levels of radioactivity in household dust; and if he will make a statement.

Mr. Heathcoat-Amory: The household particulate surveys commissioned by Her Majesty's inspectorate of pollution and carried out by ICI have now been completed. A draft report has been received and is currently being reviewed. The report will be published in due course and copies will be placed in the Library.

Home Improvement Agencies

Mr. Gregory: To ask the Secretary of State for the Environment what proposals he has for the future funding of home improvement agencies; and if he will make a statement.

Mr. Key: Home improvement agencies have a valuable role to play in helping the elderly, the disabled and those people on low incomes living in poor condition houses to improve their living conditions. The existing experimental scheme which expires on 31 March 1991 is to be replaced by a permanent scheme open to agencies throughout the country. Fifty per cent. of the running costs of approved schemes will be met by Government grant.

Each local housing authority will be responsible for identifying the needs of its area and securing the establishment and operation of appropriate schemes. I believe that this fits in very well with the enabling role of such authorities, and provides a fine opportunity for partnership between central and local government and other bodies in the housing field. Payment of the Government's contribution will be subject to the fulfilment of certain conditions, and will be made to schemes in accordance with previously agreed budgets.

We also intend to provide support for a central co-ordinating body to undertake developmental work, monitor progress and provide help to the individual schemes including training and access to specialist advice. We will be holding discussions with appropriate organisations about the best way of establishing this body, and a further announcement will be made as soon as possible.

These arrangements will be closely monitored and will be subject to a full review in four years' time.

Green Belt

Mr. Shersby: To ask the Secretary of State for the Environment what recent consideration he has given to the criterion which indicates a general presumption against development in the green belt; and if he will make a statement.

Mr. Michael Spicer *[holding answer 18 October 1990]:* I am considering, in the light of recent court judgments, whether there is a need for some revision of the advice given in planning policy guidance note 2, but I can say now that there will be no fundamental change in the Government's policies for the protection of the green belts. It will remain necessary to demonstrate very special circumstances to justify inappropriate development within a green belt.

Civil Engineering (Safety)

Mr. Nigel Griffiths: To ask the Secretary of State for the Environment if he has any plans for regulatory or legislative change in relation to technical decision-making involving public safety with regard to new civil engineering structures, new buildings and alterations to existing buildings which involve using computer-based models

which are not open to scrutiny by the public in general and the scientific community in particular for commercial or other reasons.

Mr. Michael Spicer *[holding answer 18 October 1990]*: No. The building regulations lay down requirements relating to the design and construction of buildings which have to be met to ensure public health and safety. Those who have responsibility for enforcing the regulations must satisfy themselves that the requirements have been met. If they are not satisfied, they can seek further information from the designer and they can have the design cross-checked on an alternative computer package.

HOME DEPARTMENT

Juveniles

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will list for each local social services authority for each of the years 1975, 1980, 1985, 1987, 1988 and 1989 the number of placements made in prison department establishments of juveniles by virtue of the issue of a certificate of unruliness;

(2) if he will list for each local social services authority in Wales for each of the years 1975, 1980, 1985, 1987, 1988 and 1989 the number of placements made in prison department establishments of juveniles by virtue of the issue of a certificate of unruliness.

Mrs. Rumbold: The information requested is not recorded centrally. The only information available relates to juveniles initially received on remand into prison service establishments. An unruliness certificate is required for such juveniles received as untried and for some of those received as convicted unsentenced; it is not required for those committed in custody to the Crown court for sentence under section 37 of the Magistrates Courts Act. The statistics are published annually in "Prison statistics England and Wales" (table 2.7 of the volume for 1989, Cm. 1221), a copy of which is in the Library. Information by area is not available.

Rape

Sir Michael McNair-Wilson: To ask the Secretary of State for the Home Department how many convicted rapists rape again stated as a percentage of the total held in prison at any one time; and what measures other than imprisonment are used in rehabilitation.

Mr. Waddington: The information is not available in the form requested. Recent studies suggest that less than 5 per cent. of men imprisoned for sexual offences are convicted again of a sexual offence within two years of their release. It would be exceptional for an offender convicted of rape not to receive a custodial sentence or disposal under mental health legislation.

Sir Michael McNair-Wilson: To ask the Secretary of State for the Home Department if he will list the number of reported cases of rape for the years from 1984 to 1990 and the number of cases in which an arrest and conviction followed.

Mr. Waddington: The numbers of offences of rape recorded by the police from 1984 to 1988 are published in table 2·9 of "Criminal statistics, England and Wales, 1988", Cm 847; for 1989 the information is published in table 6 of Home Office statistical bulletin 10/90; in the first six months of 1990, the police recorded 1,558 rapes. The number of persons found guilty of rape is published annually, and most recently in table S4.1(A) of "Criminal statistics, England and Wales, Supplementary tables, 1988 Vol. 4". Corresponding information for 1989 and 1990 is not yet available. A detailed analysis of offences of rape was published in Home Office statistical bulletin 4/89, "Statistics of offences of rape 1977-87".

Electoral Registration

Mr. Tony Banks: To ask the Secretary of State for the Home Department how much has been spent by his Department on campaigns to secure electoral registration *(a)* at home and *(b)* abroad in the past 12 months.

Mrs. Rumbold: Home Office expenditure on electoral registration advertising campaigns in the past 12 months has been as follows:

	£ (including VAT)
England and Wales	460,683
Overseas	480,189

Mr. Harry Ewing: To ask the Secretary of State for the Home Department how many people living abroad applied to be included on the 1991 register of electors which has a qualifying date of 10 October 1990 in each parliamentary constituency in England and Wales.

Mr. Tony Banks: To ask the Secretary of State for the Home Department what information he has on the number of overseas electors registering since the passage of the Representation of the People Act 1989.

Mrs. Rumbold: I refer the hon. Members to the reply given to a question from the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) on 14 June at column *319*. Information on the number of applications is not held centrally.

Representation of the People Act 1990

Mr. Darling: To ask the Secretary of State for the Home Department when he expects to make an order under section 2 of the Representation of the People Act 1990 to give effect to the provisions of that Act; and if he will make a statement.

Mrs. Rumbold: We propose to make a commencement order early in the next Session of Parliament in order to bring the Representation of the People Act 1990 into force. In order for the Act to take effect, it will also be necessary to make some minor amendments to the Representation of the People Regulations 1986 and the European Parliamentary Elections Regulations 1986 and to make an Order in Council in respect of local elections in Northern Ireland. That will be done as soon as is practicable.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for the Home Department how much was spent by his Department on official hospitality in 1989-90.

Mr. Waddington: In 1989-90, £28,630 was spent by my Department on official hospitality.

Sports Grounds

Mr. David Marshall: To ask the Secretary of State for the Home Department if he has any plans to extend the safety at sports grounds legislation to spectator sports grounds other than football grounds.

Mr. Waddington: The Safety of Sports Grounds Act 1975 (as amended by the Fire Safety and Safety of Places of Sport Act 1987) provides for designation of sports grounds which have accommodation for more than 10,000 spectators as requiring a safety certificate issued by the local authority. Designation currently extends to all football, rugby union, rugby league and cricket grounds identified as having accommodation for over 10,000 spectators. There are no plans to extend the designation process to other classes of grounds.

NORTHERN IRELAND

Economy (Statistics)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures he has taken to improve the reliability of Government statistics on the economy of Northern Ireland.

Mr. Cope: The Government recognise the need to ensure that economic indicators are as reliable as possible. To this end, a comprehensive review of Government economic statistics was carried out in 1989. Detailed consideration has been given to the recommendations of the review and an action plan aimed at improving the statistics is currently being drawn up.

HOUSE OF COMMONS

Ibbs Report

Mr. Allen: To ask the Lord President of the Council if he will make a statement on progress on the Ibbs report.

Sir Geoffrey Howe: I refer the hon. Member to the reply given today to the similar question which he has tabled to the House of Commons Commission.

Mr. Allen: To ask the hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, when he expects the Commission to consider the Ibbs report.

Mr. Beith: The review of management and decision-making responsibilities in the House, which is being undertaken at the request of the House of Commons Commission by a team led by Sir Robin Ibbs KBE, is near completion, and Sir Robin is expected to present his main conclusions to the Commission at the end of this month.

It will thereafter be for the Commission to decide what action should be taken, and to report to the House.

OVERSEAS DEVELOPMENT

Sudan

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has concerning food availability in the Sudan; how much food aid and emergency relief has been supplied by the United Kingdom and by the European Community this year; and whether DG VI of the European Community has purchased food from Sudan this year.

Mrs. Chalker: According to the world food programme (WFP), poor rainfall during the current agricultural season has resulted in nearly total crop failure in northern Kordofan and northern Darfur, while prospects are uncertain and dependent on October rainfall in large areas of eastern Sudan. This is causing increasing distress and migration due to lack of water/grazing and food scarcity. Livestock prices are reported to be falling while grain prices have increased to unprecedented levels. We have also had reports of serious crop failure in large areas of southern Sudan, also drought related.

Pending a full harvest assessment by FAO to take place in November the GOS appealed to the WFP on 16 October for 75,000 tonnes of grain for immediate delivery to meet the most urgent needs of some of the 2·4 million most severely affected.

So far in 1990 the United Kingdom has pledged £3·29 million to the UN Operation Lifeline in Sudan. Additionally we have given £950,000 for refugees and nearly £100,000 for displaced persons through SCF and Oxfam. The European Community has committed 3 mecu (£2·2 million) of emergency aid in 1990 to alleviate the effects of drought in Sudan.

Over the period January to July this year DG VI purchased the following food items from Sudan:

Item	*Value (ECU)*
Oilseed	300,000
Sugar	600,000
Fruit	21,000
Spices	21,000

Poland

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will list the projects approved under the agricultural aid programme for Poland.

Mrs. Chalker: A £15 million agricultural development grant has been approved, which will provide loans to private sector business in the Voivodships of Elblag and Bialystok for the purchase of British equipment in the areas of food production, processing and distribution in Poland. Signature of the exchange of notes with the Government of Poland to initiate the grant is awaited. We have also funded an agricultural sector mission to Poland and are financing a visit by senior Polish agriculture experts to follow up the recommendations of the sector mission. In addition, we have spent £50,000 on the training of Polish co-operatives managers; and have recently approved £42,000 for the training of veterinary surgeons and £55,000 for training in the testing of cultivers and seed varieties.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what standard of environmental safeguards he applies to disbursements made under the agriculture aid programme for Poland.

Mrs. Chalker: All projects funded by the Overseas Development Administration must meet the guidelines set

out in the Overseas Development Administration manual of environmental appraisal. Where there are environmental implications for British assistance to agriculture in Poland, they will be carefully monitored.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will list the projects approved since 8 March from the know-how fund for Poland.

Mrs. Chalker: I refer the hon. Lady to the reply that I gave to the hon. Member for Nottingham, North (Mr. Allen) on 17 October.

Cambodia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will give details of the places visited and people met during the recent visit by an Overseas Development Administration official to Cambodia;

(2) if he will place a copy of the report on the recent visit by an Overseas Development Administration official to Cambodia in the Library.

Mrs. Chalker: An Overseas Development Administration official visited Cambodia between 31 August and 6 September. We have no plans to place a copy of his report, which is an internal working document, in the Library. During the visit he met a number of representatives of British non-Government organisations (NGOs) and other agencies and organisations in order to gain a better understanding of present conditions in Cambodia and to monitor the humanitarian aid activities which we are supporting. On 15 October at column *633* I announced details of British humanitarian aid for Cambodia.

Mozambique

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will authorise an extra £2·5 million for the United Nations emergency appeal for Mozambique; and if he will make a statement.

Mrs. Chalker: We pledged 10,000 tonnes of food aid, plus £3·5 million of other relief assistance, in response to the emergency appeal in April of this year. A further £3 million has since been pledged through the UNHCR for Mozambican refugees in neighbouring countries. We are in touch with the Mozambican authorities and interested non-governmental organisations and will continue to watch developments closely.

SCOTLAND

East Coast Salmon Fisheries

Mr. Beith: To ask the Secretary of State for Scotland whether he will make it his policy to publish the report on east coast salmon fisheries in advance of any Government decision on its conclusions.

Mr. Michael Forsyth: The outcome of the review of salmon net fisheries from the Ugie to the Humber will be presented to Parliament in the report required by section 39 of the Salmon Act 1986. The report by Fisheries Ministers will be presented as soon as possible and I cannot anticipate its contents.

NHS Services (Tenders)

Mr. Robin Cook: To ask the Secretary of State for Scotland (1) whether, in evaluating tenders for services in the health service in Scotland value added tax is taken into account to conform to Treasury guidelines referred to in paragraph 3(b) of appendix 1 attached to the Scottish Home and Health Department circular dated 16 October 1989;

(2) if he will identify contracts awarded prior to the circular of 16 October 1989 where value added tax and premature retirement costs were not taken account of in the evaluation process.

Mr. Rifkind: Value added tax has been taken into account by health boards in the evaluation process for contracts awarded after 1 December 1989. All evaluations have taken account of premature retirement costs. I would direct the hon. Member to the answer which my hon. Friend the Minister for health gave on 23 November 1989 to my hon. Friend the Member for Eastwood (Mr. Stewart) where he confirmed that VAT would continue to be recoverable for contracts awarded up to 1 December 1989.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Scotland how much was spent by his Department on official hospitality in 1989-90.

Mr. Rifkind: My Department spent £60,173 on official hospitality in 1989-90.

British Rail

Mr. Wray: To ask the Secretary of State for Scotland when he last discussed with Sir Bob Reid the improvement of British Rail services between Glasgow and London; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. and learned Friend and I meet the chairman and other board members and senior management of British Rail and ScotRail from time to time. Discussions at such meetings normally cover a wide range of topics concerning rail services in Scotland and between Scotland and the rest of the United Kingdom.

Electoral Registration

Mr. Harry Ewing: To ask the Secretary of State for Scotland how many people living abroad applied to be included on the 1991 register of electors which has a qualifying date of 10 October 1990 in each parliamentary constituency in Scotland.

Lord James Douglas-Hamilton: Information on the number of applicants from overseas to be included in the 1991 register of electors is not held centrally. The number of overseas electors included in the 1991 register will become known after the register is finalised in February next year and I will write to the hon. Member and place a copy of the information in the Library as soon as it becomes available.

Scrapie

Mr. Simon Hughes: To ask the Secretary of State for Scotland, pursuant to the answer to the hon. Member for Truro (Mr. Taylor), *Official Report*, 24 July, column *221*,

what aspects of the scrapie programme initiated under the direction of W. B. Martin were subsequently accepted for publication.

Mr. Michael Forsyth: The research in question was mainly concerned with the way in which various strains of scrapie agent interact with the host animal. Some work on natural transmissions of infection and the pathology of scrapie in sheep was also done. About 20 scientific publications resulted, the majority in *Nature* and the *Journal of Comparative Pathology*.

Child Care Law Review

Mr. Allan Stewart: To ask the Secretary of State for Scotland when he intends to publish the report of the child care law review.

Mr. Michael Forsyth: I have today published the report of the child care law review and have placed copies in the Library. The report represents a thorough examination of the law which affects arrangements for protecting children at risk and also for caring for children and families in need. I have invited a wide range of organisations to let me have their comments on the recommendations by 14 December.

Low Pay

Sir David Steel: To ask the Secretary of State for Scotland (1) if he will publish in the *Official Report* statistics for low pay in the Scottish Borders, using samples taken in the Borders;

(2) if he will publish separate low pay statistics for the Scottish Borders, Dumfries and Galloway and the Highlands and Islands regions.

Mr. Rifkind: As there is no accepted definition of low pay no such figures are available.

Road System Teams

Mr. Snape: To ask the Secretary of State for Scotland if he will list the units or project teams responsible for the road system in Scotland, their addresses, directors and deputy directors, and the last prior professional appointment of those directors.

Lord James Douglas-Hamilton *[holding answer 18 October 1990]:* I have nothing to add to my answer to the hon. Member on 26 July.

WALES

Secure Accommodation

Mr. Michael: To ask the Secretary of State for Wales if he will list the legal status and type of immediately preceding placement for each admission to secure accommodation for each of the years 1975, 1980, 1985, 1987, 1988 and 1989 according to the age and sex of young persons so accommodated *(a)* in respect of each such admission to a unit in Wales and *(b)* in respect of placements outside Wales from each Welsh local authority area.

Mr. Grist: The information is not collected centrally.

Sewage Outfalls

Mr. Michael: To ask the Secretary of State for Wales what regular tests are undertaken on the sewage outfall into the Menai straits from Pen Rhos Garnedd; on how many occasions those tests were undertaken in each of the past three years; and what results were obtained on each occasion.

Mr. Grist: The National Rivers Authority is responsible for monitoring the discharge. Prior to 1 September 1989, monitoring was undertaken by the Welsh water authority. The results are kept on a public register maintained by the NRA.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Wales how much was spent by his Department on official hospitality in 1989-90.

Mr. David Hunt: The amount spent on official hospitality in 1989-90 was £38,397·87.

Land Sales

Mr. Alan Williams: To ask the Secretary of State for Wales on what date he received a letter from the right hon. Member for Swansea, West requesting a meeting to discuss the future of the Llywn Mawr site in Swansea; how many telephone calls his office has received requesting the setting of a date for such a meeting; and when he anticipates that a reply will be sent.

Mr. David Hunt: I shall be writing to the right hon. Gentleman.

HEALTH

Hospital Security

Mr. George: To ask the Secretary of State for Health what advice he has given to health authorities on security at hospitals.

Sir Michael McNair-Wilson: To ask the Secretary of State for Health what discussions have taken place with the hospital authorities about the security arrangements at national health service hospitals; whether any working party exists to study these problems; and whether any circulars have been issued laying down standards of security within the hospital service.

Mr. Dorrell: Security arrangements at health service premises are the responsibility of local managers. To assist them in the difficult task of providing proper security arrangements the National Association of Health Authorities published a security manual for the national health service in December 1984, which the Department commended to health authorities as an invaluable source of advice.

The manual includes practical guidance on the development of a comprehensive security policy, appointment of security staff, the security of patients, staff and property, the prevention of trespass and intruder detection.

Electromagnetic Radiation

Dr. Thomas: To ask the Secretary of State for HSealth if he will obtain a copy of the report published by the United States Environmental Protection Agency regarding public health and exposure to electromagnetic radiation for his departmental library.

Mr. Dorrell: Yes, though I understand that the report in question will not be published until the end of this month.

Health Authorities

Mr. McNamara: To ask the Secretary of State for Health what advice is given for local health authorities to advise clients about the possibility of earlier operations and treatment for hip replacements or other ailments in other local health authorities.

Mrs. Virginia Bottomley: Health authorities are encouraged to make available to local general practitioners, and to those in neighbouring areas, information about waiting times in their hospitals. The appropriate nature and spread of such information depends upon the specialty and upon the circumstances of the area in question and is left to the judgment of the authorities concerned, in consultation with GPs. Such information is widely found to be helpful by GPs and patients alike.

Health Service, Hampstead

Sir Geoffrey Finsberg: To ask the Secretary of State for Health what was the average general practitioner list size in Hampstead health authority in 1984 and in the latest year for which figures are available.

Mrs. Virginia Bottomley: At 1 October 1984, the average list size of general practitioners in Camden and Islington family health services authority's area was 2,053. At 1 October 1989 (the latest year for which figures are available) the figure was 1,865. Figures are not available for the Hampstead area alone.

Sir Geoffrey Finsberg: To ask the Secretary of State for Health how many *(a)* nurses and midwives, *(b)* hospital doctors, *(c)* general practitioners, *(d)* general practitioners' support staff and *(e)* dentists were employed by Hampstead health authority in 1984 and in the latest year for which figures are available.

Mr. Dorrell: The information which is available is shown in the table.

Hampstead health authority

	September 1984	*September 1989*
Nurses and midwifery staff[1]	2,191·6	[3]2,188·9
Hospital/community medical staff[1]	277·5	270·8
Hospital/community dental staff[1]	5·4	6·2

Camden and Islington family health services authority

	October 1984	*October 1989*
General medical practitioners[2]	194	209
General medical practitioners' support staff[1]	159·8	231·1
General dental practitioners[2]	209	195

[1] Whole-time equivalent.
[2] Numbers.
[3] Provisional.
Note: Figures for numbers of general medical and dental practitioners are not available for the Hampstead health authority area alone. Family doctors and dentists are not employed but hold contracts with the relevant family health services authority.

Sir Geoffrey Finsberg: To ask the Secretary of State for Health how many *(a)* in-patients, *(b)* out-patients and *(c)* day cases were treated by Hampstead health authority in 1984 and the latest year for which figures are available.

Mr. Dorrell: The information requested is as follows:

	1984	*1989-90*
Finished in-patient episodes	31,100	31,200
Day case admissions	2,500	2,500
New out-patients	41,900	44,600
Total out-patient attendances	205,300	201,400

Secure Accommodation

Mr. Michael: To ask the Secretary of State for Health if he will list the legal status and type of immediately preceding placement for each admission to secure accommodation for each of the years 1975, 1980, 1985, 1987, 1988 and 1989 according to the age and sex of young persons so accommodated.

Mrs. Virginia Bottomley: This information is not collected centrally.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Health how much was spent by his Department on official hospitality in 1989-90.

Mr. Dorrell: Approximately £147,000.

Outdoor Catering

Mr. Allen McKay: To ask the Secretary of State for Health if he will introduce codes of practice governing outdoor catering activities based upon the guidance notes prepared by the Institution of Environmental Health Officers, the National Outdoor Events Association and the Mobile and Outdoor Catering Association.

Mr. Dorrell: The Government wish to encourage self-regulation in the catering industry. I am therefore pleased that the National Outdoor Events Association and the Mobile and Outdoor Catering Association are promoting the use of the Institution of Environmental Health Officers' guidelines by their members.

Centre for Applied Microbiology and Research

Mr. Michael Morris: To ask the Secretary of State for Health if he will make a further statement about the future of the Centre for Applied Microbiology and Research.

Mr. Dorrell: I have nothing to add to the reply that I gave my hon. Friend the Member for Salisbury (Mr. Key) on 23 July at column *79*.

School Milk

Mr. Morley: To ask the Secretary of State for Health if he will list all those local education authorities *(a)* that have been given permission to provide free milk for under-fives under the Welfare Foods Regulations 1988 and *(b)* whose applications are under consideration.

Mr. Dorrell: To date, the following 44 local education authorities have been approved to participate in the scheme to receive reimbursement of costs for the supply of milk to children under five in nursery schools and classes:

Avon county council
Bedfordshire county council
London borough of Bexley
London borough of Brent
Metropolitan borough of Calderdale
Cleveland county council
Cornwall county council
Cumbria county council
Derbyshire county council
Doncaster metropolitan council
Dudley metropolitan borough council
Durham county council
Gateshead metropolitan borough council
London borough of Greenwich
London borough of Hackney
London borough of Hammersmith and Fulham
London borough of Hounslow
Humberside county council
London borough of Islington
Kirklees metropolitan council
London borough of Lambeth
Leicestershire county council
London borough of Lewisham
Liverpool city council
City of London education authority
Manchester city council
London borough of Merton
City of Newcastle upon Tyne
North Tyneside council
North Yorkshire county council
Oldham metropolitan borough council
Rotherham metropolitan borough council
St. Helen's metropolitan borough council
Sandwell metropolitan borough council
Metropolitan district of Sefton
Sheffield city council
Solihull metropolitan borough council
London borough of Southwark
Staffordshire county council
London borough of Sutton
Wakefield metropolitan district council
Wandsworth borough council
Westminster city council
Metropolitan borough of Wirral

In addition, the following 10 local education authorities have been issued with the appropriate forms for registration under the regulations, and their responses are awaited:

Birmingham city council
Cambridgeshire county council
Devon county council
East Sussex county council
Hereford and Worcester county council
Hertfordshire county council
Kent county council
Oxfordshire county council
Metropolitan borough of Stockport
Wolverhampton metropolitan borough council

Old People's Homes

Mr. Hinchliffe: To ask the Secretary of State for Health what advice his Department has given to the London borough of Bromley regarding the privatisation of the management of four aged persons homes.

Mrs. Virginia Bottomley: No specific advice on the homes in question has been sought by or given to the London borough of Bromley.

NATIONAL FINANCE

Budget Consideration

Mr. Allen: To ask the Chancellor of the Exchequer whether he has any proposals for enhancing and extending the consideration of the Budget by the House.

Mr. Maude: My right hon. Friend the Chancellor of the Exchequer has no present plans to alter the Budget procedures.

Charities

Mr. Michael: To ask the Chancellor of the Exchequer what is his best estimate of the additional money that would have to be found by charitable organisations in England and Wales in the event of harmonisation of value added tax leading to the removal of zero rating at present in force, in order for such organisations to avoid a reduction in their work or grant-giving.

Mr. Ryder: The Government estimate that United Kingdom charitable organisations would pay £300 million to 400 million per year in additional VAT if the current zero rates were removed and replaced by significantly higher rates of VAT in the single market. But the Government will oppose any tax approximation proposals which further restricts our ability to use zero rates.

Mr. Harris: To ask the Chancellor of the Exchequer what representations he has received on behalf of the Royal National Lifeboat Institution for the continuation of value added zero tax rating on lifeboats; and if he will make a statement.

Mr. Ryder *[holding answer 18 October 1990]:* My right hon. Friend has received more than 100 representations on behalf of the Royal National Lifeboat Institution. The Government are very conscious of the dedication and heroic service of this organisation and see no reasons why the existing zero rates for this and other charitable bodies —and all other United Kingdom zero rates—should not remain after 1992. EC decisions in tax matters require the unanimous agreement of all member states and there is no question of any unwelcome proposals on VAT approximation being forced upon us.

Bank Directors

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer whether a Treasury Minister, or person appointed by the Government, or any Treasury official had any contact with any member of the board of either Barclays bank, Barclays de Zoete Wedd, Salomon Brothers specifically, or any other bank, in the 36 hours prior to the announcement of ERM entry on 5 October; and if he will make a statement.

Mr. Maude: Treasury Ministers, persons appointed by the Government, and Treasury officials have frequent contacts with board members of British and overseas banks. We do not generally publish details of such meetings. I have no evidence that any such contacts led to premature disclosure of the Government's intention that sterling should join the exchange rate mechanism. If the hon. Member has any such evidence, he should present it forthwith to the appropriate authorities.

Social Car Schemes

Mr. Rooker: To ask the Chancellor of the Exchequer how many volunteers driving over 4,000 miles per year for social car schemes are covered by the fixed profit car scheme in respect of mileage rates.

Mr. Maude: The present fixed profit car scheme arrangements for taxing any profit element in mileage allowances apply only to allowances received by employees and officeholders who use their own cars in the course of their work.

EMPLOYMENT

Youth Training Scheme

Mr. Allen: To ask the Secretary of State for Employment if he will make a statement on the closure of the YT scheme by the Nottingham information technology centre.

Mr. Jackson: The decision to close the YT scheme at Nottingham ITEC was taken by the organisations which run the ITEC, after discussions with local staff of my Department. All trainees affected by the closure have been found suitable training places with other local youth training providers.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Employment how much was spent by his Department on official hospitality in 1989-90.

Mr. Jackson: The total expenditure by the Department of Employment group on official hospitality in 1989-90 was £97,000.

Labour Statistics

Mr. Andrew MacKay: To ask the Secretary of State for Employment whether he intends making changes in the way he answers parliamentary questions on labour market statistics.

Mr. Howard: From the start of next Session, any parliamentary question asking for more than 10 figures, and for which all of the required statistical data are on the NOMIS database, will be answered by referring the questioner to NOMIS—which can be accessed on-line by House of Commons Library staff. It seems sensible for the established principle of referring to published sources to be extended to cover the computer databases on which some of the more detailed labour market statistics are held. It is good resource management to refer to information which is publicly available when the effort has already been made to provide an easily accessible, up-to-date and accurate computer database. I know that NOMIS fully meets these criteria, not least by the use that Members of Parliament have made of it since access from the Library was introduced in July 1984.

Pensions

Mr. Moate: To ask the Secretary of State for Social Security what has been the increase in money terms and in real terms in the state retirement pension since 1979.

Mrs. Gillian Shephard: The state retirement pension rose in money terms from £23·30 in November 1979 to £46·90 in April 1990. The average real value of the basic state pension was over 5 per cent. higher during the 12 months to April 1990 than it was in the 12 months to November 1979.

Mr. Madden: To ask the Secretary of State for Social Security what monthly retail prices index figure will be used to calculate the increase in retirement pensions next April; and if he will make a statement.

Mrs. Gillian Shephard: The figure for September 1990 will be used.

Mr. Rooker: To ask the Secretary of State for Social Security if he will list those countries where retired British citizens receive annual increases in retirement pensions and indicate those where arrangements for increase have been made since 1988 and those where discussions about such increases are currently taking place.

Mrs. Gillian Shephard: Under the European Community regulations, annual pension increases are paid to British pensioners in all the member states.

Outside the European Community, reciprocal arrangements enable increases in pensions to be paid to our pensioners in the following countries:

Austria
Bermuda
Cyprus
Finland
Guernsey
Iceland
Isle of Man
Israel
Jamaica
Jersey
Malta
Mauritius
Philippines
Sweden
Switzerland
Turkey
United States of America
Yugoslavia.

Increases are also payable to pensioners living in Sark. This is by virtue of a separate provision in the Social Security Benefits (Persons Abroad) Regulations 1975.

Since 1988 the payment of pension increases overseas has been extended through a revised convention with Sweden, effective from 1 May 1988, and a new convention with the Philippines, effective from 1 December 1989.

A revised convention with Norway was signed in Oslo on 19 June 1990 and this is now awaiting ratification. Negotiations are taking place on a new convention with Barbados. Both of these will eventually allow indexation of pensions.

Industrial Injuries

Ms. Ruddock: To ask the Secretary of State for Social Security what action he plans to take to implement the recommendation made by the Industrial Injuries Advisory Council in its report, "Occupational Deafness", Cm. 817 to include work in ships' engine rooms in the list of prescribed occupations; and if he will make a statement.

Mr. Scott: A further report has been commissioned from the Industrial Injuries Advisory Council on the administration and operation of provision for occupational deafness. This will be published very shortly. The

council has asked the Department to evaluate the feasibility of the report's recommendations within six months. It will then be easier to determine whether there are orderly ways in which to extend provision for this disease to the industries and occupations proposed in Cm. 817.

Residential Care

Mr. Hinchliffe: To ask the Secretary of State for Social Security what is his estimate of the likely additional costs to his departmental budget during the current financial year of local authorities passing the management or ownership of residential care homes into the hands of not-for-profit trusts, charitable organisations, housing associations or private companies.

Mrs. Gillian Shephard: Information on the number of people living in transferred homes and claiming income support is not available centrally. Accordingly, it is not possible to make an estimate of any additional costs that may have arisen.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what action he is taking in response to the conclusions of recent surveys into the funding of the costs of private residential care undertaken by the Association of Metropolitan Authorities, the care management advisory services and the National Federation of Housing Associations, copies of which have been sent to his Department.

Mrs. Gillian Shephard: My right hon. Friend the Secretary of State takes account of the numerous submissions that he receives from interested bodies and individuals in his annual review of the income support limits for people in independent homes. He will be making an announcement about his review shortly.

Mr. Hinchliffe: To ask the Secretary of State for Social Security why his Department intends not to make public the conclusions of the Price Waterhouse survey on the costs of residential care.

Mrs. Gillian Shephard: My right hon. Friend the Secretary of State has given an undertaking to the Social Services Committee of the House that the conclusions of the survey would be published. He will make a statement shortly.

Mr. Hinchliffe: To ask the Secretary of State for Social Security if he has any proposals to alter the existing arrangements for the payment of means-tested benefits to residents of care homes which have been transferred out of the ownership of local authorities.

Mrs. Gillian Shephard: We have made no such proposals.

Anchor Housing Association

Mr. Hinchliffe: To ask the Secretary of State for Social Security what discussions his Department has had with the Anchor housing association regarding the association's decision to abandon most of its housing-with-care building programme.

Mr. Scott: None. My hon. Friend the Parliamentary Under-Secretary of State has arranged to meet in November with representatives of the National Federation of Housing Associations, of which organisation Anchor housing association is a member.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Social Security how much was spent by his Department on official hospitality in 1989-90.

Mrs. Gillian Shephard: The total expenditure on official hospitality by the Department of Social Security in 1989-90 was £25,477.

War Widows

Mr. Allen McKay: To ask the Secretary of State for Social Security if he will consider the payment of a war widows' pension to widows of ex-service men who die as a result of disease or injury contracted during the war.

Mrs. Gillian Shephard: A war widows' pension is awarded where the husband's death is due to or substantially hastened by service in the armed forces, irrespective of whether service was during war or peacetime.

Community Care Grants

Mr. Tony Banks: To ask the Secretary of State for Social Security what proportion of applications for community care grants were refused in 1988-89, 1989-90 and the first half of 1990-91 in the London borough of Newham.

Mr. Scott: The table shows the percentage of community care grant applications refused in the local offices at Canning Town, Plaistow and Woodgrange Park in the periods April 1988 to March 1989, April 1989 to March 1990 and April 1990 to September 1990.

Percentage of Community Care Grant applications refused

	1988-89	*1989-90*	*1990*
Canning Town	13	49	64
Plaistow	53	59	57
Woodgrange Park	42	52	56

Family Credit

Mr. Tony Banks: To ask the Secretary of State for Social Security how many families in the London borough of Newham are currently in receipt of family credit; and what percentage that is of families estimated to be eligible.

Mrs. Gillian Shephard: The latest available information is that there are 1,025 families receiving family credit who were living in the London borough of Newham at the time their awards were made. Information about the total number of families eligible for family credit can be obtained only for Great Britain as a whole, and only retrospectively, from family expenditure survey data.

TRADE AND INDUSTRY

Huggy Bear

Mr. Barry Field: To ask the Secretary of State for Trade and Industry whether the Huggy Bear safety information project will be visiting the Isle of Wight.

Mr. Redwood: No. The venues for the Huggy Bear toy safety tour were chosen because the local authority had asked for the visit and local activities were planned to derive the most benefit out of the publicity generated by this campaign. There were no requests from the Isle of Wight, although leaflets and posters have been sent to Medina borough council and the trading standards department in Newport.

Scotch Whisky

Mr. Bill Walker: To ask the Secretary of State for Trade and Industry if he will give details of the action he has taken concerning the Korean Government's recent announcement of proposed taxation changes which will place Scotch whisky at a disadvantage as against Korean whisky.

Mr. Sainsbury: We have made formal representations to the Korean Government that the liquor tax rate on Scotch whisky, even after the proposed reduction to 150 per cent. in 1991, remains far too high and continues to restrict access to the Korean market for Scotch whisky producers. We will continue to take every opportunity, both bilaterally and through the European Community, to persuade the Korean Government to take the necessary action to end this and other discriminatory measures which hold back the sales of Scotch whisky and other competitive United Kingdom products in Korea. We will continue to argue strongly that such measures are inconsistent with Korea's present status as an important exporting nation and major beneficiary of open world markets.

Mr. Bill Walker: To ask the Secretary of State for Trade and Industry what recent representations have been made by the Government about other countries' taxation policies in relation to Scotch whisky.

Mr. Sainsbury: The Government keep in close touch with Scotch whisky producers, through the Scotch Whisky Association, regarding the taxation of Scotch whisky in export markets. Every suitable opportunity is taken to raise matters of concern in this area with the Governments concerned, both bilaterally and through the Community.

Bank Directors

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry whether he will list on what occasions Ministers in his Department met directors or non-executive directors of banks between Monday 1 October and 10 am on Thursday 4 October inclusive.

Mr. Redwood: No.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry whether a member of his Department or any official of his Department had any contact with any member of the board of either Barclays bank, Barclays de Zoete Wedd, Salomon Brothers specifically, or any other bank, in the 36 hours prior to the announcement of ERM entry on 5 October; and if he will make a statement.

Mr. Redwood: DTI Ministers, persons appointed by the Government, and DTI officials have frequent contacts with board members of British and overseas banks. The Department does not generally publish details of such meetings. I have no evidence that any such contacts led to premature disclosure of the Government's intention that sterling should join the exchange rate mechanism. If the hon. Member has any such evidence, he should present it forthwith to the appropriate authorities.

Wild Birds

Mr. Tony Banks: To ask the Secretary of State for Trade and Industry if he will make it his policy to ban the import of wild birds into the United Kingdom for the purpose of being kept as domestic pets; and if he will make a statement.

Mr. Sainsbury *[holding answer 17 October 1990]:* The import of wild birds is already strictly controlled by conservation legislation. The United Kingdom is party to the convention on international trade in endangered species (CITES) under which trade in certain species is closely monitored whilst commercial trade in the most endangered species is completely banned. The import of many non-CITES species into the United Kingdom is also controlled under the Endangered Species (Import and Export) Act 1976.

I understand that my right hon. Friend the Secretary of State for the Environment is currently looking at ways of improving and extending the controls on the import of species which are unlikely to survive in captivity.

Redundant Military Equipment

Mr. Flynn: To ask the Secretary of State for Trade and Industry whether his Department has received any inquiries from Germany or the Soviet Union for assistance, through his environmental management options scheme (DEMOS), for the conversion of redundant tanks and other military equipment to commercial reuse; and if he will make a statement on the availability of DEMOS support finance to assist eastern European states to modernise industrial facilities and to dispose of toxic materials.

Mr. Redwood *[holding answer 18 October 1990]:* DEMOS is a national programme designed to encourage United Kingdom businesses to adopt environmental best practice and improved technology. Assistance for eastern Europe is provided in other ways; I refer to the answer given on 3 May by my hon. Friend the Member for Mid-Worcestershire (Mr. Forth).

Departmental Environmental Programme

Mr. Flynn: To ask the Secretary of State for Trade and Industry when his Department's environmental programme was established; how many civil servants are devoted to supporting the programme; what achievements have been made to date by the programme; how many individual or business callers have contacted his Department's free advice environmental helpline since its inception; what proportion of inquirers have not received the assistance requested; and if he will publish the freefone number of the environmental helpline in the *Official Report*.

Mr. Redwood *[holding answer 18 October 1990]:* DTI's environmental programme was launched in May 1989. Forty-four officials are directly employed within the Department's environment unit to support the programme.

The environment unit is involved in a wide range of activities to communicate with business about the implications of a wide range of environmental issues such as recycling, waste minimisation, CFCs, environmental labelling and environmental regulation whether domestic or international.

In recognition of the importance of technological development to meet the environmental challenge two new schemes—ETIS (environmental technology innovation scheme) and DEMOS (DTI environmental management options scheme) have recently been launched (ETIS in conjunction with the Department of the Environment).

The EUROENVIRON programme, a pan-European support programme launched in January, has generated 37 United Kingdom applications for consideration.

Since its introduction in May 1989 the DTI environmental helpline had received 6,221 calls up to 12 October 1990. In all cases inquirers have been helped as far as possible. Where appropriate inquirers have been directed to alternative sources of help. The number for the environmental helpline is 0800 585794. The helpline can also provide a range of DTI brochures on environmental issues.

DEFENCE

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Defence how much was spent by his Department on official hospitality in 1989-90.

Mr. Archie Hamilton: The amount spent on official hospitality by the Ministry of Defence in 1989-90 totalled some £3·729 million. This included expenditure by the Ministry of Defence itself, by formations and establishments of the armed forces at home and abroad, and by individual officers occupying command and international appointments for which entertainment allowances are payable.

Normalair Garrett

Mr. Rogers: To ask the Secretary of State for Defence what communications have taken place with the management of Normalair Garrett Ltd. regarding the closure of its plant in Milton Keynes.

Mr. Alan Clark: We have been in contact with the management of Normalair Garrett about the implications for the Ministry of Defence of their plans to restructure the company. The decision to close the Milton Keynes plant was a commercial matter for the company.

Mr. Rogers: To ask the Secretary of State for Defence what communications have taken place regarding the "Options for Change" study with the management of Normalair Garrett Ltd.

Mr. Alan Clark: There has been no specific communication with Normalair Garrett about "Options for Change".

Procurement

Mr. Rogers: To ask the Secretary of State for Defence what effect the recent freeze on procurement expenditure has had on orders for aircraft and hydraulic systems.

Mr. Alan Clark: Measures introduced by the Ministry of Defence on 11 May to impose a temporary restraint on new financial commitments have not led to any cancellations of contracts for aircraft hydraulic systems.

Mr. Rogers: To ask the Secretary of State for Defence what assessment was made by the "Options for Change" study of the need to ensure the maintenance of an industrial capacity for the manufacture of hydraulic systems for helicopters and aircraft.

Mr. Alan Clark: None. My right hon. Friend the Secretary of State for Defence outlined to the House on 25 July broad proposals for change in the size and shape of our defence effort. Further detailed work will include consultation with the defence industry over the implications of the proposals for the future equipment programme.

Service Men (Gulf)

Mr. Speed: To ask the Secretary of State for Defence if he will consider making special payments for those currently serving in the Gulf, along the lines of the special gratuities paid to British service men serving under the United Nations auspices in Korea.

Mr. Archie Hamilton: I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State to my hon. Friend the Member for Portsmouth, South (Mr. Martin) on Thursday 18 October 1990.

Chatham Dockyard

Mr. O'Neill: To ask the Secretary of State for Defence what consultations have taken place with local authorities regarding nuclear waste at Chatham dockyard.

Mr. Kenneth Carlisle *[holding answer 17 October 1990]:* Gillingham borough council has been kept informed of MOD's plans regarding radioactive waste at the former Chatham dockyard.

Mr. O'Neill: To ask the Secretary of State for Defence whether nuclear waste was ever *(a)* stored or *(b)* handled at Chatham dockyard when it was run by the Ministry of Defence.

Mr. Kenneth Carlisle *[holding answer 17 October 1990]:* Yes, radioactive waste was stored and handled at the former Chatham dockyard.

Radiation Exposure

Mr. O'Neill: To ask the Secretary of State for Defence (1) what information he has on studies of the risks to his Department's personnel of exposure to nuclear radiation that have been carried out in the last 10 years;

(2) what studies are currently being undertaken by his Department to reassess the risks to his Department's personnel of exposure to nuclear radiation;

(3) what current studies to reassess the risks to his Department's personnel of exposure to nuclear radiation have been commissioned or are being funded by his Department.

Mr. Kenneth Carlisle *[holding answer 17 October 1990]:* No studies are currently being undertaken, commissioned or funded by MOD. Any study confined to

MOD would most probably lack sufficient numbers to provide the necessary statistical power. MOD is committed to contributing to national studies by providing dosimetry information to larger databases such as the national register of radiation workers and to Professor Kinlen's study into incidence of childhood leukaemia in children of exposed workers in Scotland.

Nuclear-powered Submarines

Mr. O'Neill: To ask the Secretary of State for Defence when he expects to announce his decision on the disposal method for nuclear-powered submarines.

Mr. Kenneth Carlisle *[holding answer 17 October 1990]:* The matter is under active consideration and an announcement will be made as soon as a conclusion is reached.

ENERGY

Oil and Petrol

Mr. Dobson: To ask the Secretary of State for Energy (1) what was the level of petrol consumption in August and September 1990 and August and September 1989;

(2) what was the level of oil stocks and petroleum products, respectively, in each month in 1989 and 1990.

Mr. Wakeham: The level of deliveries of petrol for consumption in August and September 1989 and 1990 and the level of oil stocks and petroleum products respectively in each month in 1989 and 1990 are set out in the tables.

This information is routinely published in "Energy Trends", copies of which are placed in the Library of the House.

Table 1

Deliveries of petrol (motor spirit) for consumption

	Thousand tonnes
1989	
August	2,110
September	1,988
1990	
August[1]	2,167
September[1]	1,913

[1] Provisional.

Table 2

Stocks at the end of the month

Thousand tonnes

	Crude and refinery process oils	*Petroleum products*
1989		
January	6,851	10,933
February	6,954	10,764
March	6,706	10,259
April	6,565	10,151
May	7,215	10,332
June	6,306	10,137
July	7,295	10,113
August	7,152	10,235
September	7,048	10,571
October	6,838	10,376
November	7,400	9,804
December	6,920	10,606
1990		
January	6,650	10,636
February	6,750	10,154
March	7,728	10,027
April	7,016	9,854
May	7,707	10,655
June	7,229	10,344
July	7,137	10,304
August[1]	6,998	10,926
September[1]	7,372	10,694

[1] Provisional.

Electricity Privatisation

Mr. Dobson: To ask the Secretary of State for Energy (1) on what date the budget for advertising the flotation of the electricity distribution companies was agreed;

(2) what is the budget for advertising the flotation of the electricity distribution companies; and what proportion is to be spent on *(a)* television, *(b)* radio, *(c)* newspaper and *(d)* other advertising.

Mr. Wakeham: Total costs will depend on the media rates achieved and advertising volumes. The full costs of the privatisation, including advertising costs, will be made available to Parliament in the normal way.

Mr. Dobson: To ask the Secretary of State for Energy if he will list the dates, venues and estimated cost of the electricity privatisation roadshow.

Mr. Wakeham: The dates and venues of the proposed United Kingdom roadshows for the regional electricity companies share offers are:

	Venue
5 November 1990	Plymouth, London
6 November 1990	Bristol, Ipswich, Swansea
7 November 1990	Bournemouth, Edinburgh
8 November 1990	Cardiff, Nottingham, Peterborough
9 November 1990	Leicester, Sheffield, Southhampton
12 November 1990	Brighton, Glasgow, Stoke on Trent
13 November 1990	Ashford, Birmingham, Preston
14 November 1990	Aberystwyth, Belfast, Middlesbrough
15 November 1990	Manchester, Liverpool
16 November 1990	Newcastle
19 November 1990	Leeds

Provisional plans for overseas roadshows include seven in Europe, eight in north America and two in Japan; final decisions on the dates and location of overseas roadshows will be taken shortly.

It is too early to make a reliable forecast of the cost of the roadshow programme for the 12 regional electricity companies share offers until these and other decisions have been taken. The full costs of privatisation, including the roadshow programme, will be made available to Parliament in the normal way.

Mr. Dobson: To ask the Secretary of State for Energy what is his current estimate of the total brokers' fees for the flotation of the electricity distribution companies.

Mr. Wakeham: The Department's contract with brokers is commercially sensitive and it is the Government's established practise not to reveal such information. The full costs of the privatisation will be made available to Parliament in the normal way.

Mr. Dobson: To ask the Secretary of State for Energy what companies have been or are advising him on electricity privatisation in addition to those listed in his answer to the hon. Member for Holborn and St. Pancras on 5 February, *Official Report*, columns *454-58*.

Mr. Wakeham: Since I last replied on 2 July 1990 at columns *429-30*, the following additional companies have been appointed to advise the Department on electricity privatisation:

Henry Butcher—Property valuers
Lloyd Northover—Design consultants
J. Henry Schroder Wagg—Possible trade sale of PowerGen
J. Chiene—Pricing adviser
J. Henry Schroder Wagg—Lead underwriter

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Energy how much was spent by his Department on official hospitality in 1989-90.

Mr. Wakeham: The Department spent £46,000 on official hospitality in 1989-90.

Nuclear Accidents

Mr. Tony Banks: To ask the Secretary of State for Energy what information he has on the number of nuclear accidents reported in the last 12 months to the World Association of Nuclear Operators; and how many originated from the United Kingdom.

Mr. Baldry: The Government do not have this information. It is a matter for the World Association of Nuclear Operators, which has an office in London.

Piper Alpha

Mr. Robert Hughes: To ask the Secretary of State for Energy if he has received the report into Piper Alpha chaired by Lord Cullen; and when he expects this to be published.

Mr. Wakeham: The report is expected shortly. I shall inform the hon. Member when it has been received.

Electricity Companies (Debt)

Mr. Dobson: To ask the Secretary of State for Energy (1) if he will list for each electricity company the debt agreed with his Department, the date on which it was agreed and the repayment date;

(2) what is the total debt he has agreed with the electricity companies.

Mr. Wakeham: I have agreed debt totalling £2,815 million for the 12 regional electricity companies and the National Grid Company. The details will be included in the forthcoming prospectus when shares in the 12 regional electricity companies are offered for sale. I have agreed debt of £450 million and £270 million for National Power and PowerGen respectively.

Tidal Power

Mr. Simon Hughes: To ask the Secretary of State for Energy what assessment he has made of the invention by Richard Lucy designed to harness tidal power; and if he will make a statement.

Mr. Wakeham: An outline suggestion for extracting energy from the movement of tides has been received from Mr. Richard Lucy. It is now the subject of an assessment by an independent engineering consultancy on behalf of my Department. The results of the assessment will be communicated to Mr. Lucy in due course.

FOREIGN AND COMMONWEALTH AFFAIRS

Non-proliferation Treaty

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the comments of the United Kingdom delegation at the fourth non-proliferation treaty review conference concerning *(a)* the export of civil nuclear technology and *(b)* peacetime nuclear explosions.

Mr. Waldegrave: Our comments at the fourth non-proliferation treaty review conference on the export of civil nuclear technology were contained in the speech which I gave to the conference on 22 August. I made it clear that we are vigilant in implementing internationally accepted nuclear export controls and do not co-operate with non-nuclear weapon states in ways which might assist the development of nuclear weapons.

On peaceful nuclear explosions, the conference achieved consensus, supported by the United Kingdom, as follows:

"1. The Conference confirms that, if the potential for the safe and peaceful application of nuclear explosions were demonstrated and were made available to non nuclear-weapon States Party to the Treaty in accordance with article V, the IAEA would be the appropriate international body through which such applications could be made available.

2. The Conference notes that the potential for the peaceful applications of nuclear explosions has not been sufficiently demonstrated and that no requests for services related to the peaceful applications of nuclear explosions have been received by the IAEA since the Treaty entered into force. The Conference further notes that no nuclear-weapon State has an active programme for the peaceful application of nuclear explosions."

Iraq

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the sources of funds and the amounts available to those countries whose economies are most likely to suffer as a result of the mandatory sanctions against Iraq.

Mr. Waldegrave: Financial support will be available from the IMF and World bank for countries seeking to adjust their economies to the effects of Iraq's invasion of Kuwait and the consequent application of UN sanctions against Iraq. For Egypt, Jordan and Turkey, the countries most directly affected, special efforts are being made within the framework of the recently established Gulf crisis financial co-ordination group. Contributions so far announced include 1·5 billion ecu ($2 billion) agreed by the EC and its member states, $2 billion from Japan, and substantial sums from Saudi Arabia, the UAE and Kuwait.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has as to the impact of the United Nations sanctions upon the economy of Iraq.

Mr. Waldegrave: Available information indicates some deterioration in Iraq's industrial capacity. This is believed to be caused by increasing shortages of foreign-sourced parts, industrial raw materials, manpower and know-how. The shortage of spare parts seems likely to lead in the longer term to problems in the oil industry and refining sector. There are also strong indications that the financial freeze on Iraqi assets overseas is proving generally effective.

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his current estimate of the number of *(a)* British hostages and *(b)* British nationals in (i) Iraq and (ii) Kuwait.

Mr. Waldegrave: Our estimate of the number of British nationals held by the Iraqis at special sites is:

Iraq 304
Kuwait 72

Our estimate of the total number of British nationals (including those held at special sites) is:

Iraq 800
Kuwait 650

Mr. Strang: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries whose economies are assessed to be most likely to suffer as a result of the mandatory sanctions against Iraq; and if he will make a statement.

Mr. Waldegrave: The economies of Egypt, Jordan and Turkey have been most directly affected by Iraq's invasion of Kuwait and the consequent application of United Nations sanctions against Iraq. The best way to help these and other countries damaged by the Gulf crisis is to bring an end to the Iraqi occupation of Kuwait and restore stability to the region.

Hospitality

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs how much was spent by his Department on official hospitality in 1989-90.

Mr. Lennox-Boyd: The estimated expenditure on official hospitality by both wings of the Foreign and Commonwealth Office in the financial year 1989-90 is £6·4 million.

This figure includes the grant in aid to the Government hospitality fund which meets the costs of ministerial entertainment and guest of Government visits for all Government Departments.

Spain (Transport Dispute)

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he is giving to British lorry drivers; what representations he has made to the appropriate authorities; and what advice he is offering to British firms proposing to send goods by road to or through Spain.

Mr. Lennox-Boyd: Consular officers have visited problem areas to check welfare and give advice and financial assistance where needed. We have asked the Spanish central and regional authorities to ensure the safety of British lorry crews and their vehicles.

Our advice is that road transport to and through Spain should be avoided until the dispute is resolved. Vehicles in transit should wait well short of the border.

Mr. Stern: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the effects of the Spanish transport operators' industrial action on British trade with Spain.

Mr. Garel-Jones: It is too early to be able to quantify the effects. Our immediate concern is to ensure that British drivers caught up in the dispute are given all available consular help and Spanish police protection. We very much hope that the industrial dispute will soon be resolved and that all the British lorries involved will be free to go.

Kuwait

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 15 October to the right hon. Member for Swansea, West, what proposals he has for the disposal of the remaining £4,136 received by his Department from the telephone system set up for families to make inquiries about relatives trapped in Iraq and Kuwait.

Mr. Waldegrave: The remaining £4,136 will be put towards further rent payments for the Gulf support group if needed, or towards another good cause connected with the Gulf crisis.

Pakistan

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs whether British representatives will be observing elections in Pakistan due on 24 October; and if he will make a statement.

Mr. Lennox-Boyd: Official British coverage of the elections will be provided by our diplomatic staff in Pakistan.

Visas

Mr. Stern: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the demand, at the latest available date, for visas to visit the United Kingdom from eastern Europe; and what was the demand on the same date a year earlier.

Mr. Lennox-Boyd: The information requested is as follows:

Visa applications received for eight months January to August

Country	*1990*	*1989*
Bulgaria	5,020	3,887
Czechoslovakia[1]	17,996	11,458
Hungary[1]	17,606	15,109
Poland	48,553	47,387
Romania[2]	6,450	1,899
Soviet Union	31,020	18,013

[1] Figures are for period January to July. Visas were abolished for these countries on 1 October 1990.

[2] Figures for 1990 are an estimate. Final figures for August not available but variation will be less than 2 per cent.

AGRICULTURE, FISHERIES AND FOOD

EC Food

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what is his latest estimate of the surpluses of various food products and produce in the EEC in the current year; and if he will make a statement.

Mr. Curry: A note setting out the volume of EC intervention stocks of agricultural commodities is deposited in the Library of the House and is updated monthly.

Slaughterhouses

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make it his policy to ensure visits by Ministry officials to slaughterhouses are henceforth carried out unannounced;

(2) what percentage of visits to slaughterhouses in 1989 by Ministry officials were *(a)* arranged in advance with the management of the slaughterhouses and *(b)* carried out without prior warning; what was the total number of visits to slaughterhouses in 1989 by Ministry officials; and if he will give a breakdown by (i) county and (ii) type of slaughterhouses.

Mr. Curry: Local authorities (district councils) are responsible for the enforcement of hygiene and welfare legislation in all slaughterhouses. Visits by Ministry veterinary officers are for the purpose of giving advice to the local authorities on standards, and are made in the company of local authority personnel. It is usual for visits to be arranged with the business concerned as their purpose is best served if representatives of plant management are present. Unannounced visits may be made in response to reports of problems. In 1988-89 the manpower involved was 45 man years.

Information in the form requested by the hon. Member is not available.

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of knackermen and slaughterhouses, to discuss working conditions; and if he will make a statement.

Mr. Maclean: I and my officials have regular meetings with representatives of knackermen and slaughterhouses to discuss a wide range of issues. However, working conditions in knackers yards and slaughterhouses are a matter for my right hon. and learned Friend the Secretary of State for Employment.

Ducks

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what consideration he has given to the value of the introduction of ducks to areas presently occupied solely by cows and pigs as a means of insect control; and if he will make a statement.

Mr. Curry: I have given no consideration to this proposal and therefore have no statement to make.

Agricultural Biocides

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what was the total expenditure on agricultural biocides in (i) 1970, (ii) 1980 and (iii) 1989 at 1989 prices; what was the total acreage subject to biocide treatment in (i) 1970, (ii) 1980 and (iii) 1989; what was the total weight of concentrate biocides used in the United Kingdom in (i) 1970, (ii) 1980 and (iii) 1989.

Mr. Curry: The information that the hon. Member requests is as follows:

Estimated pesticide usage in England and Wales 1970-89
(Total expenditure figures relate to United Kingdom)

	Total expenditure at 1989 prices £ million	*Total area of crops (hectares)*	*Total pesticide treated area*[3] *(hectares)*	*Total active ingredients applied*[4] *(tonnes)*
1970	[1]142	[2]5,631,000	12,783,000	22,062
1980	244	10,511,000	26,012,000	35,533
1989	[5]440	10,543,000	26,791,000	29,374

[1] Earliest available data on comparable price basis is for 1973.
[2] Excluding permanent grass.
[3] Treated area is the gross area treated with a pesticide, including all repeated applications.
[4] Tonnage of active ingredients applied not tonnage of pesticide products.
[5] Provisional.

Hospitality

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food how much was spent by his Ministry on official hospitality in 1989-90.

Mr. Curry: The provisional figure for expenditure in 1989-90 is £62,265.

Poultry

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what is his policy in respect of the fitting of red-coloured contact lenses to poultry to prevent feather-pecking.

Mr. Curry: The Farm Animal Welfare Council has been asked to investigate this practice and report on any welfare implications.

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what steps he takes to ensure turkey slaughtering is carried out without causing suffering to the bird; and if he has any plans to amend legislation on poultry slaughter to increase the effectiveness of animal welfare measures.

Mr. Curry: The welfare of turkeys at slaughter is protected by the Slaughter of Poultry Act 1967 and the Slaughter of Poultry (Humane Conditions) Regulations 1984, as amended, made under it. Local authorities at district council level are responsible for enforcement, and Ministry veterinary officers also visit slaughterhouses to check that welfare requirements are being met. The Ministry funds research into various aspects of the welfare of poultry at slaughter. As results become available they are and will be used, as appropriate, to update regulations or codes of practice.

We plan to add to the legislation shortly by making new regulations on the licensing of poultry slaughtermen and the supervision of welfare in poultry slaughterhouses, issuing directions to local authorities and making a code of practice on poultry slaughter. These measures will implement Farm Animal Welfare Council recommendations.

Mince Products

Mr. Allen McKay: To ask the Minister of Agriculture, Fisheries and Food if he will establish a common standard of description to be applied to mince products.

Mr. Curry: I have no immediate plans to introduce controls on mince. The European Commission is likely to

make proposals for the quantitative declaration of characterising ingredients of foodstuffs (for example, lean meat in mince) and the possible extension to domestic production of the existing directive on minced meat.

Pesticides

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what plans he has to increase public access to information on pesticides; and if he will make a statement.

Mr. Curry: The United Kingdom leads the world in the amount of information released on pesticides, including detailed scientific evaluations, the data underlying regulatory decisions and results of environmental monitoring and usage. Results of analysis of pesticide residues are now being published annually in full; the first such report of the working party on pesticide residues was published on 27 September.

Notwithstanding the amount of information already available, we have asked officials to review the current arrangements and consultation with interested parties will take place shortly.

Genetically Engineered Animals

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what research *(a)* his Department has instigated and *(b)* his Department is aware of into the production of genetically engineered pigs, containing extra hormone genes; what is his policy in repect of genetically engineered animals; and if he will make a statement.

Mr. Curry: The Department is not funding any work on the production of genetically engineered pigs. However, we are aware that basic research in this area is being conducted in a number of laboratories around the world and the results are being closely monitored. The Department is responsible for ensuring that the same high standards of welfare apply to all farm animals, regardless of their origin.

Salmon

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what is delaying the publication of the report of the review of salmon fishing on the east coast of Scotland and the north-east coast of England.

Mr. Soames: To ask the Minister of Agriculture, Fisheries and Food when he intends to publish the review of drift net fishing under section 39 of the Salmon Act 1986.

Mr. Curry: I refer my right hon. and learned Friend to my reply to the question of 16 October. There is no specific time limit for the presentation of the results of the review to Parliament. However, my right hon. and learned Friend the Secretary of State for Scotland and I hope to be ready to do this soon.

Water (Agricultural Use)

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the National Rivers Authority about the need to review the system of water abstraction licences for agricultural purposes.

Mr. Curry: Our officials have had several meetings with the National Rivers Authority, and consultations with the NFU and CLA, to discuss the problems of this year's drought and the consequent ban on spray irrigation in certain areas. The aim is to improve farmers' awareness of the importance of conserving supplies and to provide advice on ways of achieving this.

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to encourage farmers to increase impounded water supplies for irrigation purposes.

Mr. Curry: Investment in impounded water supplies is a decision for the farmers concerned. Only they can make the commercial judgment as to whether the benefits from increased yield and security of production during periods of dry weather justify the investment costs.

Small Farms

Mr. Amess: To ask the Minister of Agriculture, Fisheries and Food what proposals his Department has to assist small farms.

Mr. Gummer: The Government do not in general favour policies intended to discriminate in favour of small farms. This would run counter to the Government's aim of making agriculture more market orientated and penalise parts of the Community such as the United Kingdom which have competitive farm structures.

Condemned Meat

Mr. McAvoy: To ask the Minister of Agriculture, Fisheries and Food if he has received any representations about the sale of condemned meat in butchers' shops and supermarkets; and if he will make a statement.

Mr. Maclean: I refer the hon. Gentleman to the reply that I gave on 18 October to the hon. Member for Barnsley, East (Mr. Patchett).

Set-aside

Mr. Cran: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received on the operation in the United Kingdom of the European Community set-aside scheme.

Mr. Curry: Following a number of representations on the operation of the set-aside scheme to date, my right hon. Friends and I reviewed the scheme and introduced a number of changes of benefit to the environment including a requirement to cut the plant cover twice a year and a limited form of grazed fallow.

Bovine Spongiform Encephalopathy

Dr. Kim Howells: To ask the Minister of Agriculture, Fisheries and Food when he last met the National Farmers Union to discuss bovine spongiform encephalopathy.

Mr. Gummer: I refer the hon. Member to the reply that I gave on 18 October to the hon. Member for Vale of Glamorgan (Mr. Smith).

Farm Incomes

Mr. Butler: To ask the Minister of Agriculture, Fisheries and Food what is his latest information on the trend in farm incomes.

Mr. Gummer: The latest information on aggregate farm incomes relates to last year and was published in "Agriculture in the United Kingdom 1989". Forecasts of incomes in 1990 will be published in the next edition of this report early in the new year.

Organic Food

Mr. Harry Barnes: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the deliberations of the board of the United Kingdom register of organic food standards.

Mr. Gummer: No. It is for the board of UKROFS to decide whether to make statements on its deliberations. I understand that it already does so.

Wild Birds

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what representations have been made by his Department to airlines regarding the transportation of wild birds into the United Kingdom; and if he will make a statement.

Mr. Trippier *[holding answer 17 October 1990]:* I have been asked to reply.

My hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food wrote personally to airlines on 26 January 1990 to remind them of their duty of care under the Transit of Animals (General) Order 1973, laying particular emphasis on the treatment of wild-caught birds. My hon. Friend urged the need for airlines to adhere, through all the stages of the journey, to standards laid down in the IATA regulations for the transport of live animals by air. My own Department represents the convention on international trade in endangered species of wild fauna and flora at meetings of the International Air Transport Association's live animals board with a view to ensuring that the provisions of the convention relating to the transport and welfare of live animals are taken into account in the preparation and implementation of the IATA live animals regulations.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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23rd July—19th October, 1990

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading Speaker's rulings and statements.

Other contributions by Mr. Speaker and his deputies appear under the heading Speaker.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Com = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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